

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 635
97TH GENERAL ASSEMBLY

Reported from the Committee on Jobs, Economic Development and Local Government, February 20, 2014, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4370S.04C

TERRY L. SPIELER, Secretary.

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

21 job under such sections.

22 3. If the director of the Missouri department of economic
23 development determines that the state of Kansas has enacted
24 legislation or the governor of Kansas issued an executive order or
25 similar action which prohibits the Kansas Department of Commerce or
26 any other Kansas executive department from providing economic
27 incentives for jobs that are relocated from a Missouri border county to
28 a Kansas border county, then the director shall execute and deliver to
29 the governor, the speaker of the house of representatives, and the
30 president pro tempore of the senate a written certification of such
31 determination. Upon the execution and delivery of such written
32 certification and the parties receiving such certification providing a
33 unanimous written affirmation, the provisions of subsection 2 of this
34 section shall be effective unless otherwise provided in this section.

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

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

56 6. The provisions of this section shall expire August 28, 2016,
57 unless at such time the provisions of subsection 2 of this section are in

58 effect. If the provisions of this section do not expire on August 28, 2016,
59 the provisions of this section shall expire on August 28, 2020.

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