

HOUSE BILL NO. 2913

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PLANK.

5795H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to employee transportation tax credits.

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

Section A. Chapter 135, RSMo, is amended by adding thereto one new section, to be known as section 135.470, to read as follows:

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

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

(2) "Eligible employee", an individual who:

(a) Has been convicted of a felony under any statute of this state;

(b) Is on probation or parole;

(c) Earned a vocational trade or trade union certificate through a Missouri department of corrections approved program;

(d) Was hired to a full-time position on the taxpayer's payroll on or after January 1, 2025; and

(e) Remained and worked on a full-time basis for the taxpayer who is claiming the credit for at least twelve consecutive months or at least forty-six weeks out of the year if at least some portion of that employment occurs during the tax year for which the tax credit is claimed;

(3) "Eligible purchase", expenses incurred by a taxpayer during the tax year for which a tax credit is claimed under this section, for the purchase of a state-owned vehicle for the express use by an eligible employee for the purpose of transporting such

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.

17 employee to and from the taxpayer's place of business or work site but is owned and
18 maintained by the taxpayer;

19 (4) "Full-time", an individual engaged in employment for at least forty hours
20 per week;

21 (5) "Qualified taxpayer", any individual or employer subject to the state income
22 tax imposed under chapter 143, excluding the withholding tax imposed under sections
23 143.191 to 143.265, including any charitable organization which is exempt from federal
24 income tax and whose Missouri unrelated business taxable income, if any, would be
25 subject to the state income tax imposed under chapter 143, who is an employer that
26 made an eligible purchase of a state-owned vehicle during the tax year for which the tax
27 credit under this section is claimed;

28 (6) "State-owned vehicle", any motor vehicle owned and sold by the state of
29 Missouri or any political subdivision thereof;

30 (7) "Tax credit", a credit against the tax otherwise due under chapter 143,
31 excluding withholding tax imposed under sections 143.191 to 143.265.

32 2. For all tax years beginning on or after January 1, 2025, a qualified taxpayer
33 shall be allowed to claim a tax credit against the taxpayer's state tax liability for each
34 eligible purchase of a state-owned vehicle in the amount of one thousand dollars.

35 3. The total tax credits claimed by a qualified taxpayer under this section shall
36 not exceed five tax credits for any given tax year. A qualified taxpayer shall only claim a
37 tax credit for the initial year that a state-owned vehicle was purchased by the taxpayer.

38 4. The qualified taxpayer shall submit to the department of revenue receipts of
39 purchase to verify the amount paid, the mileage logs or other evidence showing the use
40 of the vehicle by an eligible employee, documentation of the eligible employee's
41 vocational trade or trade union certification, and any other information or
42 documentation that the department may request that is required for verification of
43 the tax credit from the qualified taxpayer, the department of corrections, or the agency
44 that the vehicle was purchased from. The department shall design and publish an
45 application for taxpayers to receive the credit authorized under this section.

46 5. The cumulative amount of tax credits allowed to all taxpayers under this
47 section shall not exceed seventy-five thousand dollars per calendar year. If the amount
48 of tax credits claimed in a calendar year under this section exceeds seventy-five
49 thousand dollars, tax credits shall be allowed based on the order in which they are
50 claimed.

51 6. Tax credits issued under the provisions of this section shall not be refundable.
52 No tax credit claimed under this section shall be carried forward to any subsequent tax
53 year.

54 **7. No tax credit claimed under this section shall be assigned, transferred, sold, or**
55 **otherwise conveyed.**

56 **8. The department of revenue shall promulgate all necessary rules and**
57 **regulations for the administration of this section. Any rule or portion of a rule, as that**
58 **term is defined in section 536.010, that is created under the authority delegated in this**
59 **section shall become effective only if it complies with and is subject to all of the**
60 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
61 **536 are nonseverable and if any of the powers vested with the general assembly**
62 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
63 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
64 **and any rule proposed or adopted after August 28, 2024, shall be invalid and void.**

65 **9. Under section 23.253 of the Missouri sunset act:**

66 **(1) The provisions of the new program authorized under this section shall**
67 **automatically sunset on December thirty-first, six years after the effective date of this**
68 **section unless reauthorized by an act of the general assembly;**

69 **(2) If such program is reauthorized, the program authorized under this section**
70 **shall automatically sunset on December thirty-first, twelve years after the effective date**
71 **of the reauthorization of this section;**

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

75 **(4) Nothing in this subsection shall prevent a taxpayer from claiming a tax credit**
76 **properly issued before this program was sunset in a tax year after the program is sunset.**

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