

FIRST REGULAR SESSION

SENATE BILL NO. 429

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Read 1st time February 21, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2197S.01I

AN ACT

To amend chapter 144, RSMo, by adding thereto one new section relating to a sales and use tax exemption for certain building materials.

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
2 section, to be known as section 144.528, to read as follows:

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

2 (1) "Building supplies", materials that will be permanently fixed
3 to a building and that are directly used in the actual construction of
4 the building. "Building supplies" may include, but are not limited to,
5 lumber, concrete, roofing materials, flooring materials, plumbing
6 supplies, doors, and windows;

7 (2) "Eligible county", a county of the third classification without
8 a township form of government and with more than eighteen thousand
9 but fewer than twenty thousand inhabitants and with a city of the
10 fourth classification with more than eight thousand but fewer than nine
11 thousand inhabitants as the county seat.

12 2. Beginning on January 1, 2020, and continuing for a period of
13 five years, subject to the provisions of subsection 3 of this section,
14 purchases of building supplies for the construction of unattached
15 single-family residences within an eligible county are hereby
16 specifically exempted from all state and local sales and use tax
17 including, but not limited to, sales and use tax authorized or imposed
18 under section 32.085 and chapter 144. This exemption shall apply only
19 to purchase amounts of up to two hundred fifty thousand dollars for
20 each construction of an unattached single-family residence.

21 3. A taxpayer shall receive a sales and use tax exemption letter

22 from the department of revenue before such taxpayer is entitled to the
23 exemption authorized under this section. The department of revenue
24 shall design and publish an application for taxpayers to receive such
25 a letter. The application shall require the taxpayer planning to
26 purchase building supplies for the construction of an unattached
27 single-family residence in an eligible county to provide all relevant
28 information about such planned construction and to provide copies of
29 any building permits that may be required to complete such planned
30 construction. The department of revenue shall issue a sales and use tax
31 exemption letter upon approval of a taxpayer's application. The letter
32 shall clearly state that the taxpayer is exempt from all sales and use tax
33 on all purchases of building supplies for the construction of the
34 unattached single-family residence, up to the dollar amount specified
35 in subsection 2 of this section.

36 4. The exemption created under this section shall be in addition
37 to all other sales and use tax exemptions provided by law.

38 5. The department of revenue shall promulgate rules and
39 regulations as may be necessary to effectuate the provisions of this
40 section. Any rule or portion of a rule, as that term is defined in section
41 536.010, that is created under the authority delegated in this section
42 shall become effective only if it complies with and is subject to all of
43 the provisions of chapter 536, and, if applicable, section 536.028. This
44 section and chapter 536 are nonseverable, and if any of the powers
45 vested with the general assembly pursuant to chapter 536 to review, to
46 delay the effective date, or to disapprove and annul a rule are
47 subsequently held unconstitutional, then the grant of rulemaking
48 authority and any rule proposed or adopted after August 28, 2019, shall
49 be invalid and void.

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