

SECOND REGULAR SESSION

SENATE BILL NO. 561

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIDGEWAY.

Pre-filed December 13, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4502S.011

AN ACT

To repeal section 143.011, RSMo, and to enact in lieu thereof two new sections relating to taxation.

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

Section A. Section 143.011, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 135.822 and 143.011, to read as follows:

135.822. Any tax credit program, which as of August 28, 2012, is not subject to the provisions of sections 23.250 to 23.298, shall automatically sunset effective January 1, 2016, unless reauthorized by an act of the general assembly. The provisions of this section shall not be construed to limit or in any way impair a recipient's ability to redeem tax credits or an administering agency's ability to issue tax credits authorized prior to January 1, 2016.

143.011. 1. A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess

13		over \$3,000
14	Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess
15		over \$4,000
16	Over \$5,000 but not over \$6,000	\$125 plus 4% of excess
17		over \$5,000
18	Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess
19		over \$6,000
20	Over \$7,000 but not over \$8,000	\$210 plus 5% of excess
21		over \$7,000
22	Over \$8,000 but not over \$9,000	\$260 plus 5 1/2% of excess
23		over \$8,000
24	Over \$9,000	\$315 plus 6% of excess
25		over \$9,000

26 **2. Beginning on January 1, 2017, the director of revenue shall**
 27 **examine the revenue generated by taxation from the previous calendar**
 28 **year and determine the amount of any increase in this revenue from**
 29 **the prior calendar year that is due to a reduction in the redemption of**
 30 **tax credits attributable to the provisions of section 135.822.**

31 **3. Based on the examination required by subsection 2 of this**
 32 **section, effective January 1, 2018, the department of revenue shall**
 33 **promulgate a rule reducing the tax rate provided in subsection 1 of this**
 34 **section, so that the increase in revenue attributable to section 135.822**
 35 **results in a corresponding decrease in the tax rate.**

36 **4. The director shall make such examination and corresponding**
 37 **reduction in the tax rate on an annual basis, unless the increase in**
 38 **revenue attributable to the provisions of section 135.822 would only**
 39 **result in a decrease of the tax rate from the prior year of less than one**
 40 **one-hundredth of one percent.**

41 **5. Any rule or portion of a rule, as that term is defined in section**
 42 **536.010 that is created under the authority delegated in this section**
 43 **shall become effective only if it complies with and is subject to all of**
 44 **the provisions of chapter 536, and, if applicable, section 536.028. This**
 45 **section and chapter 536 are nonseverable and if any of the powers**
 46 **vested with the general assembly pursuant to chapter 536, to review, to**
 47 **delay the effective date, or to disapprove and annul a rule are**
 48 **subsequently held unconstitutional, then the grant of rulemaking**

49 **authority and any rule proposed or adopted after August 28, 2012, shall**
50 **be invalid and void.**

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Unofficial

Bill

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