

HOUSE BILL NO. 2475

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CURTIS.

6000H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for reduced pension benefits.

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

Section A. Chapter 135, RSMo, is amended by adding thereto one new section, to be known as section 135.098, to read as follows:

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

(1) "Eligible taxpayer", a citizen of this state who is retired;

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

2. For all tax years beginning on or after January 1, 2019, an eligible taxpayer shall be allowed to claim a tax credit against the eligible taxpayer's state tax liability in an amount equal the amount the eligible taxpayer's defined benefit pension was reduced during the tax year if such reduction was due to:

(1) The pension plan cutting benefits for retirees; or

(2) The pension plan not having sufficient funds to pay full benefits.

3. The tax credit authorized under this section is nonrefundable and shall not be assigned, transferred, or sold.

4. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers

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 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
19 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
20 grant of rulemaking authority and any rule proposed or adopted after August 28, 2018,
21 shall be invalid and void.

22 **5. Under section 23.253 of the Missouri sunset act:**

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

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

29 **(3) This section shall terminate on September first of the calendar year immediately**
30 **following the calendar year in which the program authorized under this section is sunset;**
31 **and**

32 **(4) Nothing in this subsection shall prevent an eligible taxpayer from claiming a tax**
33 **credit that was properly issued before the program authorized under this section is sunset.**

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