

FIRST REGULAR SESSION

HOUSE BILL NO. 1062

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MATTHIESEN.

1810H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 143, RSMo, by adding thereto one new section relating to income tax donations.

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

Section A. Chapter 143, RSMo, is amended by adding thereto one new section, to be known as section 143.1099, to read as follows:

143.1099. 1. As used in this section, the term "eligible state employees" means all Missouri public employees paid through taxpayer funds obtained through income taxes and general sales taxes, maintaining employment for at least five months prior to the end of the fiscal year and still employed by the state as of the disbursement date.

2. (1) For all tax years beginning on or after January 1, 2024, each individual or corporation may elect to have such taxpayer's adjusted gross income multiplied by the difference between the current top rate of tax for such taxpayer's income bracket and six percent, and to have the total of such additional amount added to the total amount of taxes the taxpayer owes to the state, to be taken out and paid throughout the tax year.

(2) If a taxpayer elects to pay the additional amount under subdivision (1) of this subsection throughout the year or if a taxpayer did not make such election but is entitled to a tax refund, and if the amount paid in or entitled to a tax refund is sufficient to make a designation under this section, the taxpayer may designate that one dollar or any amount in excess of one dollar on a single return, or two dollars or any amount in excess of two dollars on a combined return, of the additional income tax paid as an increased tax remittance or a decrease in taxes refunded be credited to the state employee support fund, hereinafter referred to as the fund. The contribution designation authorized by

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 **this section shall be clearly and unambiguously printed on the first page of each income**
19 **tax return form provided by this state.**

20 **(3) If any individual or corporation is not entitled to pay in such amounts, or at**
21 **the end of the year, the taxpayer still owes additional taxes to the state in an amount**
22 **insufficient to make a designation under this section, and wishes to make a contribution**
23 **to the fund, such individual or corporation may, by separate check, draft, or other**
24 **negotiable instrument, send in with the payment of taxes, or may send in separately, that**
25 **amount the individual wishes to contribute. Such amounts shall be clearly designated**
26 **for the fund.**

27 **3. (1) There is hereby created in the state treasury the "State Employee Support**
28 **Fund", which shall consist of moneys collected under this section. The state treasurer**
29 **shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state**
30 **treasurer may approve disbursements. The fund shall be a dedicated fund and, upon**
31 **appropriation, moneys in this fund shall be used solely for the administration of this**
32 **section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
33 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
34 **general revenue fund. The state treasurer shall invest moneys in the fund in the same**
35 **manner as other funds are invested. Any interest and moneys earned on such**
36 **investments shall be credited to the fund.**

37 **(2) Annually, within ninety days of the end of each fiscal year, the state treasurer**
38 **shall distribute all moneys deposited in the fund throughout the prior fiscal year**
39 **donated by taxpayers through the provisions under this section to the benefit and**
40 **support of eligible state employees as supplemental taxable income, divided by the total**
41 **number of eligible state employees and paid to each eligible state employee in an equal**
42 **dollar amount as taxable income.**

43 **4. The director of revenue shall deposit at least monthly all contributions**
44 **designated by individuals and corporations under this section, less an amount sufficient**
45 **to cover the costs of collection and handling by the department of revenue, to the state**
46 **treasurer for deposit to the fund. A contribution designated under this section shall be**
47 **deposited in the fund only after all other claims against the additional amount of income**
48 **tax withheld or the refund from which such contribution is to be made have been**
49 **satisfied.**

50 **5. The department of revenue may promulgate all necessary rules and**
51 **regulations for the administration of this section. Any rule or portion of a rule, as that**
52 **term is defined in section 536.010, that is created under the authority delegated in this**
53 **section shall become effective only if it complies with and is subject to all of the**
54 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**

55 **536 are nonseverable and if any of the powers vested with the general assembly**
56 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
57 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
58 **and any rule proposed or adopted after August 28, 2023, shall be invalid and void.**

59 **6. Under section 23.253 of the Missouri sunset act:**

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

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

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

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