

**HOUSE**

**AMENDMENT NO. \_\_\_\_\_**

**Offered by**

**of**

1 AMEND House Bill No. 1718, Page 1, Section A, Line 2, by  
2 inserting after all of said line the following:

3 "135.800. 1. The provisions of sections 135.800 to 135.830  
4 shall be known and may be cited as the "Tax Credit Accountability  
5 Act of 2004".

6 2. As used in sections 135.800 to 135.830, the following  
7 terms mean:

8 (1) "Administering agency", the state agency or department  
9 charged with administering a particular tax credit program, as  
10 set forth by the program's enacting statute; where no department  
11 or agency is set forth, the department of revenue;

12 (2) "Agricultural tax credits", the agricultural product  
13 utilization contributor tax credit created pursuant to section  
14 348.430, the new generation cooperative incentive tax credit  
15 created pursuant to section 348.432, the family farm breeding  
16 livestock loan tax credit created under section 348.505, the  
17 qualified beef tax credit created under section 135.679, and the  
18 wine and grape production tax credit created pursuant to section  
19 135.700;

20 (3) "All tax credit programs", or "any tax credit program",  
21 the tax credit programs included in the definitions of  
22 agricultural tax credits, business recruitment tax credits,  
23 community development tax credits, domestic and social tax  
24 credits, entrepreneurial tax credits, environmental tax credits,  
25 financial and insurance tax credits, housing tax credits,  
26 redevelopment tax credits, and training and educational tax  
27 credits;

28 (4) "Business recruitment tax credits", the business  
29 facility tax credit created pursuant to sections 135.110 to

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Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 135.150 and section 135.258, the enterprise zone tax benefits  
2 created pursuant to sections 135.200 to 135.270, the business use  
3 incentives for large-scale development programs created pursuant  
4 to sections 100.700 to 100.850, the development tax credits  
5 created pursuant to sections 32.100 to 32.125, the rebuilding  
6 communities tax credit created pursuant to section 135.535, the  
7 film production tax credit created pursuant to section 135.750,  
8 the enhanced enterprise zone created pursuant to sections 135.950  
9 to 135.975, and the Missouri quality jobs program created  
10 pursuant to sections 620.1875 to 620.1900;

11 (5) "Community development tax credits", the neighborhood  
12 assistance tax credit created pursuant to sections 32.100 to  
13 32.125, the family development account tax credit created  
14 pursuant to sections 208.750 to 208.775, the dry fire hydrant tax  
15 credit created pursuant to section 320.093, and the  
16 transportation development tax credit created pursuant to section  
17 135.545;

18 (6) "Domestic and social tax credits", the youth  
19 opportunities tax credit created pursuant to section 135.460 and  
20 sections 620.1100 to 620.1103, the shelter for victims of  
21 domestic violence created pursuant to section 135.550, the senior  
22 citizen or disabled person property tax credit created pursuant  
23 to sections 135.010 to 135.035, the special needs adoption tax  
24 credit and children in crisis tax credit created pursuant to  
25 sections 135.325 to 135.339, the maternity home tax credit  
26 created pursuant to section 135.600, the surviving spouse tax  
27 credit created pursuant to section 135.090, the residential  
28 treatment agency tax credit created pursuant to section 135.1150,  
29 the pregnancy resource center tax credit created pursuant to  
30 section 135.630, the food pantry tax credit created pursuant to  
31 section 135.647, the health care access fund tax credit created  
32 pursuant to section 135.575, the residential dwelling access tax  
33 credit created pursuant to section 135.562, [and] the shared care  
34 tax credit created pursuant to section 660.055, and the "Bryce's  
35 Law" tax credit as created in section 135.1220;

36 (7) "Entrepreneurial tax credits", the capital tax credit  
37 created pursuant to sections 135.400 to 135.429, the certified

1 capital company tax credit created pursuant to sections 135.500  
2 to 135.529, the seed capital tax credit created pursuant to  
3 sections 348.300 to 348.318, the new enterprise creation tax  
4 credit created pursuant to sections 620.635 to 620.653, the  
5 research tax credit created pursuant to section 620.1039, the  
6 small business incubator tax credit created pursuant to section  
7 620.495, the guarantee fee tax credit created pursuant to section  
8 135.766, and the new generation cooperative tax credit created  
9 pursuant to sections 32.105 to 32.125;

10 (8) "Environmental tax credits", the charcoal producer tax  
11 credit created pursuant to section 135.313, the wood energy tax  
12 credit created pursuant to sections 135.300 to 135.311, and the  
13 alternative fuel stations tax credit created pursuant to section  
14 135.710;

15 (9) "Financial and insurance tax credits", the bank  
16 franchise tax credit created pursuant to section 148.030, the  
17 bank tax credit for S corporations created pursuant to section  
18 143.471, the exam fee tax credit created pursuant to section  
19 148.400, the health insurance pool tax credit created pursuant to  
20 section 376.975, the life and health insurance guaranty tax  
21 credit created pursuant to section 376.745, the property and  
22 casualty guaranty tax credit created pursuant to section 375.774,  
23 and the self-employed health insurance tax credit created  
24 pursuant to section 143.119;

25 (10) "Housing tax credits", the neighborhood preservation  
26 tax credit created pursuant to sections 135.475 to 135.487, the  
27 low-income housing tax credit created pursuant to sections  
28 135.350 to 135.363, and the affordable housing tax credit created  
29 pursuant to sections 32.105 to 32.125;

30 (11) "Recipient", the individual or entity who is the  
31 original applicant for and who receives proceeds from a tax  
32 credit program directly from the administering agency, the person  
33 or entity responsible for the reporting requirements established  
34 in section 135.805;

35 (12) "Redevelopment tax credits", the historic preservation  
36 tax credit created pursuant to sections 253.545 to 253.561, the  
37 brownfield redevelopment program tax credit created pursuant to

1 sections 447.700 to 447.718, the community development  
2 corporations tax credit created pursuant to sections 135.400 to  
3 135.430, the infrastructure tax credit created pursuant to  
4 subsection 6 of section 100.286, the bond guarantee tax credit  
5 created pursuant to section 100.297, the disabled access tax  
6 credit created pursuant to section 135.490, the new markets tax  
7 credit created pursuant to section 135.680, and the distressed  
8 areas land assemblage tax credit created pursuant to section  
9 99.1205;

10 (13) "Training and educational tax credits", the community  
11 college new jobs tax credit created pursuant to sections 178.892  
12 to 178.896."; and

13 Further amend said bill, Page 3, Section 135.1220, Line 59  
14 by deleting all of said line and inserting in lieu thereof the  
15 following:

16 "5. The aggregate amount of tax credits which may be issued  
17 under this section in any one fiscal year shall not exceed five  
18 million dollars. The tax credits issued under this section shall  
19 be issued on a first-come, first-served filing basis. If the  
20 amount of tax credits claimed under this section exceeds five  
21 million dollars, the director of the department of revenue shall  
22 establish a procedure by which, from the beginning of the fiscal  
23 year until some point in time later in the fiscal year to be  
24 determined by the director, the cumulative amount of tax credits  
25 are equally apportioned among all taxpayers allowed a tax credit  
26 under this section. The director may establish more than one  
27 period of time and reapportion more than once during each fiscal  
28 year. To the maximum extent possible, the director shall  
29 establish the procedure described in this subsection in such a  
30 manner as to ensure that taxpayers can claim all the tax credits  
31 possible up to the cumulative amount of tax credits available for  
32 the fiscal year.

33 6. The director shall determine, at least annually, which  
34 organizations in this state"; and

35 Further amend said title, enacting clause and intersectional  
36 references accordingly.