

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 461**  
**98TH GENERAL ASSEMBLY**

1052H.03C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To amend chapter 285, RSMo, by adding thereto one new section relating to employment taxes.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 285, RSMo, is amended by adding thereto one new section, to be  
2 known as section 285.517, to read as follows:

**285.517. Notwithstanding any provision of sections 285.500 to 285.515 or any other  
2 provision of law to the contrary, for any taxpayer undergoing an audit conducted by the  
3 department of labor and industrial relations regarding classification of an individual as an  
4 independent contractor or employee, if the taxpayer has been granted relief from the  
5 imposition of federal employment taxes under Section 530 of the Revenue Act of 1978, as  
6 amended, for an individual, with the result that the taxpayer can continue to classify the  
7 individual as an independent contractor for purposes of federal employment taxes, the  
8 department of labor and industrial relations shall allow the taxpayer to classify the  
9 individual as an independent contractor for purposes of Missouri employment taxes.  
10 Nothing in this section shall be construed to change in any way the status, liabilities, or  
11 rights of the individual whose status is at issue. This section terminates the liability of the  
12 employer for the Missouri employment taxes but shall have no effect on the individual  
13 whose status is at issue.**

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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.