

SENATE BILL NO. 1592

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR NURRENBERN.

6786S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for contributions to prevention resource centers.

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

Section A. Chapter 135, RSMo, is amended by adding thereto
2 one new section, to be known as section 135.040, to read as
3 follows:

135.040. 1. As used in this section, the following
2 terms shall mean:

3 (1) "Contribution", a donation of cash, stock, bonds,
4 or other marketable securities, or real property;

5 (2) "Director", the director of the department of
6 mental health;

7 (3) "Prevention resource center", a not-for-profit
8 entity with a mission to reduce the illegal or age-
9 inappropriate use or misuse of alcohol, tobacco, and other
10 drugs;

11 (4) "State tax liability", in the case of a business
12 taxpayer, any liability incurred by such taxpayer pursuant
13 to the provisions of chapters 143, 147, 148, and 153,
14 excluding sections 143.191 to 143.265 and related
15 provisions, and in the case of an individual taxpayer, any
16 liability incurred by such taxpayer pursuant to the

17 provisions of chapter 143, excluding sections 143.191 to
18 143.265 and related provisions;

19 (5) "Taxpayer", a person, firm, a partner in a firm,
20 corporation, or a shareholder in an S corporation doing
21 business in the state of Missouri and subject to the state
22 income tax imposed by the provisions of chapter 143, or a
23 corporation subject to the annual corporation franchise tax
24 imposed by the provisions of chapter 147, or an insurance
25 company paying an annual tax on its gross premium receipts
26 in this state, or other financial institution paying taxes
27 to the state of Missouri or any political subdivision of
28 this state pursuant to the provisions of chapter 148, or an
29 express company which pays an annual tax on its gross
30 receipts in this state pursuant to chapter 153, or an
31 individual subject to the state income tax imposed by the
32 provisions of chapter 143, or any charitable organization
33 which is exempt from federal income tax and whose Missouri
34 unrelated business taxable income, if any, would be subject
35 to the state income tax imposed under chapter 143.

36 2. (1) For all tax years beginning on or after
37 January 1, 2027, a taxpayer shall be allowed to claim a tax
38 credit against the taxpayer's state tax liability in an
39 amount equal to seventy percent of the amount such taxpayer
40 contributed to a prevention resource center.

41 (2) The cumulative amount of the tax credits
42 authorized pursuant to this section shall not exceed two
43 million five hundred thousand dollars in any fiscal year.

44 3. The amount of the tax credit claimed shall not
45 exceed the amount of the taxpayer's state tax liability for
46 the tax year for which the credit is claimed, and such
47 taxpayer shall not be allowed to claim a tax credit in
48 excess of one hundred thousand dollars per tax year.

49 However, any tax credit that cannot be claimed in the tax
50 year the contribution was made may be carried over only to
51 the next succeeding tax year. No tax credit issued under
52 this section shall be assigned, transferred, or sold.

53 4. Except for any excess credit which is carried over
54 pursuant to subsection 3 of this section, a taxpayer shall
55 not be allowed to claim a tax credit unless the total amount
56 of such taxpayer's contribution or contributions to a
57 prevention resource center or centers in such taxpayer's tax
58 year has a value of at least one hundred dollars.

59 5. The director shall determine, at least annually,
60 which facilities in this state may be classified as
61 prevention resource centers. The director may require of a
62 facility seeking to be classified as a prevention resource
63 center whatever information which is reasonably necessary to
64 make such a determination. The director shall classify a
65 facility as a prevention resource center if such facility
66 meets the definition set forth in subsection 1 of this
67 section.

68 6. The director shall establish a procedure by which a
69 taxpayer can determine if a facility has been classified as
70 a prevention resource center. Prevention resource centers
71 shall be permitted to decline a contribution from a taxpayer.

72 7. Each prevention resource center shall provide
73 information to the director concerning the identity of each
74 taxpayer making a contribution to the prevention resource
75 center who is claiming a tax credit pursuant to this section
76 and the amount of the contribution. The director shall
77 provide the information to the director of revenue. The
78 director shall be subject to the confidentiality and penalty
79 provisions of section 32.057 relating to the disclosure of
80 tax information.

81 8. The provisions of section 23.253 shall not apply to
82 this section.

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