

SECOND REGULAR SESSION

HOUSE BILL NO. 1736

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIS.

5183H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 135.350, RSMo, and to enact in lieu thereof one new section relating to housing priority for veterans.

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

Section A. Section 135.350, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 135.350, to read as follows:

135.350. As used in this section, unless the context clearly requires otherwise, the following words and phrases shall mean:

(1) "Commission", the Missouri housing development commission, or its successor agency;

(2) "Director", director of the department of revenue;

(3) "Eligibility statement", a statement authorized and issued by the commission certifying that a given project qualifies for the Missouri low-income housing tax credit. The commission shall promulgate rules establishing criteria upon which the eligibility statements will be issued. The eligibility statement shall specify the amount of the Missouri low-income housing tax credit allowed. The commission shall only authorize the tax credits to qualified **Missouri** projects which begin after June 18, 1991;

(4) "Federal low-income housing tax credit", the federal tax credit as provided in section 42 of the 1986 Internal Revenue Code, as amended;

(5) "Low-income project", a housing project which has restricted rents that do not exceed thirty percent of median income for at least forty percent of its units occupied by persons of families having incomes of sixty percent or less of the median income, or at least twenty percent

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.

17 of the units occupied by persons or families having incomes of fifty percent or less of the median
18 income;

19 (6) "Median income", those incomes which are determined by the federal Department
20 of Housing and Urban Development guidelines and adjusted for family size;

21 (7) **“Qualified allocation plan”, any plan which sets forth selection criteria to be**
22 **used to determine housing priorities as that term is defined under section 42 of the Internal**
23 **Revenue Code of 1986, as amended, and, notwithstanding any other provision to the**
24 **contrary, which provides that veterans shall be recognized as a priority tenant population**
25 **with special housing needs;**

26 (8) "Qualified Missouri project", a qualified low-income building as that term is defined
27 in section 42 of the 1986 Internal Revenue Code, as amended, which is located in Missouri **and**
28 **for which housing credit dollars have been allocated under a qualified allocation plan of**
29 **the housing credit agency;**

30 [(8)] (9) "Taxpayer", person, firm or corporation subject to the state income tax imposed
31 by the provisions of chapter 143 (except withholding imposed by sections 143.191 to 143.265)
32 or a corporation subject to the annual corporation franchise tax imposed by the provisions of
33 chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this
34 state, or other financial institution paying taxes to the state of Missouri or any political
35 subdivision of this state under the provisions of chapter 148, or an express company which pays
36 an annual tax on its gross receipts in this state;

37 (10) **“Veteran”, any person who:**

38 (a) **Served in the active military, naval, or air service and was discharged or released**
39 **under conditions other than dishonorable, as evidenced by a DD Form 214 certificate of**
40 **release or discharge from active duty; or**

41 (b) **Served on active national guard duty under Titles 10 or 32 of the United States**
42 **Code or under the provisions of chapter 41, as evidenced by a NGB Form 22 report of**
43 **separation and record of service.**

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45 **Notwithstanding any other provision to the contrary and for the purposes of this section,**
46 **the term ‘veteran’ shall include the person’s surviving spouse.**

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