

SECOND REGULAR SESSION

HOUSE BILL NO. 1253

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE THOMPSON.

Pre-filed December 17, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3333L.011

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to income tax credits for gifts of personal property to persons with an income below the federal poverty level.

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
2 known as section 135.833, to read as follows:

2 **135.833. 1. For all tax years beginning on or after January 1, 2003, a taxpayer shall**
3 **receive a credit against taxes otherwise due pursuant to chapter 143, RSMo, except sections**
4 **143.191 to 143.265, RSMo, in an amount not greater than ten thousand dollars per gift of**
5 **personal property to a person whose income is below the federal poverty level.**

6 **2. The amount of the tax credit claimed shall not exceed the amount of the**
7 **taxpayer's state tax liability for the taxable year that the credit is claimed, and such**
8 **taxpayer shall not be allowed to claim a tax credit pursuant to this section in excess of fifty**
9 **thousand dollars per taxable year. The credit shall be claimed by the taxpayer in the tax**
10 **year in which such gifts were made and shall be claimed at the time the taxpayer files a tax**
11 **return. Any tax credit that cannot be fully claimed in the taxable year the contribution was**
12 **made may be carried over to the next four succeeding taxable years until the full credit has**
13 **been claimed.**

14 **3. The director of the department of social services shall, by rule, establish a**
15 **procedure by which a taxpayer can determine if a person is classified as having an income**
16 **below the federal poverty level, and by which such taxpayer can give a gift of personal**
17 **property to such a person and claim a tax credit pursuant to this section.**

18 **4. Any taxpayer claiming a credit pursuant to this section shall file as part of such**
taxpayer's tax return any documentation the director of the department of revenue deems

19 **necessary to confirm the taxpayer's eligibility for the credit. The director of the**
20 **department of revenue may promulgate rules and regulations for administration of this**
21 **section.**

22 **5. No rule or portion of a rule promulgated pursuant to the authority of this section**
23 **shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.**

24 **6. This section shall become effective January 1, 2003, and shall apply to all tax**
25 **years after December 31, 2002.**