

# HOUSE BILL NO. 1604

## 99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MERIDETH (80).

4289H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 135, RSMo, by adding thereto two new sections relating to a tax credit for rural health care professionals.

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

Section A. Chapter 135, RSMo, is amended by adding thereto two new sections, to be known as sections 135.870 and 135.872, to read as follows:

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

**(1) "Health care professional", a physician, advanced practice registered nurse, dentist, or optometrist who is licensed in this state;**

**(2) "Rural area", a town, community, or unincorporated area within the state that is not within a standard metropolitan statistical area;**

**(3) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265;**

**(4) "Taxpayer", any individual who is subject to the tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, and is a health care professional who is engaged for at least twenty-five hours per week, averaged over the month, during the tax year in providing health care services in a rural area.**

**2. For all tax years beginning on or after January 1, 2019, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability based on the distance in miles from a major population center in a qualified metropolitan statistical area to which the taxpayer maintains a practice, serves on a hospital staff, is employed by a hospital, or provides contractual service for a hospital in the following amounts:**

**(1) For at least ten but less than twenty miles, three thousand dollars;**

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           **(2) For at least twenty but less than fifty miles, four thousand dollars;**  
19           **(3) For fifty or more miles, five thousand dollars.**
- 20           **3. To qualify for the credit authorized under this section, at least twenty percent**  
21 **of the practice of the taxpayer shall consist of patients participating in Medicare and fifteen**  
22 **percent who are participating in MO HealthNet.**
- 23           **4. The amount of the tax credit claimed shall not exceed the amount of the**  
24 **taxpayer's state tax liability for the tax year that the credit is claimed.**
- 25           **5. Tax credits issued under the provisions of this section shall not be transferred,**  
26 **sold, or assigned.**
- 27           **6. The department of economic development may promulgate rules to implement**  
28 **the provisions of this section. Any rule or portion of a rule, as that term is defined in**  
29 **section 536.010, that is created under the authority delegated in this section shall become**  
30 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**  
31 **if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any**  
32 **of the powers vested with the general assembly pursuant to chapter 536 to review, to delay**  
33 **the effective date, or to disapprove and annul a rule are subsequently held**  
34 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
35 **after August 28, 2018, shall be invalid and void.**
- 36           **7. Under section 23.253 of the Missouri sunset act:**
- 37           **(1) The program authorized under this section shall automatically sunset on**  
38 **December thirty-first six years after the effective date of this section unless reauthorized**  
39 **by an act of the general assembly;**
- 40           **(2) If such program is reauthorized, the program authorized under this section**  
41 **shall automatically sunset on December thirty-first twelve years after the effective date of**  
42 **the reauthorization of this section; and**
- 43           **(3) This section shall terminate on September first of the calendar year immediately**  
44 **following the calendar year in which the program authorized under this section is sunset.**
- 135.872. 1. As used in this section, the following terms mean:**
- 2           **(1) "Emergency medical technician", as such term is defined in section 190.100;**  
3           **(2) "Rural area", a town, community, or unincorporated area within the state that**  
4 **is not within a standard metropolitan statistical area;**
- 5           **(3) "Tax credit", a credit against the tax otherwise due under chapter 143,**  
6 **excluding withholding tax imposed by sections 143.191 to 143.265;**
- 7           **(4) "Taxpayer", any individual who is subject to the tax imposed under chapter**  
8 **143, excluding withholding tax imposed under sections 143.191 to 143.265, and is an**  
9 **emergency medical technician who provides emergency medical services in a rural area**

10 that comprise at least twenty percent of the total emergency medical services provided by  
11 the individual in the tax year.

12       2. For all tax years beginning on or after January 1, 2019, a taxpayer shall be  
13 allowed to claim a tax credit against the taxpayer's state tax liability in an amount of two  
14 hundred fifty dollars if the taxpayer is serving in a rural area that is located at least  
15 twenty-five miles from any city with a population of thirty thousand inhabitants or more.

16       3. The amount of the tax credit claimed shall not exceed the amount of the  
17 taxpayer's state tax liability for the tax year that the credit is claimed.

18       4. Tax credits issued under the provisions of this section shall not be transferred,  
19 sold, or assigned.

20       5. The department of economic development may promulgate rules to implement  
21 the provisions of this section. Any rule or portion of a rule, as that term is defined in  
22 section 536.010, that is created under the authority delegated in this section shall become  
23 effective only if it complies with and is subject to all of the provisions of chapter 536 and,  
24 if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any  
25 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay  
26 the effective date, or to disapprove and annul a rule are subsequently held  
27 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted  
28 after August 28, 2018, shall be invalid and void.

29       6. Under section 23.253 of the Missouri sunset act:

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

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

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

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