

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 1278 & 1152, Page 20, Section
2 135.1150, Line 92, by inserting after all of said line the following:

3
4 “135.1161. 1. As used in this section, the following terms mean:

5 (1) "Disabled employee", any person who is employed by the taxpayer claiming the tax
6 credit under this section for a minimum of forty weeks in each taxable year for which the credit
7 allowed under this section is claimed and who:

8 (a) Is determined to be disabled by the Social Security Administration or the Department
9 of Veterans' Affairs; or

10 (b) Is determined to be disabled by the division of vocational rehabilitation and is
11 participating in the division's job placement program;

12 (2) "Small business", any business that employs fifty or fewer employees and that hires a
13 disabled person or a person recently discharged from a correctional facility;

14 (3) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding
15 withholding tax imposed by sections 143.191 to 143.265;

16 (4) "Taxpayer", any small business subject to the tax imposed in chapter 143, excluding
17 withholding tax imposed by sections 143.191 to 143.265.

18 2. For all taxable years beginning on or after January 1, 2013, a taxpayer shall be allowed
19 a tax credit for hiring a disabled person or a person discharged from a state or federal correctional
20 facility within the twelve months immediately preceding the hiring. The tax credit amount shall
21 be equal to five hundred dollars for each such person employed, subject to the following:

22 (1) In the case of a disabled person, such small business shall employ the person for an
23 average of twenty-five hours per week, and the person shall be employed for at least one year
24 before the small business is eligible for the tax credit;

25 (2) In the case of a person discharged from a correctional facility within the twelve
26 months immediately preceding the hiring, such small business shall employ the person for an
27 average of forty hours per week, and such small business shall employ such person for at least one
28 year before the small business is eligible for the tax credit. Upon meeting all eligibility
29 requirements, the small business shall be eligible to claim the tax credit for the next three years.

1 3. The amount of the tax credit redeemed shall not exceed the amount of the taxpayer's
2 state tax liability for the tax year for which the credit is claimed. If the amount of the tax credit
3 redeemed exceeds the amount of the taxpayer's state tax liability for the tax year for which the
4 credit is claimed, the difference shall not be refundable but may be carried forward to any of the
5 taxpayer's three subsequent taxable years. No tax credit redeemed under this section shall be
6 transferred, sold, or assigned. The aggregate amount of tax credits which may be redeemed under
7 this section in any one fiscal year shall not exceed ten million dollars. The tax credits redeemed
8 under this section shall be redeemed on a first-come, first-served filing basis.

9 4. The department of revenue may promulgate rules to implement the provisions of this
10 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
11 under the authority delegated in this section shall become effective only if it complies with and is
12 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
13 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant
14 to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
15 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
16 or adopted after August 28, 2012, shall be invalid and void.

17 5. Under section 23.253 of the Missouri sunset act:

18 (1) The provisions of the new program authorized under this section shall automatically
19 sunset on December thirty-first six years after the effective date of this section unless reauthorized
20 by an act of the general assembly; and

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

24 (3) This section shall terminate on September first of the calendar year immediately
25 following the calendar year in which the program authorized under this section is sunset.”; and

26
27 Further amend said bill by amending the title, enacting clause, and intersectional references
28 accordingly.