

SENATE AMENDMENT NO. 2

Offered by MOON of 29TH

Amend SS/SB Bill No. 36, Page 16, Section 135.1610, Line 73,

2 by inserting after all of said line the following:
 3 "143.011. 1. A tax is hereby imposed for every
 4 taxable year on the Missouri taxable income of every
 5 resident. The tax shall be determined by applying the tax
 6 table or the rate provided in section 143.021, which is
 7 based upon the following rates:

8 9	If the Missouri taxable income is:	The tax is:
10 11	Not over \$1,000.00	1 1/2% of the Missouri taxable income
12 13	Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
14 15	Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
16 17	Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
18 19	Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
20 21	Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
22 23	Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000

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24	Over \$7,000 but not over	\$210 plus 5% of excess
25	\$8,000	over \$7,000
26	Over \$8,000 but not over	\$260 plus 5 1/2% of
27	\$9,000	excess over \$8,000
28	Over \$9,000	\$315 plus 6% of excess
29		over \$9,000

30 2. (1) Beginning with the 2017 calendar year, the top
31 rate of tax under subsection 1 of this section may be
32 reduced over a period of years. Each reduction in the top
33 rate of tax shall be by one-tenth of a percent and no more
34 than one reduction shall occur in a calendar year. No more
35 than five reductions shall be made under this subsection.
36 Reductions in the rate of tax shall take effect on January
37 first of a calendar year and such reduced rates shall
38 continue in effect until the next reduction occurs.

39 (2) A reduction in the rate of tax shall only occur if
40 the amount of net general revenue collected in the previous
41 fiscal year exceeds the highest amount of net general
42 revenue collected in any of the three fiscal years prior to
43 such fiscal year by at least one hundred fifty million
44 dollars.

45 (3) Any modification of tax rates under this
46 subsection shall only apply to tax years that begin on or
47 after a modification takes effect.

48 (4) The director of the department of revenue shall,
49 by rule, adjust the tax tables under subsection 1 of this
50 section to effectuate the provisions of this subsection.
51 The bracket for income subject to the top rate of tax shall
52 be eliminated once the top rate of tax has been reduced to
53 five and one-half percent, and the top remaining rate of tax
54 shall apply to all income in excess of the income in the
55 second highest remaining income bracket.

56 3. (1) In addition to the rate reductions under
57 subsection 2 of this section, beginning with the 2019
58 calendar year, the top rate of tax under subsection 1 of
59 this section shall be reduced by four-tenths of one
60 percent. Such reduction in the rate of tax shall take
61 effect on January first of the 2019 calendar year.

62 (2) The modification of tax rates under this
63 subsection shall only apply to tax years that begin on or
64 after the date the modification takes effect.

65 (3) The director of the department of revenue shall,
66 by rule, adjust the tax tables under subsection 1 of this
67 section to effectuate the provisions of this subsection.

68 4. (1) In addition to the rate reductions under
69 subsections 2 and 3 of this section, beginning with the 2022
70 calendar year, the top rate of tax under subsection 1 of
71 this section may be reduced by seventeen-hundredths of one
72 percent. Such reduction in the rate of tax shall take
73 effect on January first of a calendar year.

74 (2) A reduction in the rate of tax under this
75 subsection shall only occur if one or more institutions is
76 subject to the tax imposed on the endowments of institutions
77 of higher education under section 146.200.

78 (3) The modification of tax rates under this
79 subsection shall only apply to tax years that begin on or
80 after a modification takes effect.

81 (4) The director of the department of revenue shall,
82 by rule, adjust the tax tables under subsection 1 of this
83 section to effectuate the provisions of this subsection.

84 5. Beginning with the 2017 calendar year, the brackets
85 of Missouri taxable income identified in subsection 1 of
86 this section shall be adjusted annually by the percent
87 increase in inflation. The director shall publish such
88 brackets annually beginning on or after October 1, 2016.

89 Modifications to the brackets shall take effect on January
 90 first of each calendar year and shall apply to tax years
 91 beginning on or after the effective date of the new brackets.

92 [5.] 6. As used in this section, the following terms
 93 mean:

94 (1) "CPI", the Consumer Price Index for All Urban
 95 Consumers for the United States as reported by the Bureau of
 96 Labor Statistics, or its successor index;

97 (2) "CPI for the preceding calendar year", the average
 98 of the CPI as of the close of the twelve month period ending
 99 on August thirty-first of such calendar year;

100 (3) "Net general revenue collected", all revenue
 101 deposited into the general revenue fund, less refunds and
 102 revenues originally deposited into the general revenue fund
 103 but designated by law for a specific distribution or
 104 transfer to another state fund;

105 (4) "Percent increase in inflation", the percentage,
 106 if any, by which the CPI for the preceding calendar year
 107 exceeds the CPI for the year beginning September 1, 2014,
 108 and ending August 31, 2015. ~~and~~

109 ~~Further amend said bill, page _____, Section _____,~~
 110 ~~line _____, by inserting after all of said line the~~
 111 ~~following:~~

112 X146.200. 1. As used in this section, the following
 113 terms shall mean:

114 (1) "Endowment", a permanent fund held by an
 115 institution of higher education that:

116 (a) Consists of property, cash, cash equivalents,
 117 stocks, bonds, or any other marketable security;

118 (b) Is used for purposes indicated by donors to such
 119 fund or for other purposes related to the mission of the
 120 institution of higher education; and

121 (c) Attempts to maintain and grow the principal of
122 such fund, while annually disbursing all or part of
123 investment earnings generated by the fund;

124 (2) "Qualifying institution of higher education", an
125 institution of higher education that:

126 (a) Is affiliated with, or provides medical faculty
127 to, any abortion facility, as such term is defined in
128 section 188.015;

129 (b) Offers specific medical residencies or fellowships
130 that offer training in performing or inducing abortions; or

131 (c) Supports in any manner any abortion facility where
132 abortions are performed or induced when not necessary to
133 save the life of the mother.

134 2. For all tax years beginning on or after January 1,
135 2022, a tax is hereby imposed for every tax year on the
136 endowment of a qualifying institution of higher education at
137 a rate of one and nine-tenths percent of the aggregate fair
138 market value of the assets of such endowment. Any
139 institution that becomes a qualifying institution of higher
140 education on or after January 1, 2022, shall remain subject
141 to the tax imposed under this section regardless of whether
142 such institution no longer meets the definition of a
143 qualifying institution of higher education as defined under
144 this section.

145 3. Revenues generated by the tax imposed under this
146 section shall be deposited in the general revenue fund.

147 4. The department of revenue shall promulgate rules to
148 implement the provisions of this section. Any rule or
149 portion of a rule, as that term is defined in section
150 536.010, that is created under the authority delegated in
151 this section shall become effective only if it complies with
152 and is subject to all of the provisions of chapter 536 and,
153 if applicable, section 536.028. This section and chapter

154 536 are nonseverable, and if any of the powers vested with
155 the general assembly under chapter 536 to review, to delay
156 the effective date, or to disapprove and annul a rule are
157 subsequently held unconstitutional, then the grant of
158 rulemaking authority and any rule proposed or adopted after
159 August 28, 2021, shall be invalid and void."; and

160 Further amend the title and enacting clause accordingly.