

FIRST REGULAR SESSION

SENATE BILL NO. 481

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

Read 1st time February 28, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2373S.01I

AN ACT

To repeal section 135.562, RSMo, and to enact in lieu thereof one new section relating to a tax credit for renovations for disability access.

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

Section A. Section 135.562, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 135.562, to read as follows:

135.562. 1. If any taxpayer with a federal adjusted gross income of thirty
2 thousand dollars or less incurs costs for the purpose of making all or any portion
3 of such taxpayer's principal dwelling accessible to an individual with a disability
4 who permanently resides with the taxpayer, such taxpayer shall receive a tax
5 credit against such taxpayer's Missouri income tax liability in an amount equal
6 to the lesser of one hundred percent of such costs or two thousand five hundred
7 dollars per taxpayer, per tax year.

8 2. Any taxpayer with a federal adjusted gross income greater than thirty
9 thousand dollars but less than sixty thousand dollars who incurs costs for the
10 purpose of making all or any portion of such taxpayer's principal dwelling
11 accessible to an individual with a disability who permanently resides with the
12 taxpayer shall receive a tax credit against such taxpayer's Missouri income tax
13 liability in an amount equal to the lesser of fifty percent of such costs or two
14 thousand five hundred dollars per taxpayer per tax year. No taxpayer shall be
15 eligible to receive tax credits under this section in any tax year immediately
16 following a tax year in which such taxpayer received tax credits under the
17 provisions of this section.

18 3. Tax credits issued pursuant to this section may be refundable in an
19 amount not to exceed two thousand five hundred dollars per tax year.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 4. Eligible costs for which the credit may be claimed include:
21 (1) Constructing entrance or exit ramps;
22 (2) Widening exterior or interior doorways;
23 (3) Widening hallways;
24 (4) Installing handrails or grab bars;
25 (5) Moving electrical outlets and switches;
26 (6) Installing stairway lifts;
27 (7) Installing or modifying fire alarms, smoke detectors, and other alerting
28 systems;
29 (8) Modifying hardware of doors; or
30 (9) Modifying bathrooms.
31 5. The tax credits allowed, including the maximum amount that may be
32 claimed, pursuant to this section shall be reduced by an amount sufficient to
33 offset any amount of such costs a taxpayer has already deducted from such
34 taxpayer's federal adjusted gross income or to the extent such taxpayer has
35 applied any other state or federal income tax credit to such costs.
36 6. A taxpayer shall claim a credit allowed by this section in the same
37 taxable year as the credit is issued, and at the time such taxpayer files his or her
38 Missouri income tax return; provided that such return is timely filed.
39 7. The department may, in consultation with the department of social
40 services, promulgate such rules or regulations as are necessary to administer the
41 provisions of this section. Any rule or portion of a rule, as that term is defined
42 in section 536.010, that is created under the authority delegated in this section
43 shall become effective only if it complies with and is subject to all of the
44 provisions of chapter 536 and, if applicable, section 536.028. This section and
45 chapter 536 are nonseverable and if any of the powers vested with the general
46 assembly pursuant to chapter 536 to review, to delay the effective date or to
47 disapprove and annul a rule are subsequently held unconstitutional, then the
48 grant of rulemaking authority and any rule proposed or adopted after August 28,
49 2007, shall be invalid and void.
50 8. The provisions of this section shall apply to all tax years beginning on
51 or after January 1, 2008.
52 9. The provisions of this section shall expire December 31, **[2019] 2025**,
53 unless reauthorized by the general assembly. This section shall terminate on
54 September first of the calendar year immediately following the calendar year in
55 which the program authorized under this section is sunset. The provisions of this

56 subsection shall not be construed to limit or in any way impair the department's
57 ability to redeem tax credits authorized on or before the date the program
58 authorized under this section expires or a taxpayer's ability to redeem such tax
59 credits.

60 10. In no event shall the aggregate amount of all tax credits allowed
61 pursuant to this section exceed one hundred thousand dollars in any given fiscal
62 year. The tax credits issued pursuant to this section shall be on a first-come,
63 first-served filing basis.

Unofficial ✓

Bill

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