

FIRST REGULAR SESSION

# SENATE BILL NO. 416

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

Read 1st time February 13, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1864S.011

## AN ACT

To amend chapter 144, RSMo, by adding thereto one new section relating to taxation of utilities used in food preparation.

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

Section A. Chapter 144, RSMo, is amended by adding thereto one new section, to be known as section 144.055, to read as follows:

**144.055. 1. As used in this section, the term "processing" shall mean any mode of treatment, act, or series of acts performed upon materials or food products to transform or reduce such materials or products to a different state, thing, or product, including treatment necessary to maintain or preserve such processing by the producer at the location at which the food product is produced.**

**2. In addition to all other exemptions granted under this chapter, there are hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761: electrical energy; gas, whether natural, artificial, or propane; water; coal; and energy sources or other utilities which are purchased by a restaurant, cafeteria, fast food restaurant, delicatessen, bakery, grocery store, convenience store, or other similar facility engaged in selling prepared food for consumption on or off the premises of such establishment and ultimately consumed or used in the manufacturing, processing, preparing, furnishing, compounding, or producing of food, or used in research and development related to the manufacturing, processing, preparing, furnishing, compounding, or producing of food that is ultimately sold to customers at a restaurant, cafeteria, fast food restaurant, delicatessen, bakery, grocery store,**

22 convenience store, or other similar facility engaged in selling prepared  
23 food for consumption on or off the premises of the establishment.

24 3. Each person making purchases of utilities used in food  
25 preparation exempt from sales and use tax under this section may,  
26 between the first day of the first month and the fifteenth day of the  
27 fourth month following the year of purchase, apply for credit or refund  
28 to the director of revenue, and the director shall give a credit or make  
29 a refund for taxes paid on the qualified use portion of the utility  
30 purchase.

31 4. The exemptions granted in this section shall not apply to the  
32 local sales tax law as defined in section 32.085.

✓

Bill

Copy