

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 751**  
**89TH GENERAL ASSEMBLY**

Reported from the Committee on Commerce, April 29, 1998, with recommendation that the House Committee Substitute for Senate Bill No. 751 Do Pass.  
ANNE C. WALKER, Chief Clerk  
L3313.06C

**AN ACT**

To repeal section 144.034, RSMo 1994, relating to economic incentives for the entertainment industry, and to enact in lieu thereof three new sections relating to the same subject.

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

Section A. Section 144.034, RSMo 1994, is repealed and three new sections enacted in lieu thereof, to be known as sections 135.444, 144.034 and 1, to read as follows:

**135.444. 1. For all tax years beginning on or after January 1, 1999, any person, firm or corporation engaging in the business of conducting games of bowling in bowling alleys located in Missouri shall be eligible for a tax credit on income taxes otherwise due pursuant to chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, in an amount equal to ten percent of the purchase price of machinery, equipment and other tangible personal property required to conduct games of bowling in bowling alleys.**

**2. When applying for a tax credit pursuant to this section, the person, firm or corporation shall make application for the credit to the director of the department of economic development. The director of the department of economic development shall prescribe the method for submitting applications to claim the credit and shall certify to the department of revenue that the taxpayer has made qualified purchases.**

**3. Any amount of credit which exceeds the tax due shall not be refunded but may be carried over to any subsequent taxable year, not to exceed four years.**

**4. Pursuant to rules promulgated by the director of the department of revenue for the state income tax, the taxpayer may elect to assign to a third party the approved tax credit. Certification of assignment and other appropriate forms shall be filed with the department of revenue.**

**5. The provisions of this section shall not apply to:**

**(1) Excursion gambling boats licensed pursuant to sections 313.800 to 313.850, RSMo;**

**(2) Any corporation owning more than three bowling alleys in this state; or**

**(3) Any person, firm or corporation that applies for the credit allowed by this section on or after January 1, 2005.**

144.034. The sales of advertising by legal newspapers pursuant to chapter 493, RSMo,

**EXPLANATION—Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

advertising agencies, broadcast stations, and standardized outdoor billboard advertising **and the sale of the first copy of a customized film or video production produced in Missouri under contract with a film or video production company** shall be considered the sale of a service and not the sale of tangible personal property. Purchases of tangible personal property which are for use in producing advertising by the businesses **or purchases of tangible personal property incorporated into the first copy of a customized film or video production** listed in the preceding sentence shall be deemed to be purchases for use or consumption and not for resale. **Sales of subsequent copies of a customized film video production described in this section shall be subject to sales or use tax.** In addition to the exemptions granted [under] **pursuant to** the provisions of section 144.030, the sale of services as defined in this section shall be specifically exempted from the provisions of sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, RSMo, sections 94.600 to 94.655, RSMo, sections 94.700 to 94.755, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.745, **and the local sales tax law as defined in section 32.085, RSMo,** and from the computation of the tax levied, assessed or payable [under] **pursuant to** sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, RSMo, sections 94.600 to 94.655, RSMo, sections 94.700 to 94.755, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.745, **and the local sales tax law as defined in section 32.085, RSMo.**

**Section 1. In addition to the exemptions granted pursuant to section 144.030, RSMo, there shall also be specifically exempted from the provisions of sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, RSMo, sections 94.600 to 94.655, RSMo, sections 94.700 to 94.755, RSMo, and sections 144.010 to 144.510, RSMo, and sections 144.600 to 144.745, RSMo, and from the computation of the tax levied, assessed or payable pursuant to sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, RSMo, sections 94.600 to 94.655, RSMo, sections 94.700 to 94.755, RSMo, and sections 144.010 to 144.510, RSMo, and sections 144.600 to 144.745, RSMo, tangible personal property purchased or leased by a qualified film production company doing business in this state. For purposes of this section, "qualified film production company" means any film production company with an expected in-state expenditure budget in excess of three hundred thousand dollars, and so certified as such by the Missouri film commission within the department of economic development.**