

FIRST REGULAR SESSION

HOUSE BILL NO. 1436

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RUSH.

3015H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapters 135 and 161, RSMo, by adding thereto two new sections relating to the Missouri four for more program.

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

Section A. Chapters 135 and 161, RSMo, are amended by adding thereto two new sections, to be known as sections 135.1128 and 161.847, to read as follows:

135.1128. 1. As used in this section, the following terms mean:

(1) "Qualified amount", for any qualified taxpayer in a given tax year, an amount equal to fifty percent of the hourly wage the taxpayer paid to each employee participating in the Missouri four for more program established under section 161.847, multiplied by the number of eligible hours such employee worked in a school under the program;

(2) "Qualified taxpayer":

(a) An individual, firm, a partner in a firm, a corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265;

(b) An insurance company paying an annual tax on its gross premium receipts in this state or a financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148; or

(c) An express company that pays an annual tax on its gross receipts in this state under chapter 153;

(3) "State tax liability", in the case of:

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 **(a) An individual taxpayer, any liability incurred by such taxpayer under the**
19 **provisions of chapter 143; and**

20 **(b) A business taxpayer, any liability incurred by such taxpayer under the**
21 **provisions of chapter 143, 148, or 153, excluding withholding tax imposed under sections**
22 **143.191 to 143.265;**

23 **(4) "Tax credit", a credit against the tax otherwise due under chapter 143,**
24 **excluding withholding tax imposed under sections 143.191 to 143.265.**

25 **2. (1) For all tax years beginning on or after January 1, 2026, a qualified**
26 **taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in**
27 **an amount equal to the taxpayer's qualified amount.**

28 **(2) The number of eligible hours per employee used in the calculation of such**
29 **qualified amount shall not exceed four hours per month or forty-eight hours annually,**
30 **as specified under section 161.847.**

31 **3. The cumulative amount of tax credits allowed to all qualified taxpayers under**
32 **this section shall not exceed ten million dollars per tax year. If the amount of tax credits**
33 **claimed in a tax year under this section exceeds ten million dollars, tax credits shall be**
34 **allowed based on the order in which they are claimed.**

35 **4. (1) Tax credits issued under the provisions of this section shall not be**
36 **refundable.**

37 **(2) No qualified taxpayer shall be allowed to claim a tax credit in excess of fifty**
38 **thousand dollars per tax year.**

39 **(3) A tax credit that cannot be claimed in the tax year in which the qualified**
40 **taxpayer paid wages to a qualified taxpayer may be carried forward to the four**
41 **subsequent tax years until the full tax credit has been claimed.**

42 **5. No tax credit claimed under this section shall be assigned, transferred, sold, or**
43 **otherwise conveyed.**

44 **6. The state department of elementary and secondary education shall establish a**
45 **procedure for tracking employees for which qualified taxpayers receive tax credits**
46 **under this section.**

47 **7. The department of revenue shall promulgate all necessary rules and**
48 **regulations for the administration of this section including, but not limited to, rules**
49 **relating to the verification of a taxpayer's qualified amount. Any rule or portion of a**
50 **rule, as that term is defined in section 536.010, that is created under the authority**
51 **delegated in this section shall become effective only if it complies with and is subject to**
52 **all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
53 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
54 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**

55 a rule are subsequently held unconstitutional, then the grant of rulemaking authority
56 and any rule proposed or adopted after the effective date of this section shall be invalid
57 and void.

58 8. Under section 23.253 of the Missouri sunset act:

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

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

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

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

161.847. 1. This section and section 135.1128 shall be known and may be cited as
2 the "Missouri Four For More Program".

3 2. As used in this section, the following terms mean:

4 (1) "Department", the state department of elementary and secondary education;

5 (2) "Employee", any individual employed by an employer for forty or more
6 hours per week;

7 (3) "Employer", one of the following individuals or entities with at least five
8 employees:

9 (a) An individual, partnership, association, corporation, limited liability
10 partnership or company, or any other person including, but not limited to, a person
11 or corporation operating a railroad or any public service corporation, that uses the
12 service of another for pay; and

13 (b) The state or any political subdivision thereof;

14 (4) "Parent", a parent, legal guardian, or other person having charge, control,
15 or custody of a child.

16 3. (1) There is hereby established the "Missouri Four For More Program"
17 within the department, which shall allow a parent of a child in kindergarten to grade
18 twelve to receive up to four hours of paid leave per month to work with the child in the
19 child's school.

20 (2) Such program shall be optional for each parent. Each participating parent
21 shall receive a written statement from the school district indicating the number of hours
22 such parent spent in the school working with the parent's child.

23 **(3) An employee who is a member of an employer's family within the third**
24 **degree of affinity or consanguinity shall be counted in determining the total number of**
25 **such employer's employees.**

26 **4. The department may promulgate all necessary rules and regulations for the**
27 **administration of this section. Any rule or portion of a rule, as that term is defined in**
28 **section 536.010, that is created under the authority delegated in this section shall**
29 **become effective only if it complies with and is subject to all of the provisions of chapter**
30 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
31 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
32 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
33 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
34 **adopted after the effective date of this section shall be invalid and void.**

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