

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Bill No. 1718, Page 1, In the Title, Lines 2-3, by deleting all of said lines and inserting in
2 lieu thereof the following words, "To amend chapter 135, RSMo, by adding thereto two new sections
3 relating to tax relief."; and

4
5 Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the
6 following:

7
8 "135.1161. 1. As used in this section, the following terms mean:

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

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

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

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

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

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

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

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

29 (2) In the case of a person discharged from a correctional facility within the twelve months
30 immediately preceding the hiring, such small business shall employ the person for an average of forty

1 hours per week, and such small business shall employ such person for at least one year before the small
2 business is eligible for the tax credit. Upon meeting all eligibility requirements, the small business shall
3 be eligible to claim the tax credit for the next three years.

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

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

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

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

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

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

29
30 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.