

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2319, Page 35, Section 135.690, Line
2 115, by inserting after all of said section and line the following:

3
4 "135.713. 1. Any taxpayer who makes a qualifying contribution to an educational
5 assistance organization after August 28, 2021, may claim a credit against the tax otherwise due
6 under chapter 143, other than taxes withheld under sections 143.191 to 143.265, and chapter 153 in
7 an amount equal to one hundred percent of the amount the taxpayer contributed during the tax year
8 for which the credit is claimed. No taxpayer shall claim a credit under sections 135.712 to 135.719
9 for any contribution made by the taxpayer, or an agent of the taxpayer, on behalf of the taxpayer's
10 dependent or, in the case of a business taxpayer, on behalf of the business's agent's dependent.

11 2. The amount of the tax credit claimed shall not exceed fifty percent of the taxpayer's state
12 tax liability for the tax year for which the credit is claimed. The state treasurer shall certify the tax
13 credit amount to the taxpayer. A taxpayer may carry the credit back to the taxpayer's immediately
14 prior tax year and carry the credit forward to any of such taxpayer's four subsequent tax years. All
15 tax credits authorized under the program shall not be transferred, sold, or assigned, and are not
16 refundable.

17 3. The cumulative amount of tax credits that may be allocated to all taxpayers contributing
18 to educational assistance organizations in any one calendar year shall not exceed fifty million
19 dollars, which amount shall be annually adjusted by the state treasurer for inflation based on the
20 Consumer Price Index for All Urban Consumers for the Midwest region, as defined and officially
21 recorded by the United States Department of Labor or its successor, such annual increase will cease
22 when the amount of tax credits reach seventy-five million dollars. The state treasurer shall establish
23 a procedure by which, from the beginning of the calendar year until August first, the cumulative
24 amount of tax credits shall be allocated on a first-come, first-served basis among all educational
25 assistance organizations. If an educational assistance organization fails to use all, or some
26 percentage to be determined by the state treasurer, of its allocated tax credits during this period, the
27 state treasurer may reallocate these unused tax credits to those educational assistance organizations
28 that have used all, or some percentage to be determined by the state treasurer, of their allocated tax
29 credits during this period. The state treasurer may establish more than one period and reallocate
30 more than once during each calendar year. The state treasurer shall establish the procedure

Action Taken _____ Date _____

1 described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits
2 possible up to the cumulative amount of tax credits available for the calendar year.

3 4. A taxpayer who makes a contribution to an education assistance organization shall not
4 designate the student who will receive a scholarship grant.

5 5. The provisions of sections 135.712 to 135.719 and sections 166.700 to 166.720 shall be
6 effective in any fiscal year immediately subsequent to any fiscal year in which the amount
7 appropriated for pupil transportation under section 163.161 equals or exceeds forty percent of the
8 projected amount necessary to fully fund transportation aid funding for fiscal year 2021. If the
9 amount appropriated for transportation under section 163.161 in any succeeding year falls below
10 such amount, no additional scholarships for newly qualified students shall be awarded."; and

11
12 Further amend said bill by amending the title, enacting clause, and intersectional references
13 accordingly.