

FIRST REGULAR SESSION

# HOUSE BILL NO. 1350

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHARP (37).

2837H.011

JOSEPH ENGLER, Chief Clerk

### AN ACT

To repeal section 135.1670, RSMo, and to enact in lieu thereof one new section relating to incentives for interstate business relocation.

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

Section A. Section 135.1670, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 135.1670, to read as follows:

135.1670. 1. As used in this section, the following terms mean:

(1) "Kansas border county", Johnson, Miami, or Wyandotte County in Kansas;  
(2) "Missouri border county", any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, or any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants in Missouri.

2. If any job that qualifies for a tax credit under sections 100.700 to 100.850 or under sections 135.100 to 135.258, for funding under section 620.1023, or for a tax credit or retention of state withholding taxes under sections 620.2000 to 620.2020, relocates to a Missouri border county from a Kansas border county, no tax credits shall be issued, funding provided, or retention of withholding taxes authorized for such job under such sections.

3. If the director of the Missouri department of economic development determines that the state of Kansas has enacted legislation or the governor of Kansas issued an executive

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 order or similar action which prohibits the Kansas Department of Commerce or any other  
19 Kansas executive department from providing economic incentives for jobs that are relocated  
20 from a Missouri border county to a Kansas border county, then the director shall execute and  
21 deliver to the governor, the speaker of the house of representatives, and the president pro  
22 tempore of the senate a written certification of such determination. Upon the execution and  
23 delivery of such written certification and the parties receiving such certification providing a  
24 unanimous written affirmation, the provisions of subsection 2 of this section shall be effective  
25 unless otherwise provided in this section. The provisions of subsection 2 of this section shall  
26 not apply to incentives reserved on behalf of and awarded to Missouri employers prior to the  
27 provisions of subsection 2 of this section taking effect.

28         4. If the director of the Missouri department of economic development determines  
29 that the Kansas Department of Commerce or any other Kansas executive department is  
30 providing economic incentives for jobs that relocate from a Missouri border county to a  
31 Kansas border county, then the director shall execute and deliver to the governor, the speaker  
32 of the house of representatives, and the president pro tempore of the senate a written  
33 certification of such determination. Upon the execution and delivery of such written  
34 certification and the parties receiving such certification providing a unanimous written  
35 affirmation, the provisions of subsection 2 of this section shall not be effective until such time  
36 as the director determines that the Kansas Department of Commerce or any other Kansas  
37 executive department is not providing economic incentives for jobs that relocate from a  
38 Missouri border county to a Kansas border county, and the director has executed and  
39 delivered to the governor, the speaker of the house of representatives, and the president pro  
40 tempore of the senate a written certification of such determination and the parties receiving  
41 such certification provide an unanimous written affirmation.

42         5. The director of the Missouri department of economic development shall notify the  
43 revisor of statutes of all changes in whether subsection 2 of this section is effective.

44         6. The provisions of this section shall expire August 28, 2021, unless at such time the  
45 provisions of subsection 2 of this section are in effect. If the provisions of this section do not  
46 expire on August 28, 2021, the provisions of this section shall expire on August 28, ~~2025~~  
47 **2035**.

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