SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE COMMITTEE SUBSTITUTE FOR  

SENATE BILL NO. 635  
97TH GENERAL ASSEMBLY  
2014

AN ACT  
To amend chapter 135, RSMo, by adding thereto one new section relating to incentives for interstate business relocation.

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 135.1670, to read as follows:

135.1670. 1. As used in this section, the following terms mean:

(1) "Kansas border county", Douglas, Johnson, Miami, or Wyandotte County in Kansas;

(2) "Missouri border county", any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, or any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants in Missouri.

2. If any job that qualifies for a tax credit under sections 100.700 to 100.850 or under sections 135.100 to 135.258, for funding under section 620.1023, or for a tax credit or retention of state withholding taxes under sections 620.2000 to 620.2020, relocates to a Missouri border county from a Kansas border county, no tax credits shall be issued, funding provided, or retention of withholding taxes authorized for such
job under such sections.

3. If the director of the Missouri department of economic
development determines that the state of Kansas has enacted
legislation or the governor of Kansas issued an executive order or
similar action which prohibits the Kansas Department of Commerce or
any other Kansas executive department from providing economic
incentives for jobs that are relocated from a Missouri border county to
a Kansas border county, then the director shall execute and deliver to
the governor, the speaker of the house of representatives, and the
president pro tempore of the senate a written certification of such
determination. Upon the execution and delivery of such written
certification and the parties receiving such certification providing a
unanimous written affirmation, the provisions of subsection 2 of this
section shall be effective unless otherwise provided in this section. The
provisions of subsection 2 of this section shall not apply to incentives
reserved on behalf of and awarded to Missouri employers prior to the
provisions of subsection 2 of this section taking effect.

4. If the director of the Missouri department of economic
development determines that the Kansas Department of Commerce or
any other Kansas executive department is providing economic
incentives for jobs that relocate from a Missouri border county to a
Kansas border county, then the director shall execute and deliver to
the governor, the speaker of the house of representatives, and the
president pro tempore of the senate a written certification of such
determination. Upon the execution and delivery of such written
certification and the parties receiving such certification providing a
unanimous written affirmation, the provisions of subsection 2 of this
section shall not be effective until such time as the director determines
that the Kansas Department of Commerce, or any other Kansas
executive department is not providing economic incentives for jobs that
relocate from a Missouri border county to a Kansas border county, and
the director has executed and delivered to the governor, the speaker
of the house of representative, and the president pro tempore of the
senate a written certification of such determination and the parties
receiving such certification provide an unanimous written affirmation.

5. The director of the Missouri department of economic
development shall notify the revisor of statutes of all changes in
whether subsection 2 of this section is effective.

6. The provisions of this section shall expire August 28, 2016, unless at such time the provisions of subsection 2 of this section are in effect. If the provisions of this section do not expire on August 28, 2016, the provisions of this section shall expire on August 28, 2020.