

SECOND REGULAR SESSION

# HOUSE BILL NO. 1449

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BERRY (Sponsor), RIZZO, TALBOY, SILVEY, CIERPIOT, SOLON, NANCE, BROWN (50), RICHARDSON, SWEARINGEN, LONG, SCHIEBER, HOLSMAN, CROSS, MOLENDORP, LASATER, McCANN BEATTY AND MORGAN (Co-sponsors).

5244L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to economic incentives.

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*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 known as section 135.1610, to read as follows:

2 **135.1610. 1. If any job that qualifies for a tax credit under sections 100.700 to**  
3 **100.850, 135.100 to 135.258, 135.950 to 135.973, 620.1023, or 620.1875 to 620.1910 relocates**  
4 **to Missouri from the state of Kansas and from within thirty miles of the border of**  
5 **Missouri, no tax credits shall be issued for such job under such sections if the state of**  
6 **Kansas prohibits any tax credit for jobs or economic incentive for job creation or does not**  
7 **award any job relocation incentive for any job that relocates from Missouri to the state of**  
8 **Kansas and the new location is within thirty miles of the border of Missouri.**

9 **2. Subsection 3 of this section shall become effective only upon the failure of the**  
10 **state of Kansas to enact legislation substantially similar to the provisions of subsection 1**  
11 **of this section by August 28, 2014. Within thirty days after August 28, 2014, the director**  
12 **of the department of economic development shall notify the revisor of statutes upon a**  
13 **determination whether the state of Kansas has enacted substantially similar legislation.**  
14 **Section 3 of this section shall become effective thirty days after the date the director notifies**  
**the revisor that such legislation has not been enacted.**

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.

15           **3. (1) For every expenditure of one dollar by the state of Kansas for promoting**  
16 **economic development in the Kansas counties that are part of the Kansas City**  
17 **metropolitan area, Missouri shall make an expenditure of one dollar and fifty cents for**  
18 **promoting economic development in the Missouri counties that are part of the Kansas City**  
19 **metropolitan area.**

20           **(2) As used in this section:**

21           **(a) "Expenditure" means appropriation, grant, financial award, loan, debt**  
22 **authorization, tax authorization, or any reduction in revenue collected as a result of a tax**  
23 **deduction, tax exemption, tax credit, tax abatement, or other tax preference, in connection**  
24 **with any program administered by the department of economic development, or any other**  
25 **applicable program;**

26           **(b) "Kansas City metropolitan area" means the multicounty metropolitan area**  
27 **straddling the border between the states of Missouri and Kansas consisting of the Missouri**  
28 **counties of Jackson, Platte, Clay, and Cass, and the Kansas counties of Johnson,**  
29 **Leavenworth, and Wyandotte.**

30           **(3) The department shall promulgate rules to implement the provisions of this**  
31 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
32 **created under the authority delegated in this section shall become effective only if it**  
33 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
34 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
35 **vested with the general assembly under chapter 536 to review, to delay the effective date,**  
36 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**  
37 **of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be**  
38 **invalid and void.**

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