FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 182
100TH GENERAL ASSEMBLY
2019

AN ACT
To repeal section 135.1670, RSMo, and to enact in lieu thereof 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Section A. Section 135.1670, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 135.1670, to read as follows: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 job under such sections.

3. If the director of the Missouri department of economic development
determines that the state of Kansas has enacted legislation or the governor of
Kansas issued an executive order or similar action which prohibits the Kansas
Department of Commerce or any other Kansas executive department from
providing economic incentives for jobs that are relocated from a Missouri border
county to a Kansas border county, then the director shall execute and deliver to
the governor, the speaker of the house of representatives, and the president pro
tempore of the senate a written certification of such determination. Upon the
execution and delivery of such written certification and the parties receiving such
certification providing a unanimous written affirmation, the provisions of
subsection 2 of this section shall be effective unless otherwise provided in this
section. The provisions of subsection 2 of this section shall not apply to
incentives reserved on behalf of and awarded to Missouri employers prior to the
provisions of subsection 2 of this section taking effect.

4. If the director of the Missouri department of economic development
determines that the Kansas Department of Commerce or any other Kansas
executive department is providing economic incentives for jobs that relocate from
a Missouri border county to a Kansas border county, then the director shall
execute and deliver to the governor, the speaker of the house of representatives,
and the president pro tempore of the senate a written certification of such
determination. Upon the execution and delivery of such written certification and
the parties receiving such certification providing a unanimous written
affirmation, the provisions of subsection 2 of this section shall not be effective
until such time as the director determines that the Kansas Department of
Commerce or any other Kansas executive department is not providing economic
incentives for jobs that relocate from a Missouri border county to a Kansas border
county, and the director has executed and delivered to the governor, the speaker
of the house of [representative] representatives, and the president pro tempore
of the senate a written certification of such determination and the parties
receiving such certification provide an unanimous written affirmation.

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

6. The provisions of this section shall expire August 28, [2016] 2021,
54 unless at such time the provisions of subsection 2 of this section are in effect. If
55 the provisions of this section do not expire on August 28, [2016] 2021, the
56 provisions of this section shall expire on August 28, [2020] 2025.