

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 92, Pages 3-5, Section 135.465, Lines 1-52, by deleting all of said section and lines
3 and inserting in lieu thereof the following:
4

5 "135.465. 1. As used in this section, the following terms mean:

6 (1) "Federal work opportunity credit", the work opportunity tax credit allowed under 26
7 U.S.C. Section 51, as amended;

8 (2) "Qualified taxpayer", any individual or entity subject to the state income tax imposed
9 under chapter 143, 147, 148, or 153, excluding the withholding tax imposed under sections 143.191
10 to 143.265, who is an employer that incurred or paid wages to an individual who is in a targeted
11 group and was employed in the state during the tax year for which the tax credit under this section is
12 claimed;

13 (3) "Targeted group", the same meaning as defined in 26 U.S.C. Section 51, as amended;

14 (4) "Tax credit", a credit against the tax otherwise due under chapter 143, 147, 148, or 153,
15 excluding withholding tax imposed under sections 143.191 to 143.265.

16 2. For all tax years beginning on or after January 1, 2024, a qualified taxpayer shall be
17 allowed to claim a tax credit against the taxpayer's state tax liability for wages incurred or paid by
18 the qualified taxpayer during the tax year to an individual who is in a targeted group and who is
19 employed in the state in an amount equal to the lesser of:

20 (1) One hundred percent of the federal work opportunity credit properly claimed for the tax
21 year by the qualified taxpayer on such taxpayer's federal income tax return with respect to such
22 wages, excluding any amount carried back or forward from another tax year in accordance with 26
23 U.S.C. Section 51, as amended; or

24 (2) The Missouri state income tax liability of the taxpayer for that tax year, except in the
25 case of an employer that is an organization exempt from taxation under 26 U.S.C. Section 501(c), as
26 amended.

27 3. An employer that is an organization exempt from taxation under 26 U.S.C. Section
28 501(c), as amended may apply the credit authorized under this section as a credit for the payment of
29 taxes that the organization is required to withhold from the wages of employees and required to pay
30 to the state.

Action Taken _____ Date _____

1 4. Tax credits issued under the provisions of this section shall not be refundable. No tax
2 credit claimed under this section shall be carried forward to any subsequent tax year.

3 5. No tax credit claimed under this section shall be assigned, transferred, sold, or otherwise
4 conveyed.

5 6. The cumulative amount of tax credits allowed to all taxpayers under this section shall not
6 exceed ten million dollars per tax year. If the amount of tax credits claimed in a tax year under this
7 section exceeds ten million dollars, tax credits shall be allowed based on the order in which they are
8 claimed.

9 7. The department of revenue shall promulgate all necessary rules and regulations for the
10 administration of this section. Any rule or portion of a rule, as that term is defined in section
11 536.010, that is created under the authority delegated in this section shall become effective only if it
12 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
13 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
14 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
15 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
16 rule proposed or adopted after August 28, 2023, shall be invalid and void.

17 8. Under section 23.253 of the Missouri sunset act:

18 (1) The provisions of the new program authorized under this section shall automatically
19 sunset December thirty-first six years after the effective date of this section unless reauthorized by
20 an act of the general assembly;

21 (2) If such program is reauthorized, the program authorized under this section shall
22 automatically sunset December thirty-first twelve years after the effective date of the reauthorization
23 of this section; and

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

26
27 Further amend said bill by amending the title, enacting clause, and intersectional references
28 accordingly.