

SECOND REGULAR SESSION

SENATE BILL NO. 1105

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

Read 1st time February 7, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4958S.011

AN ACT

To amend chapter 143, RSMo, by adding thereto one new section relating to an income tax check-off for contributions to the Breast Cancer Awareness Trust Fund.

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

Section A. Chapter 143, RSMo, is amended by adding thereto one new section, to be known as section 143.1009, to read as follows:

143.1009. 1. In each taxable year beginning on or after January 1, 2008, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the "Breast Cancer Awareness Trust Fund", hereinafter referred to as the "trust fund." If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the trust fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount, clearly designated for the breast cancer awareness trust fund, the individual or corporation wishes to contribute. The department of revenue shall deposit such amount to the trust fund as provided in subsections 2 and 3 of this section. All moneys credited to the trust fund shall be considered nonstate funds under the provisions of article IV, section 15 of the Missouri Constitution.

2. The director of revenue shall deposit at least monthly all

21 contributions designated by individuals under this section to the state
22 treasurer for deposit to the trust fund.

23 3. The director of revenue shall deposit at least monthly all
24 contributions designated by the corporations under this section, less an
25 amount sufficient to cover the costs of collection and handling by the
26 department of revenue, to the state treasury for deposit to the trust
27 fund.

28 4. A contribution designated under this section shall only be
29 deposited in the trust fund after all other claims against the refund
30 from which such contribution is to be made have been satisfied.

31 5. All moneys transferred to the trust fund shall be distributed
32 by the director of revenue at times the director deems appropriate to
33 the Friends of the Missouri Women's Council. Such funds shall be used
34 solely for the purpose of providing breast cancer
35 services. Notwithstanding the provisions of section 33.080, RSMo, to
36 the contrary, moneys in the trust fund at the end of any biennium shall
37 not be transferred to the credit of the general revenue fund.

38 6. There is hereby created in the state treasury the "Breast
39 Cancer Awareness Trust Fund", which shall consist of money collected
40 under this section. The state treasurer shall be custodian of the fund
41 and shall approve disbursements from the fund in accordance with this
42 section and sections 30.170 and 30.180, RSMo.

43 7. Under section 23.253, RSMo, of the Missouri sunset act:

44 (1) The provisions of the new program authorized under this
45 section shall automatically sunset six years after August 28, 2008,
46 unless reauthorized by an act of the general assembly; and

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

50 (3) This section shall terminate on December thirty-first of the
51 calendar year immediately following the calendar year in which the
52 program authorized under this section is sunset.

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