

FIRST REGULAR SESSION

HOUSE BILL NO. 841

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROSS (Sponsor), DUGGER,
FRAKER AND REIBOLDT (Co-sponsors).

2047H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to tax credits for milk producers.

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 135.1590, to read as follows:

**135.1590. 1. This section shall be known and may be cited as the “Show-Me Milk
2 and Infrastructure Stabilization Act”.**

3 2. As used in this section, the following terms mean:

4 (1) “Department”, the department of agriculture;

5 (2) “Director”, the director of the department of agriculture;

**6 (3) “Qualified milk producer”, any resident taxpayer actively engaged in business
7 as a producer of grade A milk.**

**8 3. For all taxable years beginning on or after January 1, 2012, a qualified milk
9 producer shall be allowed a tax credit against the state tax liability incurred under chapter
10 143, excluding withholding tax imposed by sections 143.191 to 143.265, at a rate of the
11 quantity of the total aggregate allowable credit per year divided by the department’s
12 estimate of the number of currently active dairy cows in the state divided by the average
13 number of pounds of milk per cow per year. The maximum credit allowed to a qualified
14 milk producer shall not exceed twenty-five thousand dollars per year.**

**15 4. Taxpayers shall apply for the milk production tax credit by submitting an
16 application to the department of agriculture, on a form provided by the department. As**

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.

17 part of the application, the taxpayer shall provide his or her producer identification
18 number and documentation as to the amount of milk produced by his or her operation
19 during the tax credit allowance period.

20 5. On or before January 1, 2015, the director, or his or her designee, shall issue a
21 report, and make such report available for public inspection, on the total number of
22 pounds of milk produced by each qualified milk producer in each of the three preceding
23 calendar years.

24 6. The total aggregate amount of tax credits authorized under this section shall not
25 exceed fifteen million dollars in a calendar year.

26 7. The tax credit authorized by this section shall not be refundable or transferable,
27 and must be used in the year in which it is issued. Tax credits earned by a partnership,
28 limited liability company, S-corporation, or other pass-through entity may be allocated to
29 the partners, members, or shareholders of such entity for their direct use in accordance
30 with the provisions of any agreement among such partners, members, or shareholders.

31 8. Under section 23.253 of the Missouri sunset act:

32 (1) The provisions of the new program authorized under this section shall
33 automatically sunset three years after January 1, 2012, unless reauthorized by an act of the
34 general assembly; and

35 (2) If such program is reauthorized, the program authorized under this section shall
36 automatically sunset one year after the effective date of the reauthorization of this section;
37 and

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

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