SENATE BILL NO. 1134

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Read 1st time March 1, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6726S.01I

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for charitable contributions to Love INC.

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
2 section, to be known as section 135.625, to read as follows:

135.625. 1. As used in this section, the following terms shall
2 **mean:**

3 **(1) "Contribution", a contribution of cash, stock, bonds, or other**
4 **marketable securities, or real property;**

5 **(2) "Love INC", a Missouri corporation whose purpose is**
6 **substantially to organize and coordinate churches to respond to**
7 **individual, family, and project needs in the name of Christ and that is**
8 **incorporated as Love INC of Columbia, Love INC of Southeast Missouri,**
9 **or another such name beginning with Love INC;**

10 **(3) "Tax credit", a credit against the tax otherwise due under**
11 **chapter 143, excluding withholding tax imposed under sections 143.191**
12 **to 143.265, or otherwise due under chapters 147, 148, and 153;**

13 **(4) "Taxpayer", a person, firm, a partner in a firm, corporation,**
14 **or a shareholder in an S corporation doing business in the state of**
15 **Missouri and subject to the state income tax imposed under chapter**
16 **143; an insurance company paying an annual tax on its gross premium**
17 **receipts in this state; any other financial institution paying taxes to the**
18 **state of Missouri or any political subdivision of this state under chapter**
19 **148; an express company which pays an annual tax on its gross receipts**
20 **in this state under chapter 153; an individual subject to the state**
21 **income tax under chapter 143; or any charitable organization which is**

22 exempt from federal income tax and whose Missouri unrelated business
23 taxable income, if any, would be subject to the state income tax
24 imposed under chapter 143.

25   2. For all tax years beginning on or after January 1, 2017, a
26 taxpayer shall be allowed to claim a tax credit against the taxpayer's
27 state tax liability in an amount equal to fifty percent of the amount of
28 such taxpayer's contributions to Love INC.

29   3. The amount of the tax credit claimed shall not exceed the
30 amount of the taxpayer's state tax liability for the tax year for which
31 the credit is claimed, and such taxpayer shall not be allowed to claim
32 a tax credit in excess of five thousand dollars per tax year. However,
33 any portion of the tax credit that cannot be claimed in the tax year the
34 contribution was made may be carried over to the next three
35 succeeding tax years until the full credit has been claimed. No tax
36 credits issued under the provisions of this section shall be assigned,
37 transferred, or sold.

38   4. Except for any excess credit that is carried over under
39 subsection 3 of this section, a taxpayer shall not be allowed to claim a
40 tax credit unless the total amount of such taxpayer's contributions to
41 Love INC in the tax year is at least one hundred dollars.

42   5. Each Love INC shall provide information concerning the
43 identity of each taxpayer who contributes an amount eligible for a tax
44 credit under this section and the amount of such contribution to the
45 director of revenue.

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

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

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

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

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