

HOUSE BILL NO. 889

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROWLAND.

1623H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

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

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 135.1050, to read as follows:

135.1050. 1. As used in this section, the following terms shall mean:

(1) "Qualified amount", the total dollar amount of any interest accrued on any liabilities of a qualified individual, where the accrual of such interest was the direct result of the lapse in discretionary appropriations by the federal government of the United States beginning on or about December 22, 2018;

(2) "Qualified individual", an employee of the federal government of the United States during the lapse in discretionary appropriations by the federal government beginning on or about December 22, 2018; and

(3) "Tax liability", the state income tax due by a taxpayer under chapter 143, other than taxes withheld under sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2020, a tax credit may be claimed by a qualified individual in an amount up to the qualified amount against such individual's tax liability.

3. A taxpayer claiming the tax credit authorized under this section may apply the tax credit toward his or her tax liability for:

(1) The tax year in which the taxpayer first becomes eligible to claim the credit;

(2) Any tax year not more than three years prior to the tax year in which the taxpayer first becomes eligible to claim the tax credit; or

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.

19 **(3) Any tax year not more than three years subsequent to the tax year in which the**
20 **taxpayer first becomes eligible to claim the tax credit.**

21 **(4) Tax credits authorized under this section shall not be assigned, transferred, or**
22 **sold.**

23 **4. A taxpayer claiming the tax credit authorized under this section shall submit an**
24 **affidavit to the department of revenue at the time such taxpayer claims the credit. The**
25 **affidavit shall attest that the taxpayer:**

26 **(1) Was an employee of the federal government of the United States during the**
27 **lapse in discretionary appropriations by the federal government beginning on or about**
28 **December 22, 2018;**

29 **(2) Was financially impacted by the lapse and was not timely paid his or her**
30 **regular salary during some portion of such lapse; and**

31 **(3) Owes (insert amount) in interest as a direct and proximate result of the lapse.**

32 **5. The department of revenue may promulgate such rules or regulations as are**
33 **necessary to administer the provisions of this section. Any rule or portion of a rule, as that**
34 **term is defined in section 536.010, that is created under the authority delegated in this**
35 **section shall become effective only if it complies with and is subject to all of the provisions**
36 **of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
37 **nonseverable, and if any of the powers vested with the general assembly pursuant to**
38 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
39 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
40 **proposed or adopted after August 28, 2019, shall be invalid and void.**

41 **6. Under section 23.253 of the Missouri Sunset Act:**

42 **(1) The program authorized under this section shall automatically sunset six years**
43 **after the effective date of this section, unless reauthorized by an act of the general**
44 **assembly;**

45 **(2) If such program is reauthorized, the program authorized under this section shall**
46 **automatically sunset twelve years after the effective date of the reauthorization of this**
47 **section; and**

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

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