

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

SENATE BILL NO. 635

97TH GENERAL ASSEMBLY

2014

4370S.04T

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
2 section, to be known as section 135.1670, to read as follows:

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

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

4 **(2) "Missouri border county", any county with a charter form of**
5 **government and with more than six hundred thousand but fewer than**
6 **seven hundred thousand inhabitants, any county of the first**
7 **classification with more than eighty-three thousand but fewer than**
8 **ninety-two thousand inhabitants and with a city of the fourth**
9 **classification with more than four thousand five hundred but fewer**
10 **than five thousand inhabitants as the county seat, any county of the**
11 **first classification with more than two hundred thousand but fewer**
12 **than two hundred sixty thousand inhabitants, or any county of the first**
13 **classification with more than ninety-two thousand but fewer than one**
14 **hundred one thousand inhabitants in Missouri.**

15 **2. If any job that qualifies for a tax credit under sections 100.700**
16 **to 100.850 or under sections 135.100 to 135.258, for funding under**
17 **section 620.1023, or for a tax credit or retention of state withholding**
18 **taxes under sections 620.2000 to 620.2020, relocates to a Missouri border**
19 **county from a Kansas border county, no tax credits shall be issued,**
20 **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. The
35 provisions of subsection 2 of this section shall not apply to incentives
36 reserved on behalf of and awarded to Missouri employers prior to the
37 provisions of subsection 2 of this section taking effect.

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

56 5. The director of the Missouri department of economic
57 development shall notify the revisor of statutes of all changes in

58 whether subsection 2 of this section is effective.

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

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Bill

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