

SECOND REGULAR SESSION

# SENATE BILL NO. 801

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

Pre-filed December 20, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4621S.011

## AN ACT

To repeal section 143.441, RSMo, and to enact in lieu thereof one new section relating to corporate income taxes.

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

Section A. Section 143.441, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 143.441, to read as follows:

143.441. 1. The term "corporation" means every corporation, association,  
2 joint stock company and joint stock association organized, authorized or existing  
3 under the laws of this state and includes:

4 (1) Every corporation, association, joint stock company, and joint stock  
5 association organized, authorized, or existing under the laws of this state, and  
6 every corporation, association, joint stock company, and joint stock association,  
7 licensed to do business in this state, or doing business in this state, and not  
8 organized, authorized, or existing under the laws of this state, or by any receiver  
9 in charge of the property of any such corporation, association, joint stock company  
10 or joint stock association;

11 (2) Every railroad corporation or receiver in charge of the property thereof  
12 which operates over rails owned or leased by it and every corporation operating  
13 any buslines, trucklines, airlines, or other forms of transportation, **including**  
14 **qualified air freight forwarders**, operating over fixed routes owned, leased,  
15 or used by it extending from this state to another state or states. **For the**  
16 **purposes of this section, "qualified air freight forwarder" means a**  
17 **taxpayer who:**

18 (a) **Is primarily engaged in the facilitation of the transportation**  
19 **of property by air;**

20 (b) **Does not directly operate aircraft; and**

21           **(c) Is affiliated with an airline;**

22           (3) Every corporation, or receiver in charge of the property thereof, which  
23 owns or operates a bridge between this and any other state; and

24           (4) Every corporation, or receiver in charge of the property thereof, which  
25 operates a telephone line or lines extending from this state to another state or  
26 states or a telegraph line or lines extending from this state to another state or  
27 states.

28           2. The tax on corporations provided in subsection 1 of section 143.431 and  
29 section 143.071 shall not apply to:

30           (1) A corporation which by reason of its purposes and activities is exempt  
31 from federal income tax. The preceding sentence shall not apply to unrelated  
32 business taxable income and other income on which chapter 1 of the Internal  
33 Revenue Code imposes the federal income tax or any other tax measured by  
34 income;

35           (2) An express company which pays an annual tax on its gross receipts in  
36 this state;

37           (3) An insurance company which is subject to an annual tax on its gross  
38 premium receipts in this state;

39           (4) A Missouri mutual or an extended Missouri mutual insurance company  
40 organized under chapter 380; and

41           (5) Any other corporation that is exempt from Missouri income taxation  
42 under the laws of Missouri or the laws of the United States.

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