

HOUSE BILL NO. 611

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WILSON.

1796H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to instructor tax credits for certain institutions.

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
2 known as section 135.453, to read as follows:

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

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

3 (2) "Eligible compensation", the amount of compensation that the qualified
4 taxpayer compensated a qualified career and technical instructor for services during
5 which such instructor was engaged in instruction or duties relating to instruction at a
6 qualified institution under the memorandum of understanding;

7 (3) "Qualified career and technical instructor", any individual who meets the
8 qualifications set forth by the Higher Learning Commission Guidelines on Faculty
9 Credentials and Qualifications, and who provides services for compensation to a
10 participating business or services for compensation as an instructor for a career to a
11 qualified institution;

12 (4) "Qualified institution", any of the following entities:

13 (a) A community college that has executed a memorandum of understanding
14 with participating businesses located within such community college's district;

15 (b) A public or private post-secondary vocational or technical school;

16 (c) A facility providing educational and rehabilitative services to children in
17 juvenile custody; or

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 (d) A public or private facility providing educational and rehabilitative services
19 to children who have been ordered by a court to receive such services;

20 (5) "Qualified taxpayer", any individual, firm, partner in a firm, corporation,
21 partnership, shareholder in an S corporation, or member of a limited liability company
22 subject to the state income tax imposed under chapter 143, excluding the withholding
23 tax imposed under sections 143.191 to 143.265, who employs a qualified career and
24 technical instructor in a full-time position and allows such instructor to provide
25 instruction during regular business hours to a qualified institution;

26 (6) "Tax credit", a credit against the tax otherwise due under chapter 143,
27 excluding withholding tax imposed under sections 143.191 to 143.265.

28 2. For all tax years beginning on or after January 1, 2025, a qualified taxpayer
29 shall be allowed to claim a tax credit against the taxpayer's state tax liability in an
30 amount equal to five thousand dollars or the eligible compensation amount paid to the
31 qualified career and technical instructor, whichever is less.

32 3. The total tax credits claimed by a qualified taxpayer under this section shall
33 not exceed five tax credits for any given tax year.

34 4. The application for the tax credits under this section shall be made to the
35 department and shall include information on the qualifications of the instructor, the
36 participating qualified institution, compensation information, and any other such
37 information that the department deems necessary. The department shall prescribe the
38 method for claiming the tax credits allowed in this section and may collaborate with the
39 department of higher education and workforce development and the department of
40 elementary and secondary education to set forth additional guidelines, qualifications,
41 rules, and regulations to effectuate the provisions of this section.

42 5. The cumulative amount of tax credits allowed to all taxpayers under this
43 section shall not exceed five hundred thousand dollars per fiscal year. If the amount of
44 tax credits claimed in a fiscal year under this section exceeds five hundred thousand
45 dollars, tax credits shall be allowed based on the order in which they are claimed.

46 6. The tax credits authorized under this section shall be nonrefundable and shall
47 not be assigned, transferred, sold, or otherwise conveyed.

48 7. No tax credits authorized under this section shall be carried forward to any
49 subsequent tax year.

50 8. The department of revenue, in conjunction with the department of higher
51 education and workforce development and the department of elementary and secondary
52 education, shall promulgate all necessary rules and regulations for the administration of
53 this section. Any rule or portion of a rule, as that term is defined in section 536.010, that
54 is created under the authority delegated in this section shall become effective only if it

55 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
56 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
57 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
58 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
59 **then the grant of rulemaking authority and any rule proposed or adopted after August**
60 **28, 2025, shall be invalid and void.**

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