

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 298

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WALLINGFORD.

0915H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 143.1027, RSMo, and to enact in lieu thereof one new section relating to income tax refund donations.

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

Section A. Section 143.1027, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 143.1027, to read as follows:

143.1027. 1. For all ~~taxable~~ **tax** years beginning on or after January 1, ~~2014~~ **2022**, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the Missouri National Guard Foundation fund. If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount the individual or corporation wishes to contribute. Such amounts shall be clearly designated for the fund.

2. There is hereby created in the state treasury the "Missouri National Guard Foundation Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the

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.

16 provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the
17 biennium shall not revert to the credit of the general revenue fund. The state treasurer shall
18 invest moneys in the fund in the same manner as other funds are invested. Any interest and
19 moneys earned on such investments shall be credited to the fund. The treasurer shall distribute
20 all moneys deposited in the fund at least monthly to the Missouri National Guard Foundation.

21 3. The director of revenue shall deposit at least monthly all contributions designated by
22 individuals under this section to the state treasurer for deposit to the fund. The director of
23 revenue shall deposit at least monthly all contributions designated by the corporations under this
24 section, less an amount sufficient to cover the costs of collection and handling by the department
25 of revenue, to the state treasury for deposit to the fund. A contribution designated under this
26 section shall only be deposited in the fund after all other claims against the refund from which
27 such contribution is to be made have been satisfied.

28 4. Under section 23.253 of the Missouri sunset act:

29 (1) The provisions of the [new] program authorized under this section shall automatically
30 sunset on December ~~[thirty-first six years after August 28, 2014]~~ **31, 2033**, unless reauthorized
31 by an act of the general assembly; and

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

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

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