

# SENATE BILL NO. 623

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOUGH.

2720S.02I

ADRIANE D. CROUSE, Secretary

## AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit to offset certain utility taxes.

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

Section A. Chapter 135, RSMo, is amended by adding thereto one new section, to be known as section 135.1025, to read as follows:

135.1025. 1. This section shall be known and may be cited as the "Missouri Utility Tax Relief Tax Credit Act".

2. For the purposes of this section, the following terms shall mean:

(1) "Department", the Missouri department of revenue;

(2) "Tax credit", a credit against the tax otherwise due pursuant to chapter 143, excluding withholding tax imposed pursuant to sections 143.191 to 143.265.

3. For the tax year beginning on or after January 1, 2022, and ending on or before December 31, 2022, for the purposes of providing relief from taxes and fees imposed on utilities used by taxpayers, a taxpayer shall be allowed a tax credit equal to one hundred fifty dollars.

4. The tax credit allowed by this section shall be claimed by such taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143 after reduction for all other credits allowed thereon. If the amount of the credit exceeds the

19 tax liability, the difference shall be refunded to the  
20 taxpayer. A tax credit issued pursuant to this section  
21 shall not be transferred, sold, or assigned.

22 5. The department shall promulgate rules and  
23 regulations to administer the provisions of this section.  
24 Any rule or portion of a rule, as that term is defined in  
25 section 536.010, that is created under the authority  
26 delegated in this section shall become effective only if it  
27 complies with and is subject to all of the provisions of  
28 chapter 536 and, if applicable, section 536.028. This  
29 section and chapter 536 are nonseverable, and if any of the  
30 powers vested with the general assembly pursuant to chapter  
31 536 to review, to delay the effective date, or to disapprove  
32 and annul a rule are subsequently held unconstitutional,  
33 then the grant of rulemaking authority and any rule proposed  
34 or adopted after August 28, 2021, shall be invalid and void.

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