

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 870, Page 1, Section A, Line 2, by
2 inserting after all of said section and line the following:

3
4 "135.341. 1. As used in this section, the following terms shall mean:

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

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

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

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

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

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

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

21 (8) "Tax liability", the tax due under chapter 143 other than taxes withheld under sections
22 143.191 to 143.265.

23 2. For all tax years beginning on or after January 1, 2013, and ending on or before
24 December 31, 2022, a tax credit may be claimed in an amount equal to up to fifty percent of a
25 verified contribution to a qualified agency and shall be named the champion for children tax credit.
26 For all tax years beginning on or after January 1, 2023, a tax credit may be claimed in an amount
27 equal to up to seventy percent of a verified contribution to a qualified agency. The minimum
28 amount of any tax credit issued shall not be less than fifty dollars and shall be applied to taxes due
29 under chapter 143, excluding sections 143.191 to 143.265. A contribution verification shall be
30 issued to the taxpayer by the agency receiving the contribution. Such contribution verification shall

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1 include the taxpayer's name, Social Security number, amount of tax credit, amount of contribution,
2 the name and address of the agency receiving the credit, and the date the contribution was made.
3 The tax credit provided under this subsection shall be initially filed for the year in which the verified
4 contribution is made.

5 3. The cumulative amount of the tax credits redeemed shall not exceed one million dollars
6 for all fiscal years ending on or before June 30, 2019, and one million five hundred thousand dollars
7 for all fiscal years beginning on or after July 1, 2019, and ending on or before June 30, 2023. For all
8 fiscal years beginning on or after July 1, 2023, there shall be no limit imposed on the cumulative
9 amount of tax credits that may be redeemed pursuant to this section. [~~The amount available shall be~~
10 ~~equally divided among the three qualified agencies: CASA, child advocacy centers, or crisis care~~
11 ~~centers, to be used towards tax credits issued. In the event tax credits claimed under one agency do~~
12 ~~not total the allocated amount for that agency, the unused portion for that agency will be made~~
13 ~~available to the remaining agencies equally. In the event the total amount of tax credits claimed for~~
14 ~~any one agency exceeds the amount available for that agency, the amount redeemed shall and will~~
15 ~~be apportioned equally to all eligible taxpayers claiming the credit under that agency.]~~

16 4. Prior to December thirty-first of each year, each qualified agency shall apply to the
17 department of social services in order to verify their qualified agency status. Upon a determination
18 that the agency is eligible to be a qualified agency, the department of social services shall provide a
19 letter of eligibility to such agency. No later than February first of each year, the department of
20 social services shall provide a list of qualified agencies to the department of revenue. All tax credit
21 applications to claim the champion for children tax credit shall be filed between July first and April
22 fifteenth of each fiscal year. A taxpayer shall apply for the champion for children tax credit by
23 attaching a copy of the contribution verification provided by a qualified agency to such taxpayer's
24 income tax return.

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

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

29 7. [~~(1) In the event a credit denial, due to lack of available funds, causes a balance due~~
30 ~~notice to be generated by the department of revenue, or any other redeeming agency, the taxpayer~~
31 ~~will not be held liable for any penalty or interest, provided the balance is paid, or approved payment~~
32 ~~arrangements have been made, within sixty days from the notice of denial.~~

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

35 &] The department may promulgate such rules or regulations as are necessary to administer
36 the provisions of this section. Any rule or portion of a rule, as that term is defined in section
37 536.010, that is created under the authority delegated in this section shall become effective only if it
38 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
39 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the

1 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
2 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
3 rule proposed or adopted after August 28, 2013, shall be invalid and void.

4 ~~[9.]~~ 8. Pursuant to section 23.253, of the Missouri sunset act:

5 (1) The program authorized under this section shall be reauthorized as of ~~[December 31,~~
6 ~~2019,]~~ August 28, 2023, and shall expire on December 31, ~~[2025]~~ 2029, unless reauthorized by the
7 general assembly; and

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

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

13 ~~[40.]~~ 9. Beginning on March 29, 2013, any verified contribution to a qualified agency made
14 on or after January 1, 2013, shall be eligible for tax credits as provided by this section."; and

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16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.