

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 497, Page 1, In the Title, Lines 2-3, by deleting the
2 words "tax incentives for data storage" and inserting in lieu thereof the word "taxation"; and

3
4 Further amend said bill, Page 3, Section 67.2050, Line 72, by inserting after all of said section and line the
5 following:

6
7 "135.1620. 1. As used in this section, the following terms shall mean:

8 (1) "Eligible expenses", expenses incurred in the construction or development of real property for the
9 purposes of establishing a full-service grocery store;

10 (2) "Food desert", a census tract that has a poverty rate of at least twenty percent or a median family
11 income of less than eighty percent of the statewide average featuring at least five hundred people or
12 thirty-three percent of the population located at least half a mile from a full-service grocery store in urban
13 areas or ten miles in rural areas;

14 (3) "Full-service grocery store", a grocery store that provides a full complement of healthful fruits,
15 vegetables, grains, meat, and dairy products along with household items. Fresh fruits and vegetables shall be
16 available for sale in quantities which are substantially similar to industry standards for facilities of similar
17 size;

18 (4) "New location", a full-service grocery store facility located on a tract of real property within a
19 food desert acquired by or leased to a taxpayer on or after January 1, 2016. A location shall be deemed to
20 have been acquired by or leased to a taxpayer on or after January 1, 2016, if the transfer of title to the taxpayer,
21 the transfer of possession under a binding contract to transfer title to a taxpayer, or the commencement of the
22 term of the lease to a taxpayer occurs on or after January 1, 2016, or if the commencement of the construction
23 or installation of the facility by or on behalf of a taxpayer occurs on or after January 1, 2016;

24 (5) "Rural area", a town or community within the state which is not within a standard metropolitan
25 statistical area and has a population of six thousand or fewer inhabitants as determined by the last preceding
26 federal decennial census or any unincorporated area not within a standard metropolitan statistical area;

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

29 (7) "Taxpayer", any individual, partnership, or corporation as described in section 143.441 or 143.471
30 that is subject to the tax imposed in chapter 143, excluding withholding tax imposed by sections 143.191 to
31 143.265 or any charitable organization which is exempt from federal income tax and whose Missouri
32 unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter
33 143;

34 (8) "Urban area", an urban place as designated by the Bureau of the Census.

Action Taken _____ Date _____

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1 2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an
2 amount equal to fifty percent of the amount such taxpayer incurred in eligible expenses after initial expenses
3 of one million dollars.

4 3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax
5 liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax
6 credit in excess of two million five hundred thousand dollars per taxable year. However, any tax credit that
7 cannot be claimed in the taxable year the contribution was made may be carried over to the next three
8 succeeding taxable years until the full credit has been claimed.

9 4. The total amount of tax credits which may be authorized under this section in any calendar year
10 shall not exceed twenty-five million dollars.

11 5. Tax credits issued under the provisions of this section may be transferred, sold, or assigned.

12 6. The issuance of tax credits authorized under this section shall cease and the taxpayer shall
13 immediately submit payment to the state general revenue fund in an amount equal to all credits previously
14 issued to the taxpayer, less any amounts previously repaid, increased by an amount equal to a reasonable rate
15 of return on the value of the credits issued in the event that the taxpayer:

16 (1) Fails to complete construction on a full-service grocery store within five years of the
17 commencement of the project; or

18 (2) Fails to operate a full-service grocery store at the same new location for at least ten consecutive
19 years.

20 7. The department of economic development may promulgate rules to implement the provisions of
21 this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
22 authority delegated in this section shall become effective only if it complies with and is subject to all of the
23 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable,
24 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
25 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
26 rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

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

28 (1) The program authorized under this section shall automatically sunset six years after August 28,
29 2015, unless reauthorized by an act of the general assembly; and

30 (2) If such program is reauthorized, the program authorized under this section shall automatically
31 sunset twelve years after the effective date of the reauthorization of this section; and

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

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