

FIRST REGULAR SESSION

# SENATE BILL NO. 35

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Pre-filed December 1, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

0166L.01I

## AN ACT

To amend chapter 143, RSMo, by adding thereto one new section relating to the designation of tax refunds to certain funds.

*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  
2 section, to be known as section 143.1026, to read as follows:

**143.1026. 1. This section shall be known and may be cited as  
2 "Sahara's Law".**

**3 2. For all taxable years beginning on or after January 1, 2013,  
4 each individual or corporation entitled to a tax refund in an amount  
5 sufficient to make a designation under this section may designate that  
6 one dollar or any amount in excess of one dollar on a single return, and  
7 two dollars or any amount in excess of two dollars on a combined  
8 return, of the refund due be credited to the pediatric cancer research  
9 trust fund. If any individual or corporation that is not entitled to a tax  
10 refund in an amount sufficient to make a designation under this section  
11 wishes to make a contribution to the fund, such individual or  
12 corporation may, by separate check, draft, or other negotiable  
13 instrument, send in with the payment of taxes, or may send in  
14 separately, that amount the individual or corporation wishes to  
15 contribute. Such amounts shall be clearly designated for the fund.**

**16 3. There is hereby created in the state treasury the "Pediatric  
17 Cancer Research Trust Fund", which shall consist of money collected  
18 under this section. The state treasurer shall be custodian of the fund.  
19 In accordance with sections 30.170 and 30.180, the state treasurer may  
20 approve disbursements. The fund shall be a dedicated fund and, upon  
21 appropriation, money in the fund shall be used solely for the**

22 administration of this section. Notwithstanding the provisions of  
23 section 33.080 to the contrary, any moneys remaining in the fund at the  
24 end of the biennium shall not revert to the credit of the general  
25 revenue fund. The state treasurer shall invest moneys in the fund in  
26 the same manner as other funds are invested. Any interest and moneys  
27 earned on such investments shall be credited to the fund. All moneys  
28 credited to the trust fund shall be considered nonstate funds under  
29 section 15, article IV, Constitution of Missouri. The treasurer shall  
30 distribute all moneys deposited in the fund at times the treasurer  
31 deems appropriate to CureSearch for children's cancer.

32 4. The director of revenue shall deposit at least monthly all  
33 contributions designated by individuals under this section to the state  
34 treasurer for deposit to the fund. The director of revenue shall deposit  
35 at least monthly all contributions designated by the corporations under  
36 this section, less an amount sufficient to cover the costs of collection  
37 and handling by the department of revenue, to the state treasury for  
38 deposit to the fund. A contribution designated under this section shall  
39 only be deposited in the fund after all other claims against the refund  
40 from which such contribution is to be made have been satisfied.

41 5. Under section 23.253 of the Missouri sunset act:

42 (1) The provisions of the new program authorized under this  
43 section shall automatically sunset on December thirty-first six years  
44 after August 28, 2013, unless reauthorized by an act of the general  
45 assembly; and

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

50 (3) This section shall terminate on September first of the  
51 calendar year immediately following the calendar year in which the  
52 program authorized under this section is sunset. The termination of  
53 the program as described in this subsection shall not be construed to  
54 preclude any taxpayer who claims any benefit under any program that  
55 is sunset under this subsection from claiming such benefit for all  
56 allowable activities related to such claim that were completed before  
57 the program was sunset, or to eliminate any responsibility of the  
58 administering agency to verify the continued eligibility of projects

59 **receiving tax credits and to enforce other requirements of law that**  
60 **applied before the program was sunset.**

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