

SENATE BILL NO. 1701

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR NURRENBERN.

7330S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for the adoption of certain animals.

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 135.790, to read as
3 follows:

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

3 (1) "Animal", a living domesticated vertebrate other
4 than a human being, not including farm animals as defined
5 under section 578.005;

6 (2) "Animal shelter", the same meaning given to such
7 term under section 273.325;

8 (3) "Qualified amount", for any qualified pet
9 adoption, the total amount of moneys paid by a taxpayer to
10 an animal shelter for such qualified pet adoption, including
11 any adoption fees and other associated medical and
12 administrative costs, up to one hundred twenty-five dollars;

13 (4) "Qualified pet adoption", any adoption by a
14 taxpayer of an animal from an animal shelter for the purpose
15 of keeping such animal as a pet;

16 (5) "Tax credit", a credit against the individual
17 income tax otherwise due under chapter 143, excluding
18 withholding tax imposed under sections 143.191 to 143.265;

19 (6) "Taxpayer", any individual subject to the state
20 income tax imposed under chapter 143.

21 2. For all tax years beginning on or after January 1,
22 2027, a taxpayer shall be allowed to claim a tax credit
23 against the taxpayer's state tax liability for a qualified
24 pet adoption made by the taxpayer during the tax year. The
25 amount of any tax credit claimed for a qualified pet
26 adoption shall be equal to the qualified amount for such
27 qualified pet adoption.

28 3. A taxpayer shall not be allowed to claim more than
29 two tax credits under this section per tax year, regardless
30 of whether the taxpayer makes more than two qualified pet
31 adoptions during the tax year.

32 4. The animal shelter shall provide a receipt to the
33 taxpayer upon adoption, a copy of which the taxpayer shall
34 submit with the claim for tax credits under this section on
35 a form and in such manner as the department may establish by
36 rule.

37 5. The cumulative amount of tax credits allowed to all
38 taxpayers under this section shall not exceed five hundred
39 thousand dollars per calendar year. If the amount of tax
40 credits claimed in a calendar year under this section
41 exceeds five hundred thousand dollars, tax credits shall be
42 allowed based on the order in which they are claimed.

43 6. Tax credits issued under the provisions of this
44 section shall be refundable. No tax credit claimed under
45 this section shall be assigned, transferred, sold, or
46 otherwise conveyed. No tax credit claimed under this
47 section shall be carried forward to any subsequent tax year.

48 7. (1) A taxpayer shall forfeit any tax credits
49 issued to such taxpayer that have not been redeemed, or
50 shall repay the amount of any tax credits redeemed by such
51 taxpayer in the event the adopted animal is returned,
52 abused, released, sold, killed, fed to a pet carnivore, or
53 otherwise not cared for by the taxpayer, except in cases of
54 humane killing as defined under section 578.005, but not
55 including the part of that definition that considers animals
56 killed during the feeding of pet carnivores to be humanely
57 killed.

58 (2) The department may verify the adoption status with
59 the animal shelter and citations or other records of abuse
60 or neglect of the adopted animal with the local animal
61 control or other applicable authorities and may request any
62 other information or documentation from the taxpayer as
63 necessary to verify the good faith adoption and wellbeing of
64 the adopted animal at the time of the credit application.

65 8. Notwithstanding any provision of section 105.1500
66 to the contrary, any requirement to provide information,
67 documents, or records under this section, and any
68 requirement established by the department of revenue to
69 provide information, documents, or records for the purpose
70 of administering and enforcing this section, shall be exempt
71 from the provisions of section 105.1500.

72 9. The department of revenue shall promulgate all
73 necessary rules and regulations to administer the provisions
74 of this section. Any rule or portion of a rule, as that
75 term is defined in section 536.010, that is created under
76 the authority delegated in this section shall become
77 effective only if it complies with and is subject to all of
78 the provisions of chapter 536 and, if applicable, section
79 536.028. This section and chapter 536 are nonseverable and

80 if any of the powers vested with the general assembly
81 pursuant to chapter 536 to review, to delay the effective
82 date, or to disapprove and annul a rule are subsequently
83 held unconstitutional, then the grant of rulemaking
84 authority and any rule proposed or adopted after August 28,
85 2026, shall be invalid and void.

86 10. Under section 23.253 of the Missouri sunset act:

87 (1) The provisions of this section shall sunset six
88 years after the effective date of this section unless
89 reauthorized by an act of the general assembly;

90 (2) This section shall terminate on September first of
91 the calendar year immediately following the calendar year in
92 which the provisions of this section are sunset; and

93 (3) Nothing in this subsection shall prevent a
94 taxpayer from claiming a tax credit properly issued before
95 this program was sunset in a tax year after the program is
96 sunset.

✓