

HOUSE BILL NO. 2912

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PLANK.

5796H.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 135.472, to read as follows:

135.472. 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 primary purpose of employer-provided transportation operated by or for the employer at no cost to an eligible employee in order to transport one or more eligible

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.

18 employees to and from the taxpayer's place of business or work site and that is owned
19 and maintained by the taxpayer;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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