

FIRST REGULAR SESSION

HOUSE BILL NO. 1095

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEATON.

1943H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 32.110, 135.325, 135.326, 135.327, 135.335, 135.341, 135.352, 135.460, 135.550, 135.600, 135.621, 135.630, 135.647, 135.679, 135.800, 191.975, and 348.505, RSMo, and to enact in lieu thereof eighteen new sections relating to tax credits.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 32.110, 135.325, 135.326, 135.327, 135.335, 135.341, 135.352, 135.460, 135.550, 135.600, 135.621, 135.630, 135.647, 135.679, 135.800, 191.975, and 348.505, RSMo, are repealed and eighteen new sections enacted in lieu thereof, to be known as sections 32.110, 135.325, 135.326, 135.327, 135.335, 135.341, 135.352, 135.365, 135.460, 135.550, 135.600, 135.621, 135.630, 135.647, 135.679, 135.800, 191.975, and 348.505, to read as follows:

32.110. Any business firm which engages in the activities of providing physical revitalization, economic development, job training or education for individuals, community services, or crime prevention in the state of Missouri shall receive a tax credit as provided in section 32.115 if the director of the department of economic development annually approves the proposal of the business firm; except that, no proposal shall be approved which does not have the endorsement of the agency of local government within the area in which the business firm is engaging in such activities which has adopted an overall community or neighborhood development plan that the proposal is consistent with such plan. The proposal shall set forth the program to be conducted, the neighborhood area to be served, why the program is needed, the estimated amount to be contributed to the program and the plans for implementing the program. If, in the opinion of the director of the department of economic development, a business firm's contribution can more consistently with the purposes of sections 32.100 to 32.125 be made

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 through contributions to a neighborhood organization as defined in subdivision (13) of section
14 32.105, tax credits may be allowed as provided in section 32.115. The director of the department
15 of economic development is hereby authorized to promulgate rules and regulations for
16 establishing criteria for evaluating such proposals by business firms for approval or disapproval
17 and for establishing priorities for approval or disapproval of such proposals by business firms
18 with the assistance and approval of the director of the department of revenue. The total amount
19 of tax credit granted for programs approved pursuant to sections 32.100 to 32.125 shall not
20 exceed fourteen million dollars in fiscal year 1999 ~~[and]~~ ; twenty-six million dollars in fiscal year
21 2000, and ~~[any subsequent]~~ **each fiscal year ending on or before June 30, 2021; and thirty**
22 **million dollars in each fiscal year beginning on or after July 1, 2021**, except as otherwise
23 provided for proposals approved pursuant to section 32.111, 32.112 or 32.117. All tax credits
24 authorized pursuant to the provisions of sections 32.100 to 32.125 may be used as a state match
25 to secure additional federal funding.

135.325. Sections 135.325 to 135.339 shall be known and may be cited as the "~~[Special~~
2 ~~Needs]~~ Adoption Tax Credit Act".

135.326. As used in sections 135.325 to 135.339, the following terms shall mean:

2 (1) "Business entity", person, firm, a partner in a firm, corporation or a shareholder in
3 an S corporation doing business in the state of Missouri and subject to the state income tax
4 imposed by the provisions of chapter 143, or a corporation subject to the annual corporation
5 franchise tax imposed by the provisions of chapter 147, or an insurance company paying an
6 annual tax on its gross premium receipts in this state, or other financial institution paying taxes
7 to the state of Missouri or any political subdivision of this state under the provisions of chapter
8 148, or an express company which pays an annual tax on its gross receipts in this state pursuant
9 to chapter 153;

10 (2) "Child", any individual who:

11 (a) **Has not attained at least eighteen years of age; or**

12 (b) **Is eighteen years of age or older but is physically or mentally incapable of**
13 **caring for himself or herself;**

14 (3) "~~[Handicap]~~ **Disability**", a mental, physical, or emotional impairment that
15 substantially limits one or more major life activities, whether the impairment is congenital or
16 acquired by accident, injury or disease, and where the impairment is verified by medical findings;

17 ~~[(3)]~~ (4) "Nonrecurring adoption expenses", reasonable and necessary adoption fees,
18 court costs, attorney fees, and other expenses which are directly related to the legal adoption of
19 a ~~[special-needs]~~ child and which are not incurred in violation of federal, state, or local law;

20 ~~[(4)]~~ **(5)** "Special needs child", a child for whom it has been determined by the children's
21 division, or by a child-placing agency licensed by the state, or by a court of competent
22 jurisdiction to be a child:

23 (a) That cannot or should not be returned to the home of his or her parents; and

24 (b) Who has a specific factor or condition such as ~~[ethnic background,]~~ age, membership
25 in a ~~[minority or]~~ sibling group, medical condition **or diagnosis**, or ~~[handicap]~~ **disability** because
26 of which it is reasonable to conclude that such child cannot be easily placed with adoptive
27 parents;

28 ~~[(5)]~~ **(6)** "State tax liability", any liability incurred by a taxpayer under the provisions
29 of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating
30 to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions.

135.327. 1. Any person residing in this state who legally adopts a special needs child
2 on or after January 1, 1988, and before January 1, 2000, shall be eligible to receive a tax credit
3 of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted that may
4 be applied to taxes due under chapter 143. Any business entity providing funds to an employee
5 to enable that employee to legally adopt a special needs child shall be eligible to receive a tax
6 credit of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted
7 that may be applied to taxes due under such business entity's state tax liability, except that only
8 one ten thousand dollar credit is available for each special needs child that is adopted.

9 2. Any person residing in this state who proceeds in good faith with the adoption of a
10 special needs child on or after January 1, 2000, **and before January 1, 2022**, shall be eligible
11 to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each
12 child that may be applied to taxes due under chapter 143; provided, however, that beginning on
13 March 29, 2013, the tax credits shall only be allocated for the adoption of special needs children
14 who are residents or wards of residents of this state at the time the adoption is initiated. Any
15 business entity providing funds to an employee to enable that employee to proceed in good faith
16 with the adoption of a special needs child shall be eligible to receive a tax credit of up to ten
17 thousand dollars for nonrecurring adoption expenses for each child that may be applied to taxes
18 due under such business entity's state tax liability, except that only one ten thousand dollar credit
19 is available for each special needs child that is adopted.

20 3. **Any person residing in this state who proceeds in good faith with the adoption**
21 **of a child on or after January 1, 2022, regardless of whether such child is a special needs**
22 **child, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring**
23 **adoption expenses for each child that may be applied to taxes due under chapter 143. The**
24 **tax credit shall be allowed regardless of whether the child adopted is a resident or ward**
25 **of a resident of this state at the time the adoption is initiated; however, priority shall be**

26 **given to applications to claim the tax credit for special needs children who are residents or**
27 **wards of residents of this state at the time the adoption is initiated. Any business entity**
28 **providing funds to an employee to enable that employee to proceed in good faith with the**
29 **adoption of a child shall be eligible to receive a tax credit of up to ten thousand dollars for**
30 **nonrecurring adoption expenses for each child that may be applied to taxes due under such**
31 **business entity's state tax liability; except that, only one credit, up to ten thousand dollars,**
32 **shall be available for each child who is adopted.**

33 **4.** Individuals and business entities may claim a tax credit for their total nonrecurring
34 adoption expenses in each year that the expenses are incurred. A claim for fifty percent of the
35 credit shall be allowed when the child is placed in the home. A claim for the remaining fifty
36 percent shall be allowed when the adoption is final. The total of these tax credits shall not
37 exceed the maximum limit of ten thousand dollars per child. The cumulative amount of tax
38 credits which may be claimed by taxpayers claiming the credit for nonrecurring adoption
39 expenses ~~[in any one]~~ **for each** fiscal year prior to July 1, 2004, shall not exceed two million
40 dollars. The cumulative amount of tax credits that may be claimed by taxpayers claiming the
41 credit for nonrecurring adoption expenses shall not be more than two million dollars but may be
42 increased by appropriation ~~[in any]~~ **for each** fiscal year beginning on or after July 1, 2004, **and**
43 **ending on or before June 30, 2021. The cumulative amount of tax credits that may be**
44 **claimed by taxpayers claiming the credit for nonrecurring adoption expenses shall not be**
45 **more than four million dollars for each fiscal year beginning on or after July 1, 2021.** For
46 all fiscal years beginning on or after July 1, 2006, applications to claim the adoption tax credit
47 ~~[for special needs children who are residents or wards of residents of this state at the time the~~
48 ~~adoption is initiated]~~ shall be filed between July first and April fifteenth of each fiscal year.

49 ~~[4.]~~ **5.** Notwithstanding any provision of law to the contrary, any individual or business
50 entity may assign, transfer or sell tax credits allowed in this section. Any sale of tax credits
51 claimed pursuant to this section shall be at a discount rate of seventy-five percent or greater of
52 the amount sold.

135.335. In the year of adoption and in any year thereafter in which the credit is carried
2 forward pursuant to section 135.333, the credit shall be reduced by an amount equal to the state's
3 cost of providing care, treatment, maintenance and services when:

4 (1) The ~~[special needs]~~ child is placed, with no intent to return to the adoptive home, in
5 foster care or residential treatment licensed or operated by the children's division, the division
6 of youth services or the department of mental health; or

7 (2) A juvenile court temporarily or finally relieves the adoptive parents of custody of the
8 ~~[special needs]~~ child.

135.341. 1. As used in this section, the following terms shall mean:

(1) "CASA", an entity which receives funding from the court-appointed special advocate fund established under section 476.777, including an association based in this state, affiliated with a national association, organized to provide support to entities receiving funding from the court-appointed special advocate fund;

(2) "Child advocacy centers", the regional child assessment centers listed in subsection 2 of section 210.001, including an association based in this state, affiliated with a national association, and organized to provide support to entities listed in subsection 2 of section 210.001;

(3) "Contribution", the amount of donation to a qualified agency;

(4) "Crisis care center", entities contracted with this state which provide temporary care for children whose age ranges from birth through seventeen years of age whose parents or guardian are experiencing an unexpected and unstable or serious condition that requires immediate action resulting in short-term care, usually three to five continuous, uninterrupted days, for children who may be at risk for child abuse, neglect, or in an emergency situation;

(5) "Department", the department of revenue;

(6) "Director", the director of the department of revenue;

(7) "Qualified agency", CASA, child advocacy centers, or a crisis care center;

(8) "Tax liability", the tax due under chapter 143 other than taxes withheld under sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2013, a tax credit may be claimed in an amount equal to up to fifty percent of a verified contribution to a qualified agency and shall be named the champion for children tax credit. The minimum amount of any tax credit issued shall not be less than fifty dollars and shall be applied to taxes due under chapter 143, excluding sections 143.191 to 143.265. A contribution verification shall be issued to the taxpayer by the agency receiving the contribution. Such contribution verification shall include the taxpayer's name, Social Security number, amount of tax credit, amount of contribution, the name and address of the agency receiving the credit, and the date the contribution was made. The tax credit provided under this subsection shall be initially filed for the year in which the verified contribution is made.

3. The cumulative amount of the tax credits redeemed shall not exceed one million dollars for all fiscal years ending on or before June 30, 2019~~[, and]~~; one million five hundred thousand dollars for all fiscal years beginning on or after July 1, 2019, **and ending on or before June 30, 2021; and three million dollars for all fiscal years beginning on or after July 1, 2021.** The amount available shall be equally divided among the three qualified agencies: CASA, child advocacy centers, or crisis care centers, to be used towards tax credits issued. In the event tax credits claimed under one agency do not total the allocated amount for that agency, the unused portion for that agency will be made available to the remaining agencies equally. In

38 the event the total amount of tax credits claimed for any one agency exceeds the amount
39 available for that agency, the amount redeemed shall and will be apportioned equally to all
40 eligible taxpayers claiming the credit under that agency.

41 4. Prior to December thirty-first of each year, each qualified agency shall apply to the
42 department of social services in order to verify their qualified agency status. Upon a
43 determination that the agency is eligible to be a qualified agency, the department of social
44 services shall provide a letter of eligibility to such agency. No later than February first of each
45 year, the department of social services shall provide a list of qualified agencies to the department
46 of revenue. All tax credit applications to claim the champion for children tax credit shall be filed
47 between July first and April fifteenth of each fiscal year. A taxpayer shall apply for the
48 champion for children tax credit by attaching a copy of the contribution verification provided by
49 a qualified agency to such taxpayer's income tax return.

50 5. Any amount of tax credit which exceeds the tax due or which is applied for and
51 otherwise eligible for issuance but not issued shall not be refunded but may be carried over to
52 any subsequent tax year, not to exceed a total of five years.

53 6. Tax credits may not be assigned, transferred or sold.

54 7. (1) In the event a credit denial, due to lack of available funds, causes a balance-due
55 notice to be generated by the department of revenue, or any other redeeming agency, the taxpayer
56 will not be held liable for any penalty or interest, provided the balance is paid, or approved
57 payment arrangements have been made, within sixty days from the notice of denial.

58 (2) In the event the balance is not paid within sixty days from the notice of denial, the
59 remaining balance shall be due and payable under the provisions of chapter 143.

60 8. The department may promulgate such rules or regulations as are necessary to
61 administer the provisions of this section. Any rule or portion of a rule, as that term is defined
62 in section 536.010, that is created under the authority delegated in this section shall become
63 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
64 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
65 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
66 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
67 rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid
68 and void.

69 9. Pursuant to section 23.253, of the Missouri sunset act:

70 (1) The program authorized under this section shall be reauthorized as of December 31,
71 2019, and shall expire on December 31, 2025, unless reauthorized by the general assembly; and

72 (2) This section shall terminate on September first of the calendar year immediately
73 following the calendar year in which the program authorized under this section is sunset; and

74 (3) The provisions of this subsection shall not be construed to limit or in any way impair
75 the department's ability to redeem tax credits authorized on or before the date the program
76 authorized under this section expires or a taxpayer's ability to redeem such credits.

77 10. Beginning on March 29, 2013, any verified contribution to a qualified agency made
78 on or after January 1, 2013, shall be eligible for tax credits as provided by this section.

135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall, subject
2 to the limitations provided under the provisions of ~~[subsection]~~ **subsections 3 and 4** of this
3 section, be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed
4 the Missouri low-income housing tax credit, if the commission issues an eligibility statement for
5 that project. **The amount of Missouri low-income housing tax credits allocated with respect**
6 **to a qualified project shall be available to a taxpayer each year for five consecutive tax**
7 **years beginning with the tax year in which a qualified project is placed into service.**

8 2. For qualified Missouri projects placed in service after January 1, 1997, the Missouri
9 low-income housing tax credit available to a project shall be such amount as the commission
10 shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the
11 federal low-income housing tax credit for a qualified Missouri project, for a federal tax period,
12 and such amount shall be subtracted from the amount of state tax otherwise due for the same tax
13 period.

14 3. **For all fiscal years beginning on or after July 1, 2021, the aggregate amount of**
15 **tax credits authorized in a fiscal year for projects not financed through tax-exempt bond**
16 **issuance shall not exceed eighty million dollars.**

17 4. **For all fiscal years ending on or before June 30, 2021, no more than six million**
18 **dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt**
19 **bond issuance. For all fiscal years beginning on or after July 1, 2021, no more than two**
20 **million dollars in tax credits shall be authorized each fiscal year for projects financed**
21 **through tax-exempt bond issuance.**

22 ~~[4.]~~ 5. The Missouri low-income housing tax credit shall be taken against the taxes and
23 in the order specified pursuant to section 32.115. The credit authorized by this section shall not
24 be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may
25 be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the
26 taxpayer's five subsequent taxable years.

27 ~~[5.]~~ 6. All or any portion of Missouri tax credits issued in accordance with the
28 provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant
29 to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified
30 projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall
31 certify to the director the amount of credit allocated to each taxpayer. The owner of the project

32 shall provide to the director appropriate information so that the low-income housing tax credit
33 can be properly allocated.

34 ~~[6.]~~ 7. In the event that recapture of Missouri low-income housing tax credits is required
35 pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided
36 in this section shall include the proportion of the state credit required to be recaptured, the
37 identity of each taxpayer subject to the recapture and the amount of credit previously allocated
38 to such taxpayer.

39 ~~[7.]~~ 8. The director of the department may promulgate rules and regulations necessary
40 to administer the provisions of this section. No rule or portion of a rule promulgated pursuant
41 to the authority of this section shall become effective unless it has been promulgated pursuant
42 to the provisions of section 536.024.

135.365. Under section 23.253 of the Missouri sunset act:

2 **(1) The provisions of the program authorized under sections 135.350 to 135.363**
3 **shall automatically sunset on December thirty-first six years after August 28, 2021, unless**
4 **reauthorized by an act of the general assembly;**

5 **(2) If such program is reauthorized, the program authorized under sections 135.350**
6 **to 135.363 shall automatically sunset on December thirty-first six years after the effective**
7 **date of the reauthorization of sections 135.350 to 135.363;**

8 **(3) This section shall terminate on September first of the calendar year immediately**
9 **following the calendar year in which the program authorized under sections 135.350 to**
10 **135.363 is sunset; and**

11 **(4) The provisions of this section shall not be construed to limit or in any way**
12 **impair the department's ability to issue tax credits authorized on or before the date the**
13 **program authorized under sections 135.350 to 135.363 expires or a taxpayer's ability to**
14 **redeem such tax credits.**

135.460. 1. This section and sections 620.1100 and 620.1103 shall be known and may
2 be cited as the "Youth Opportunities and Violence Prevention Act".

3 2. As used in this section, the term "taxpayer" shall include corporations as defined in
4 section 143.441 or 143.471, any charitable organization which is exempt from federal income
5 tax and whose Missouri unrelated business taxable income, if any, would be subject to the state
6 income tax imposed under chapter 143, and individuals, individual proprietorships and
7 partnerships.

8 3. A taxpayer shall be allowed a tax credit against the tax otherwise due pursuant to
9 chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, chapter 147,
10 chapter 148, or chapter 153 in an amount equal to thirty percent for property contributions and
11 fifty percent for monetary contributions of the amount such taxpayer contributed to the programs

12 described in subsection 5 of this section, not to exceed two hundred thousand dollars per taxable
13 year, per taxpayer, **for each fiscal year ending on or before June 30, 2021, and five hundred**
14 **thousand dollars per tax year, per taxpayer, for each fiscal year beginning on or after July**
15 **1, 2021**; except as otherwise provided in subdivision (5) of subsection 5 of this section. The
16 department of economic development shall prescribe the method for claiming the tax credits
17 allowed in this section. No rule or portion of a rule promulgated under the authority of this
18 section shall become effective unless it has been promulgated pursuant to the provisions of
19 chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect
20 and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity
21 of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of
22 chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the
23 powers vested with the general assembly pursuant to chapter 536, including the ability to review,
24 to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently
25 held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed
26 and contained in the order of rulemaking shall be invalid and void.

27 4. The tax credits allowed by this section shall be claimed by the taxpayer to offset the
28 taxes that become due in the taxpayer's tax period in which the contribution was made. Any tax
29 credit not used in such tax period may be carried over the next five succeeding tax periods.

30 5. The tax credit allowed by this section may only be claimed for monetary or property
31 contributions to public or private programs authorized to participate pursuant to this section by
32 the department of economic development and may be claimed for the development,
33 establishment, implementation, operation, and expansion of the following activities and
34 programs:

35 (1) An adopt-a-school program. Components of the adopt-a-school program shall
36 include donations for school activities, seminars, and functions; school-business employment
37 programs; and the donation of property and equipment of the corporation to the school;

38 (2) Expansion of programs to encourage school dropouts to reenter and complete high
39 school or to complete a graduate equivalency degree program;

40 (3) Employment programs. Such programs shall initially, but not exclusively, target
41 unemployed youth living in poverty and youth living in areas with a high incidence of crime;

42 (4) New or existing youth clubs or associations;

43 (5) Employment/internship/apprenticeship programs in business or trades for persons
44 less than twenty years of age, in which case the tax credit claimed pursuant to this section shall
45 be equal to one-half of the amount paid to the intern or apprentice in that tax year, except that
46 such credit shall not exceed ten thousand dollars per person **for each fiscal year ending on or**

47 **before June 30, 2021, and twenty thousand dollars per person for each fiscal year**
48 **beginning on or after July 1, 2021;**

49 (6) Mentor and role model programs;

50 (7) Drug and alcohol abuse prevention training programs for youth;

51 (8) Donation of property or equipment of the taxpayer to schools, including schools
52 which primarily educate children who have been expelled from other schools, or donation of the
53 same to municipalities, or not-for-profit corporations or other not-for-profit organizations which
54 offer programs dedicated to youth violence prevention as authorized by the department;

55 (9) Not-for-profit, private or public youth activity centers;

56 (10) Nonviolent conflict resolution and mediation programs;

57 (11) Youth outreach and counseling programs.

58 6. Any program authorized in subsection 5 of this section shall, at least annually, submit
59 a report to the department of economic development outlining the purpose and objectives of such
60 program, the number of youth served, the specific activities provided pursuant to such program,
61 the duration of such program and recorded youth attendance where applicable.

62 7. The department of economic development shall, at least annually submit a report to
63 the Missouri general assembly listing the organizations participating, services offered and the
64 number of youth served as the result of the implementation of this section.

65 8. The tax credit allowed by this section shall apply to all taxable years beginning after
66 December 31, 1995.

67 9. For the purposes of the credits described in this section, in the case of a corporation
68 described in section 143.471, partnership, limited liability company described in section 347.015,
69 cooperative, marketing enterprise, or partnership, in computing Missouri's tax liability, such
70 credits shall be allowed to the following:

71 (1) The shareholders of the corporation described in section 143.471;

72 (2) The partners of the partnership;

73 (3) The members of the limited liability company; and

74 (4) Individual members of the cooperative or marketing enterprise.

75

76 Such credits shall be apportioned to the entities described in subdivisions (1) and (2) of this
77 subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

135.550. 1. As used in this section, the following terms shall mean:

2 (1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or
3 real property;

4 (2) "Shelter for victims of domestic violence", a facility located in this state which meets
5 the definition of a shelter for victims of domestic violence pursuant to section 455.200 and which
6 meets the requirements of section 455.220;

7 (3) "State tax liability", in the case of a business taxpayer, any liability incurred by such
8 taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153,
9 exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191
10 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred
11 by such taxpayer pursuant to the provisions of chapter 143;

12 (4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S
13 corporation doing business in the state of Missouri and subject to the state income tax imposed
14 by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax
15 imposed by the provisions of chapter 147, including any charitable organization which is exempt
16 from federal income tax and whose Missouri unrelated business taxable income, if any, would
17 be subject to the state income tax imposed under chapter 143, or an insurance company paying
18 an annual tax on its gross premium receipts in this state, or other financial institution paying
19 taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions
20 of chapter 148, or an express company which pays an annual tax on its gross receipts in this state
21 pursuant to chapter 153, or an individual subject to the state income tax imposed by the
22 provisions of chapter 143.

23 2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax
24 liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a shelter
25 for victims of domestic violence.

26 3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's
27 state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be
28 allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any
29 tax credit that cannot be claimed in the taxable year the contribution was made may be carried
30 over to the next four succeeding taxable years until the full credit has been claimed.

31 4. Except for any excess credit which is carried over pursuant to subsection 3 of this
32 section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such
33 taxpayer's contribution or contributions to a shelter or shelters for victims of domestic violence
34 in such taxpayer's taxable year has a value of at least one hundred dollars.

35 5. The director of the department of social services shall determine, at least annually,
36 which facilities in this state may be classified as shelters for victims of domestic violence. The
37 director of the department of social services may require of a facility seeking to be classified as
38 a shelter for victims of domestic violence whatever information is reasonably necessary to make
39 such a determination. The director of the department of social services shall classify a facility

40 as a shelter for victims of domestic violence if such facility meets the definition set forth in
41 subsection 1 of this section.

42 6. The director of the department of social services shall establish a procedure by which
43 a taxpayer can determine if a facility has been classified as a shelter for victims of domestic
44 violence, and by which such taxpayer can then contribute to such shelter for victims of domestic
45 violence and claim a tax credit. Shelters for victims of domestic violence shall be permitted to
46 decline a contribution from a taxpayer. The cumulative amount of tax credits which may be
47 claimed by all the taxpayers contributing to shelters for victims of domestic violence ~~[in any one]~~
48 **for each fiscal year ending on or before June 30, 2021**, shall not exceed two million dollars.
49 **The cumulative amount of tax credits that may be claimed by all the taxpayers**
50 **contributing to shelters for victims of domestic violence for each fiscal year beginning on**
51 **or after July 1, 2021, shall not exceed four million dollars.**

52 7. The director of the department of social services shall establish a procedure by which,
53 from the beginning of the fiscal year until some point in time later in the fiscal year to be
54 determined by the director of the department of social services, the cumulative amount of tax
55 credits are equally apportioned among all facilities classified as shelters for victims of domestic
56 violence. If a shelter for victims of domestic violence fails to use all, or some percentage to be
57 determined by the director of the department of social services, of its apportioned tax credits
58 during this predetermined period of time, the director of the department of social services may
59 reapportion these unused tax credits to those shelters for victims of domestic violence that have
60 used all, or some percentage to be determined by the director of the department of social
61 services, of their apportioned tax credits during this predetermined period of time. The director
62 of the department of social services may establish more than one period of time and reapportion
63 more than once during each fiscal year. To the maximum extent possible, the director of the
64 department of social services shall establish the procedure described in this subsection in such
65 a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative
66 amount of tax credits available for the fiscal year.

67 8. This section shall become effective January 1, 2000, and shall apply to all tax years
68 after December 31, 1999.

135.600. 1. As used in this section, the following terms shall mean:

2 (1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or
3 real property;

4 (2) "Maternity home", a residential facility located in this state:

5 (a) Established for the purpose of providing housing and assistance to pregnant women
6 who are carrying their pregnancies to term;

7 (b) That does not perform, induce, or refer for abortions and that does not hold itself out
8 as performing, inducing, or referring for abortions;

9 (c) That provides services at no cost to clients; and

10 (d) That is exempt from income taxation under the United States Internal Revenue Code;

11 (3) "State tax liability", in the case of a business taxpayer, any liability incurred by such
12 taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153,
13 exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191
14 to 143.265, and related provisions, and in the case of an individual taxpayer, any liability
15 incurred by such taxpayer pursuant to the provisions of chapter 143;

16 (4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S
17 corporation doing business in the state of Missouri and subject to the state income tax imposed
18 by the provisions of chapter 143, including any charitable organization which is exempt from
19 federal income tax and whose Missouri unrelated business taxable income, if any, would be
20 subject to the state income tax imposed under chapter 143, or a corporation subject to the annual
21 corporation franchise tax imposed by the provisions of chapter 147, or an insurance company
22 paying an annual tax on its gross premium receipts in this state, or other financial institution
23 paying taxes to the state of Missouri or any political subdivision of this state pursuant to the
24 provisions of chapter 148, or an express company which pays an annual tax on its gross receipts
25 in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by
26 the provisions of chapter 143.

27 2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax
28 liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a
29 maternity home.

30 3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's
31 state tax liability for the tax year that the credit is claimed, and such taxpayer shall not be allowed
32 to claim a tax credit in excess of fifty thousand dollars per tax year. However, any tax credit that
33 cannot be claimed in the tax year the contribution was made may be carried over only to the next
34 succeeding tax year. No tax credit issued under this section shall be assigned, transferred, or
35 sold.

36 4. Except for any excess credit which is carried over pursuant to subsection 3 of this
37 section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such
38 taxpayer's contribution or contributions to a maternity home or homes in such taxpayer's tax year
39 has a value of at least one hundred dollars.

40 5. The director of the department of social services shall determine, at least annually,
41 which facilities in this state may be classified as maternity homes. The director of the
42 department of social services may require of a facility seeking to be classified as a maternity

43 home whatever information is reasonably necessary to make such a determination. The director
44 of the department of social services shall classify a facility as a maternity home if such facility
45 meets the definition set forth in subsection 1 of this section.

46 6. The director of the department of social services shall establish a procedure by which
47 a taxpayer can determine if a facility has been classified as a maternity home, and by which such
48 taxpayer can then contribute to such maternity home and claim a tax credit. Maternity homes
49 shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax
50 credits which may be claimed by all the taxpayers contributing to maternity homes in any one
51 fiscal year shall not exceed two million dollars for all fiscal years ending on or before June 30,
52 2014~~[-and]~~ ; two million five hundred thousand dollars for all fiscal years beginning on or after
53 July 1, 2014, and ending on or before June 30, 2019~~[-and]~~ ; three million five hundred thousand
54 dollars for all fiscal years beginning on or after July 1, 2019, **and ending on or before June 30,**
55 **2021; and four million dollars for all fiscal years beginning on or after July 1, 2021.** Tax
56 credits shall be issued in the order contributions are received. If the amount of tax credits
57 redeemed in a fiscal year is less than the cumulative amount authorized under this subsection,
58 the difference shall be carried over to a subsequent fiscal year or years and shall be added to the
59 cumulative amount of tax credits that may be authorized in that fiscal year or years.

60 7. The director of the department of social services shall establish a procedure by which,
61 from the beginning of the fiscal year until some point in time later in the fiscal year to be
62 determined by the director of the department of social services, the cumulative amount of tax
63 credits are equally apportioned among all facilities classified as maternity homes. If a maternity
64 home fails to use all, or some percentage to be determined by the director of the department of
65 social services, of its apportioned tax credits during this predetermined period of time, the
66 director of the department of social services may reapportion these unused tax credits to those
67 maternity homes that have used all, or some percentage to be determined by the director of the
68 department of social services, of their apportioned tax credits during this predetermined period
69 of time. The director of the department of social services may establish more than one period
70 of time and reapportion more than once during each fiscal year. To the maximum extent
71 possible, the director of the department of social services shall establish the procedure described
72 in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits
73 possible up to the cumulative amount of tax credits available for the fiscal year.

74 8. This section shall become effective January 1, 2000, and shall apply to all tax years
75 after December 31, 1999, until sunset.

76 9. Under section 23.253 of the Missouri sunset act:

77 (1) The provisions of the program authorized under this section shall automatically
78 sunset on December thirty-first six years after August 28, 2018, unless reauthorized by an act of
79 the general assembly;

80 (2) If such program is reauthorized, the program authorized under this section shall
81 automatically sunset on December thirty-first six years after the effective date of the
82 reauthorization of this section;

83 (3) This section shall terminate on September first of the calendar year immediately
84 following the calendar year in which the program authorized under this section is sunset; and

85 (4) The provisions of this subsection shall not be construed to limit or in any way impair
86 the department's ability to issue tax credits authorized on or before the date the program
87 authorized under this section expires or a taxpayer's ability to redeem such tax credits.

135.621. 1. As used in this section, the following terms mean:

2 (1) "Contribution", a donation of cash, stock, bonds, other marketable securities, or real
3 property;

4 (2) "Department", the department of social services;

5 (3) "Diaper bank", a nonprofit entity located in this state established and operating
6 primarily for the purpose of collecting or purchasing disposable diapers or other hygiene
7 products for infants, children, or incontinent adults and that regularly distributes such diapers or
8 other hygiene products through two or more schools, health care facilities, governmental
9 agencies, or other nonprofit entities for eventual distribution to individuals free of charge;

10 (4) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding
11 withholding tax imposed under sections 143.191 to 143.265, or otherwise due under chapter 148
12 or 153;

13 (5) "Taxpayer", a person, firm, partner in a firm, corporation, or shareholder in an S
14 corporation doing business in the state of Missouri and subject to the state income tax imposed
15 under chapter 143; an insurance company paying an annual tax on its gross premium receipts in
16 this state; any other financial institution paying taxes to the state of Missouri or any political
17 subdivision of this state under chapter 148; an express company that pays an annual tax on its
18 gross receipts in this state under chapter 153; an individual subject to the state income tax under
19 chapter 143; or any charitable organization that is exempt from federal income tax and whose
20 Missouri unrelated business taxable income, if any, would be subject to the state income tax
21 imposed under chapter 143.

22 2. For all fiscal years beginning on or after July 1, 2019, a taxpayer shall be allowed to
23 claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of
24 the amount of such taxpayer's contributions to a diaper bank.

25 3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's
26 state tax liability for the tax year for which the credit is claimed, and such taxpayer shall not be
27 allowed to claim a tax credit in excess of fifty thousand dollars per tax year. However, any tax
28 credit that cannot be claimed in the tax year the contribution was made may be carried over only
29 to the next subsequent tax year. No tax credit issued under this section shall be assigned,
30 transferred, or sold.

31 4. Except for any excess credit that is carried over under subsection 3 of this section, no
32 taxpayer shall be allowed to claim a tax credit unless the taxpayer contributes at least one
33 hundred dollars to one or more diaper banks during the tax year for which the credit is claimed.

34 5. The department shall determine, at least annually, which entities in this state qualify
35 as diaper banks. The department may require of an entity seeking to be classified as a diaper
36 bank any information which is reasonably necessary to make such a determination. The
37 department shall classify an entity as a diaper bank if such entity satisfies the definition under
38 subsection 1 of this section.

39 6. The department shall establish a procedure by which a taxpayer can determine if an
40 entity has been classified as a diaper bank.

41 7. Diaper banks may decline a contribution from a taxpayer.

42 8. The cumulative amount of tax credits that may be claimed by all the taxpayers
43 contributing to diaper banks ~~[in any one]~~ **for each fiscal year ending on or before June 30,**
44 **2021,** shall not exceed five hundred thousand dollars. **The cumulative amount of tax credits**
45 **that may be claimed by all the taxpayers contributing to diaper banks for each fiscal year**
46 **beginning on or after July 1, 2021, shall not exceed two million dollars.** Tax credits shall be
47 issued in the order contributions are received. If the amount of tax credits redeemed in a tax year
48 is less than ~~[five hundred thousand dollars]~~ **the cumulative amount allowed under this**
49 **subsection,** the difference shall be added to the cumulative limit created under this subsection
50 for the next fiscal year and carried over to subsequent fiscal years until claimed.

51 9. The department shall establish a procedure by which, from the beginning of the fiscal
52 year until some point in time later in the fiscal year to be determined by the department, the
53 cumulative amount of tax credits are equally apportioned among all entities classified as diaper
54 banks. If a diaper bank fails to use all, or some percentage to be determined by the department,
55 of its apportioned tax credits during this predetermined period of time, the department may
56 reapportion such unused tax credits to diaper banks that have used all, or some percentage to be
57 determined by the department, of their apportioned tax credits during this predetermined period
58 of time. The department may establish multiple periods each fiscal year and reapportion
59 accordingly. To the maximum extent possible, the department shall establish the procedure
60 described under this subsection in such a manner as to ensure that taxpayers can claim as many

61 of the tax credits as possible, up to the cumulative limit created under subsection 8 of this
62 section.

63 10. Each diaper bank shall provide information to the department concerning the identity
64 of each taxpayer making a contribution and the amount of the contribution. The department shall
65 provide the information to the department of revenue. The department shall be subject to the
66 confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax
67 information.

68 11. Under section 23.253 of the Missouri sunset act:

69 (1) The provisions of the program authorized under this section shall automatically
70 sunset on December thirty-first six years after August 28, 2018, unless reauthorized by an act of
71 the general assembly;

72 (2) If such program is reauthorized, the program authorized under this section shall
73 automatically sunset on December thirty-first six years after the effective date of the
74 reauthorization of this section;

75 (3) This section shall terminate on September first of the calendar year immediately
76 following the calendar year in which the program authorized under this section is sunset; and

77 (4) The provisions of this subsection shall not be construed to limit or in any way impair
78 the department's ability to issue tax credits authorized on or before the date the program
79 authorized under this section expires or a taxpayer's ability to redeem such tax credits.

135.630. 1. As used in this section, the following terms mean:

2 (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or
3 real property;

4 (2) "Director", the director of the department of social services;

5 (3) "Pregnancy resource center", a nonresidential facility located in this state:

6 (a) Established and operating primarily to provide assistance to women and families with
7 crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional
8 and material support, and other similar services or by offering services as described under
9 subsection 2 of section 188.325, to encourage and assist such women and families in carrying
10 their pregnancies to term; and

11 (b) Where childbirths are not performed; and

12 (c) Which does not perform, induce, or refer for abortions and which does not hold itself
13 out as performing, inducing, or referring for abortions; and

14 (d) Which provides direct client services at the facility, as opposed to merely providing
15 counseling or referral services by telephone; and

16 (e) Which provides its services at no cost to its clients; and

17 (f) When providing medical services, such medical services must be performed in
18 accordance with Missouri statute; and

19 (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of
20 1986, as amended;

21 (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such
22 taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections
23 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability
24 incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191
25 to 143.265 and related provisions;

26 (5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S
27 corporation doing business in the state of Missouri and subject to the state income tax imposed
28 by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax
29 imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its
30 gross premium receipts in this state, or other financial institution paying taxes to the state of
31 Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or
32 an express company which pays an annual tax on its gross receipts in this state pursuant to
33 chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter
34 143, or any charitable organization which is exempt from federal income tax and whose Missouri
35 unrelated business taxable income, if any, would be subject to the state income tax imposed
36 under chapter 143.

37 2. (1) Beginning on March 29, 2013, any contribution to a pregnancy resource center
38 made on or after January 1, 2013, shall be eligible for tax credits as provided by this section.

39 (2) For all tax years beginning on or after January 1, 2007, and ending on or before
40 December 31, 2020, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state
41 tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a
42 pregnancy resource center. For all tax years beginning on or after January 1, 2021, a taxpayer
43 shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal
44 to seventy percent of the amount such taxpayer contributed to a pregnancy resource center.

45 3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's
46 state tax liability for the tax year for which the credit is claimed, and such taxpayer shall not be
47 allowed to claim a tax credit in excess of fifty thousand dollars per tax year **for each fiscal year**
48 **ending on or before June 30, 2021, and one hundred thousand dollars per tax year for each**
49 **fiscal year beginning on or after July 1, 2021.** However, any tax credit that cannot be claimed
50 in the tax year the contribution was made may be carried over only to the next succeeding tax
51 year. No tax credit issued under this section shall be assigned, transferred, or sold.

52 4. Except for any excess credit which is carried over pursuant to subsection 3 of this
53 section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such
54 taxpayer's contribution or contributions to a pregnancy resource center or centers in such
55 taxpayer's tax year has a value of at least one hundred dollars.

56 5. The director shall determine, at least annually, which facilities in this state may be
57 classified as pregnancy resource centers. The director may require of a facility seeking to be
58 classified as a pregnancy resource center whatever information which is reasonably necessary
59 to make such a determination. The director shall classify a facility as a pregnancy resource
60 center if such facility meets the definition set forth in subsection 1 of this section.

61 6. The director shall establish a procedure by which a taxpayer can determine if a facility
62 has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted
63 to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be
64 claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year
65 shall not exceed two million dollars for all fiscal years ending on or before June 30, 2014, and
66 two million five hundred thousand dollars for all fiscal years beginning on or after July 1, 2014,
67 and ending on or before June 30, 2019, and three million five hundred thousand dollars for all
68 fiscal years beginning on or after July 1, 2019, and ending on or before June 30, 2021. For all
69 fiscal years beginning on or after July 1, 2021, there shall be no limit imposed on the cumulative
70 amount of tax credits that may be claimed by all taxpayers contributing to pregnancy resource
71 centers under the provisions of this section. Tax credits shall be issued in the order contributions
72 are received. If the amount of tax credits redeemed in a fiscal year is less than the cumulative
73 amount authorized under this subsection, the difference shall be carried over to a subsequent
74 fiscal year or years and shall be added to the cumulative amount of tax credits that may be
75 authorized in that fiscal year or years.

76 7. For all fiscal years ending on or before June 30, 2021, the director shall establish a
77 procedure by which, from the beginning of the fiscal year until some point in time later in the
78 fiscal year to be determined by the director, the cumulative amount of tax credits are equally
79 apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource
80 center fails to use all, or some percentage to be determined by the director, of its apportioned tax
81 credits during this predetermined period of time, the director may reapportion these unused tax
82 credits to those pregnancy resource centers that have used all, or some percentage to be
83 determined by the director, of their apportioned tax credits during this predetermined period of
84 time. The director may establish more than one period of time and reapportion more than once
85 during each fiscal year. To the maximum extent possible, the director shall establish the
86 procedure described in this subsection in such a manner as to ensure that taxpayers can claim all
87 the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

88 8. Each pregnancy resource center shall provide information to the director concerning
89 the identity of each taxpayer making a contribution to the pregnancy resource center who is
90 claiming a tax credit pursuant to this section and the amount of the contribution. The director
91 shall provide the information to the director of revenue. The director shall be subject to the
92 confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax
93 information.

94 9. The provisions of section 23.253 shall not apply to this section.

135.647. 1. As used in this section, the following terms shall mean:

2 (1) "Local food pantry", any food pantry that is:

3 (a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986,
4 as amended; and

5 (b) Distributing emergency food supplies to Missouri low-income people who would
6 otherwise not have access to food supplies in the area in which the taxpayer claiming the tax
7 credit under this section resides;

8 (2) "Local homeless shelter", any homeless shelter that is:

9 (a) Exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,
10 as amended; and

11 (b) Providing temporary living arrangements, in the area in which the taxpayer claiming
12 the tax credit under this section resides, for individuals and families who otherwise lack a fixed,
13 regular, and adequate nighttime residence and lack the resources or support networks to obtain
14 other permanent housing;

15 (3) "Local soup kitchen", any soup kitchen that is:

16 (a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986,
17 as amended; and

18 (b) Providing prepared meals through an established congregate feeding operation to
19 needy, low-income persons including, but not limited to, homeless persons in the area in which
20 the taxpayer claiming the tax credit under this section resides;

21 (4) "Taxpayer", an individual, a firm, a partner in a firm, corporation, or a shareholder
22 in an S corporation doing business in this state and subject to the state income tax imposed by
23 chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

24 2. (1) Beginning on March 29, 2013, any donation of cash or food made to a local food
25 pantry on or after January 1, 2013, unless such food is donated after the food's expiration date,
26 shall be eligible for tax credits as provided by this section.

27 (2) Beginning on August 28, 2018, any donation of cash or food made to a local soup
28 kitchen or local homeless shelter on or after January 1, 2018, unless such food is donated after
29 the food's expiration date, shall be eligible for a tax credit as provided under this section.

30 (3) Any taxpayer who makes a donation that is eligible for a tax credit under this section
31 shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding
32 tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of
33 the donations made to the extent such amounts that have been subtracted from federal adjusted
34 gross income or federal taxable income are added back in the determination of Missouri adjusted
35 gross income or Missouri taxable income before the credit can be claimed. Each taxpayer
36 claiming a tax credit under this section shall file an affidavit with the income tax return verifying
37 the amount of their contributions. The amount of the tax credit claimed shall not exceed the
38 amount of the taxpayer's state tax liability for the tax year that the credit is claimed and shall not
39 exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit
40 that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable,
41 but may be carried forward to any of the taxpayer's three subsequent tax years. No tax credit
42 granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible
43 to receive a credit pursuant to this section if such taxpayer employs persons who are not
44 authorized to work in the United States under federal law. No taxpayer shall be able to claim
45 more than one credit under this section for a single donation.

46 3. The cumulative amount of tax credits under this section which may be allocated to all
47 taxpayers contributing to a local food pantry, local soup kitchen, or local homeless shelter ~~[in any~~
48 ~~one]~~ **for each fiscal year ending on or before June 30, 2021,** shall not exceed one million seven
49 hundred fifty thousand dollars. **The cumulative amount of tax credits under this section that**
50 **may be allocated to all taxpayers contributing to a local food pantry, local soup kitchen,**
51 **or local homeless shelter for each fiscal year beginning on or after July 1, 2021, shall not**
52 **exceed four million dollars.** The director of revenue shall establish a procedure by which the
53 cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April
54 fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible,
55 the director of revenue shall establish the procedure described in this subsection in such a manner
56 as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of
57 tax credits available for the fiscal year.

58 4. Any local food pantry, local soup kitchen, or local homeless shelter may accept or
59 reject any donation of food made under this section for any reason. For purposes of this section,
60 any donations of food accepted by a local food pantry, local soup kitchen, or local homeless
61 shelter shall be valued at fair market value, or at wholesale value if the taxpayer making the
62 donation of food is a retail grocery store, food broker, wholesaler, or restaurant.

63 5. The department of revenue shall promulgate rules to implement the provisions of this
64 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
65 under the authority delegated in this section shall become effective only if it complies with and

66 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
67 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
68 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
69 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
70 proposed or adopted after August 28, 2007, shall be invalid and void.

71 6. Under section 23.253 of the Missouri sunset act:

72 (1) The program authorized under this section shall be reauthorized as of August 28,
73 2018, and shall expire on December 31, 2026, unless reauthorized by the general assembly; and

74 (2) This section shall terminate on September first of the calendar year immediately
75 following the calendar year in which the program authorized under this section is sunset; and

76 (3) The provisions of this subsection shall not be construed to limit or in any way impair
77 a taxpayer's ability to redeem tax credits authorized on or before the date the program authorized
78 under this section expires.

135.679. 1. This section shall be known and may be cited as the "Qualified Beef Tax
2 Credit Act".

3 2. As used in this section, the following terms mean:

4 (1) "Agricultural property", any real and personal property, including but not limited to
5 buildings, structures, improvements, equipment, and livestock, that is used in or is to be used in
6 this state by residents of this state for:

7 (a) The operation of a farm or ranch; and

8 (b) Grazing, feeding, or the care of livestock;

9 (2) "Authority", the agricultural and small business development authority established
10 in chapter 348;

11 (3) "Backgrounded", any additional weight at the time of the first qualifying sale, before
12 being finished, above the established baseline weight;

13 (4) "Baseline weight", the average weight in the immediate past two years of all beef
14 animals sold that are thirty months of age or younger, categorized by sex. Baseline weight for
15 qualified beef animals that are physically out-of-state but whose ownership is retained by a
16 resident of this state shall be established by the average transfer weight in the immediate past two
17 years of all beef animals that are thirty months of age or younger and that are transferred
18 out-of-state but whose ownership is retained by a resident of this state, categorized by sex. The
19 established baseline weight shall be effective for a period of three years. If the taxpayer is a
20 qualifying beef animal producer with fewer than two years of production, the baseline weight
21 shall be established by the available average weight in the immediate past year of all beef
22 animals sold that are thirty months of age or younger, categorized by sex. If the qualifying beef

23 animal producer has no previous production, the baseline weight shall be established by the
24 authority;

25 (5) "Finished", the period from backgrounded to harvest;

26 (6) "Qualifying beef animal", any beef animal that is certified by the authority, that was
27 born in this state after August 28, 2008, that was raised and backgrounded or finished in this state
28 by the taxpayer, excluding any beef animal more than thirty months of age as verified by certified
29 written birth records;

30 (7) "Qualifying sale", the first time a qualifying beef animal is sold in this state after the
31 qualifying beef animal is backgrounded, and a subsequent sale if the weight of the qualifying
32 beef animal at the time of the subsequent sale is greater than the weight of the qualifying beef
33 animal at the time of the first qualifying sale of such beef animal;

34 (8) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding
35 withholding tax imposed by sections 143.191 to 143.265, or otherwise due under chapter 147;

36 (9) "Taxpayer", any individual or entity who:

37 (a) Is subject to the tax imposed in chapter 143, excluding withholding tax imposed by
38 sections 143.191 to 143.265, or the tax imposed in chapter 147;

39 (b) In the case of an individual, is a resident of this state as verified by a 911 address or
40 in the absence of a 911 system, a physical address; and

41 (c) Owns or rents agricultural property and principal place of business is located in this
42 state.

43 3. (1) For all tax years beginning on or after January 1, 2009, but ending on or before
44 December 31, 2021, a taxpayer shall be allowed a tax credit for the first qualifying sale and for
45 a subsequent qualifying sale of all qualifying beef animals.

46 (2) The tax credit amount for the first qualifying sale shall be ten cents per pound for
47 qualifying sale weights under six hundred pounds and twenty-five cents per pound for qualifying
48 sale weights of six hundred pounds or greater, shall be based on the backgrounded weight of all
49 qualifying beef animals at the time of the first qualifying sale, and shall be calculated as follows:

50 (a) If the qualifying sale weight is under six hundred pounds, the qualifying sale weight
51 minus the baseline weight multiplied by ten cents, as long as the qualifying sale weight is equal
52 to or greater than one hundred pounds above the baseline weight; or

53 (b) If the qualifying sale weight is six hundred pounds or greater, the qualifying sale
54 weight minus the baseline weight multiplied by twenty-five cents, as long as the qualifying sale
55 weight is equal to or greater than one hundred pounds above the baseline weight.

56 (3) The tax credit amount for each subsequent qualifying sale shall be ten cents per
57 pound for qualifying sale weights under six hundred pounds and twenty-five cents per pound for
58 qualifying sale weights of six hundred pounds or greater, shall be based on the backgrounded

59 weight of all qualifying beef animals at the time of the subsequent qualifying sale, and shall be
60 calculated as follows:

61 (a) If the qualifying sale weight is under six hundred pounds, the qualifying sale weight
62 minus the baseline weight multiplied by ten cents, as long as the qualifying sale weight is equal
63 to or greater than one hundred pounds above the baseline weight; or

64 (b) If the qualifying sale weight is six hundred pounds or greater, the qualifying sale
65 weight minus the baseline weight multiplied by twenty-five cents, as long as the qualifying sale
66 weight is equal to or greater than one hundred pounds above the baseline weight.

67

68 The authority may waive no more than twenty-five percent of the one-hundred-pound weight
69 gain requirement, but any such waiver shall be based on a disaster declaration issued by the U.S.
70 Department of Agriculture.

71 4. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's
72 state tax liability for the tax year for which the credit is claimed. No tax credit claimed under
73 this section shall be refundable. The tax credit shall be claimed in the tax year in which the
74 qualifying sale of the qualifying beef occurred, but any amount of credit that the taxpayer is
75 prohibited by this section from claiming in a tax year may be carried forward to any of the
76 taxpayer's four subsequent tax years. The total amount of tax credits that any taxpayer may claim
77 shall not exceed fifteen thousand dollars per year. No taxpayer shall be allowed to claim tax
78 credits under this section for more than three years. The amount of tax credits that may be issued
79 to all eligible applicants claiming tax credits authorized in this section and section 135.686 ~~in~~
80 ~~a calendar~~ **for each fiscal year ending on or before June 30, 2021**, shall not exceed two
81 million dollars. **The amount of tax credits that may be issued to all eligible applicants**
82 **claiming tax credits authorized in this section and section 135.686 for each fiscal year**
83 **beginning on or after July 1, 2021, shall not exceed four million dollars.** Tax credits shall
84 be issued on an as-received application basis until the calendar year limit is reached. Any credits
85 not issued in any calendar year shall expire and shall not be issued in any subsequent years.

86 5. To claim the tax credit allowed under this section, the taxpayer shall submit to the
87 authority an application for the tax credit on a form provided by the authority and any application
88 fee imposed by the authority. The application shall be filed with the authority at the end of each
89 calendar year in which a qualified sale was made and for which a tax credit is claimed under this
90 section. The application shall include any certified documentation and information required by
91 the authority. All required information obtained by the authority shall be confidential and not
92 disclosed except by court order, subpoena, or as otherwise provided by law. If the taxpayer and
93 the qualified sale meet all criteria required by this section and approval is granted by the
94 authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credit

95 certificates issued under this section may be assigned, transferred, sold, or otherwise conveyed,
96 and the new owner of the tax credit certificate shall have the same rights in the tax credit as the
97 original taxpayer. Whenever a tax credit certificate is assigned, transferred, sold or otherwise
98 conveyed, a notarized endorsement shall be filed with the authority specifying the name and
99 address of the new owner of the tax credit certificate or the value of the tax credit.

100 6. Any information provided under this section shall be confidential information, to be
101 shared with no one except state and federal animal health officials, except as provided in
102 subsection 5 of this section.

103 7. The authority shall, at least annually, submit a report to the Missouri general assembly
104 reviewing the costs and benefits of the program established under this section.

105 8. The authority may promulgate rules to implement the provisions of this section. Any
106 rule or portion of a rule, as that term is defined in section 536.010, that is created under the
107 authority delegated in this section shall become effective only if it complies with and is subject
108 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
109 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant
110 to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
111 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
112 or adopted after August 28, 2007, shall be invalid and void.

113 9. This section shall not be subject to the Missouri sunset act, sections 23.250 to 23.298.

135.800. 1. The provisions of sections 135.800 to 135.830 shall be known and may be
2 cited as the "Tax Credit Accountability Act of 2004".

3 2. As used in sections 135.800 to 135.830, the following terms mean:

4 (1) "Administering agency", the state agency or department charged with administering
5 a particular tax credit program, as set forth by the program's enacting statute; where no
6 department or agency is set forth, the department of revenue;

7 (2) "Agricultural tax credits", the agricultural product utilization contributor tax credit
8 created pursuant to section 348.430, the new generation cooperative incentive tax credit created
9 pursuant to section 348.432, the family farm breeding livestock loan tax credit created under
10 section 348.505, the qualified beef tax credit created under section 135.679, and the wine and
11 grape production tax credit created pursuant to section 135.700;

12 (3) "All tax credit programs", or "any tax credit program", the tax credit programs
13 included in the definitions of agricultural tax credits, business recruitment tax credits, community
14 development tax credits, domestic and social tax credits, entrepreneurial tax credits,
15 environmental tax credits, financial and insurance tax credits, housing tax credits, redevelopment
16 tax credits, and training and educational tax credits;

17 (4) "Business recruitment tax credits", the business facility tax credit created pursuant
18 to sections 135.110 to 135.150 and section 135.258, the enterprise zone tax benefits created
19 pursuant to sections 135.200 to 135.270, the business use incentives for large-scale development
20 programs created pursuant to sections 100.700 to 100.850, the development tax credits created
21 pursuant to sections 32.100 to 32.125, the rebuilding communities tax credit created pursuant
22 to section 135.535, the film production tax credit created pursuant to section 135.750, the
23 enhanced enterprise zone created pursuant to sections 135.950 to 135.970, and the Missouri
24 quality jobs program created pursuant to sections 620.1875 to 620.1900;

25 (5) "Community development tax credits", the neighborhood assistance tax credit created
26 pursuant to sections 32.100 to 32.125, the family development account tax credit created
27 pursuant to sections 208.750 to 208.775, the dry fire hydrant tax credit created pursuant to
28 section 320.093, and the transportation development tax credit created pursuant to section
29 135.545;

30 (6) "Domestic and social tax credits", the youth opportunities tax credit created pursuant
31 to section 135.460 and sections 620.1100 to 620.1103, the shelter for victims of domestic
32 violence created pursuant to section 135.550, the senior citizen or disabled person property tax
33 credit created pursuant to sections 135.010 to 135.035, the ~~[special needs]~~ adoption tax credit
34 created pursuant to sections 135.325 to 135.339, the champion for children tax credit created
35 pursuant to section 135.341, the maternity home tax credit created pursuant to section 135.600,
36 the surviving spouse tax credit created pursuant to section 135.090, the residential treatment
37 agency tax credit created pursuant to section 135.1150, the pregnancy resource center tax credit
38 created pursuant to section 135.630, the food pantry tax credit created pursuant to section
39 135.647, the health care access fund tax credit created pursuant to section 135.575, the
40 residential dwelling access tax credit created pursuant to section 135.562, the developmental
41 disability care provider tax credit created under section 135.1180, the shared care tax credit
42 created pursuant to section 192.2015, and the diaper bank tax credit created pursuant to section
43 135.621;

44 (7) "Entrepreneurial tax credits", the capital tax credit created pursuant to sections
45 135.400 to 135.429, the certified capital company tax credit created pursuant to sections 135.500
46 to 135.529, the seed capital tax credit created pursuant to sections 348.300 to 348.318, the new
47 enterprise creation tax credit created pursuant to sections 620.635 to 620.653, the research tax
48 credit created pursuant to section 620.1039, the small business incubator tax credit created
49 pursuant to section 620.495, the guarantee fee tax credit created pursuant to section 135.766, and
50 the new generation cooperative tax credit created pursuant to sections 32.105 to 32.125;

51 (8) "Environmental tax credits", the charcoal producer tax credit created pursuant to
52 section 135.313, the wood energy tax credit created pursuant to sections 135.300 to 135.311, and
53 the alternative fuel stations tax credit created pursuant to section 135.710;

54 (9) "Financial and insurance tax credits", the bank franchise tax credit created pursuant
55 to section 148.030, the bank tax credit for S corporations created pursuant to section 143.471,
56 the exam fee tax credit created pursuant to section 148.400, the health insurance pool tax credit
57 created pursuant to section 376.975, the life and health insurance guaranty tax credit created
58 pursuant to section 376.745, the property and casualty guaranty tax credit created pursuant to
59 section 375.774, and the self-employed health insurance tax credit created pursuant to section
60 143.119;

61 (10) "Housing tax credits", the neighborhood preservation tax credit created pursuant to
62 sections 135.475 to 135.487, the low-income housing tax credit created pursuant to sections
63 135.350 to 135.363, and the affordable housing tax credit created pursuant to sections 32.105 to
64 32.125;

65 (11) "Recipient", the individual or entity who is the original applicant for and who
66 receives proceeds from a tax credit program directly from the administering agency, the person
67 or entity responsible for the reporting requirements established in section 135.805;

68 (12) "Redevelopment tax credits", the historic preservation tax credit created pursuant
69 to sections 253.545 to 253.559, the brownfield redevelopment program tax credit created
70 pursuant to sections 447.700 to 447.718, the community development corporations tax credit
71 created pursuant to sections 135.400 to 135.430, the infrastructure tax credit created pursuant to
72 subsection 6 of section 100.286, the bond guarantee tax credit created pursuant to section
73 100.297, the disabled access tax credit created pursuant to section 135.490, the new markets tax
74 credit created pursuant to section 135.680, and the distressed areas land assemblage tax credit
75 created pursuant to section 99.1205;

76 (13) "Training and educational tax credits", the Missouri works new jobs tax credit and
77 Missouri works retained jobs credit created pursuant to sections 620.800 to 620.809.

191.975. 1. This section shall be known and may be cited as the "Adoption Awareness
2 Law".

3 2. To raise public awareness and to educate the public, the department of social services,
4 with the assistance of the department of health and senior services, shall be responsible for:

5 (1) Collecting and distributing resource materials to educate the public about foster care
6 and adoption;

7 (2) Developing and distributing educational materials, including but not limited to
8 videos, brochures and other media as part of a comprehensive public relations campaign about

9 the positive option of adoption and foster care. The materials shall include, but not be limited
10 to, information about:

11 (a) The benefits of adoption and foster care;

12 (b) Adoption and foster care procedures;

13 (c) Means of financing the cost of adoption and foster care[,] including, but not limited
14 to, adoption subsidies, foster care payments, and ~~[special needs]~~ adoption tax credits;

15 (d) Options for birth parents in choosing adoptive parents;

16 (e) Protection for and rights of birth parents and adoptive parents prior to and following
17 the adoption;

18 (f) Location of adoption and foster care agencies;

19 (g) Information regarding various state health and social service programs for pregnant
20 women and children, including but not limited to medical assistance programs and temporary
21 assistance for needy families (TANF); and

22 (h) Referrals to appropriate counseling services, including but not be limited to
23 counseling services for parents who are considering retaining custody of their children, placing
24 their children for adoption, or becoming foster or adoptive parents; but excluding any referrals
25 for abortion or to abortion facilities;

26 (3) Making such educational materials available through state and local public health
27 clinics, public hospitals, family planning clinics, abortion facilities as defined in section 188.015,
28 maternity homes as defined in section 135.600, child-placing agencies licensed pursuant to
29 sections 210.481 to 210.536, attorneys whose practice involves private adoptions, in vitro
30 fertilization clinics and private physicians for distribution to their patients who request such
31 educational materials. Such materials shall also be available to the public through the
32 department of social services' internet website;

33 (4) Establishing a toll-free telephone number for information on adoption and foster care,
34 and to answer questions and assist persons inquiring about becoming adoptive or foster parents.

35 3. In addition, the department may establish and implement an ongoing advertising
36 campaign for the recruitment of adoptive and foster care families, with a special emphasis on the
37 recruitment of qualified adoptive and foster care families for special needs children. Such
38 advertising campaign may utilize, but shall not be limited to, the following media: television,
39 radio, outdoor advertising, newspaper, magazines and other print media, websites, and the
40 internet. The department may contract with professional advertising agencies or other
41 professional entities to conduct such advertising campaign on behalf of the department.

42 4. The provisions of this section shall be subject to appropriations.

43 5. The department of social services shall promulgate rules for the implementation of
44 this section in accordance with chapter 536.

348.505. 1. As used in this section, "state tax liability", any state tax liability incurred by a taxpayer under the provisions of chapters 143, 147, and 148, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions.

2. Any eligible lender under the family farm livestock loan program under section 348.500 shall be entitled to receive a tax credit equal to one hundred percent of the amount of interest waived by the lender under section 348.500 on a qualifying loan for the first year of the loan only. The tax credit shall be evidenced by a tax credit certificate issued by the agricultural and small business development authority and may be used to satisfy the state tax liability of the owner of such certificate that becomes due in the tax year in which the interest on a qualified loan is waived by the lender under section 348.500. No lender may receive a tax credit under this section unless such person presents a tax credit certificate to the department of revenue for payment of such state tax liability. The amount of the tax credits that may be issued to all eligible lenders claiming tax credits authorized in this section ~~[in a]~~ **for each fiscal year ending on or before June 30, 2021**, shall not exceed three hundred thousand dollars. **The amount of the tax credits that may be issued to all eligible lenders claiming tax credits authorized in this section for each fiscal year beginning on or after July 1, 2021, shall not exceed two million dollars.**

3. The agricultural and small business development authority shall be responsible for the administration and issuance of the certificate of tax credits authorized by this section. The authority shall issue a certificate of tax credit at the request of any lender. Each request shall include a true copy of the loan documents, the name of the lender who is to receive a certificate of tax credit, the type of state tax liability against which the tax credit is to be used, and the amount of the certificate of tax credit to be issued to the lender based on the interest waived by the lender under section 348.500 on the loan for the first year.

4. The Missouri department of revenue shall accept a certificate of tax credit in lieu of other payment in such amount as is equal to the lesser of the amount of the tax or the remaining unused amount of the credit as indicated on the certificate of tax credit, and shall indicate on the certificate of tax credit the amount of tax thereby paid and the date of such payment.

5. The following provisions shall apply to tax credits authorized under this section:

(1) Tax credits claimed in a taxable year may be claimed on a quarterly basis and applied to the estimated quarterly tax of the lender;

(2) Any amount of tax credit which exceeds the tax due, including any estimated quarterly taxes paid by the lender under subdivision (1) of this subsection which results in an overpayment of taxes for a taxable year, shall not be refunded but may be carried over to any

36 subsequent taxable year, not to exceed a total of three years for which a tax credit may be taken
37 for a qualified family farm livestock loan;

38 (3) Notwithstanding any provision of law to the contrary, a lender may assign, transfer
39 or sell tax credits authorized under this section, with the new owner of the tax credit receiving
40 the same rights in the tax credit as the lender. For any tax credits assigned, transferred, sold, or
41 otherwise conveyed, a notarized endorsement shall be filed by the lender with the authority
42 specifying the name and address of the new owner of the tax credit and the value of such tax
43 credit; and

44 (4) Notwithstanding any other provision of this section to the contrary, any commercial
45 bank may use tax credits created under this section as provided in section 148.064 and receive
46 a net tax credit against taxes actually paid in the amount of the first year's interest on loans made
47 under this section. If such first year tax credits reduce taxes due as provided in section 148.064
48 to zero, the remaining tax credits may be carried over as otherwise provided in this section and
49 utilized as provided in section 148.064 in subsequent years.

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