

HOUSE

AMENDMENT NO. ___

Offered by

of

1 AMEND House Committee Substitute for House Bill No. 468, Page 20,
2 Section 135.969, Line 108, by inserting after all of said line
3 the following:

4 "135.1161. 1. As used in this section, the following terms
5 mean:

6 (1) "Disabled employee", any person who is employed by the
7 taxpayer claiming the tax credit under this section for a minimum
8 of forty weeks in each taxable year for which the credit allowed
9 under this section is claimed and who:

10 (a) Is determined to be disabled by the Social Security
11 Administration or the Department of Veterans' Affairs; or

12 (b) Is determined to be disabled by the division of
13 vocational rehabilitation and is participating in the division's
14 job placement program;

15 (2) "Small business", any business that employs fifty or
16 fewer employees and that hires a disabled person or a person
17 recently discharged from a correctional facility;

18 (3) "Tax credit", a credit against the tax otherwise due
19 under chapter 143, excluding withholding tax imposed by sections
20 143.191 to 143.265;

21 (4) "Taxpayer", any small business subject to the tax
22 imposed in chapter 143, excluding withholding tax imposed by
23 sections 143.191 to 143.265.

24 2. For all taxable years beginning on or after January 1,
25 2012, a taxpayer shall be allowed a tax credit for hiring a
26 disabled person or a person recently discharged from a state or
27 federal correctional facility. The tax credit amount shall be
28 equal to five hundred dollars for each such person employed,
29 subject to the following:

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1 (1) In the case of a disabled person, such small business
2 shall employ the person for a minimum of twenty-five hours per
3 week, and the person shall be employed for at least one year
4 before the small business is eligible for the tax credit;

5 (2) In the case of a person recently discharged from a
6 correctional facility, such small business shall employ the
7 person for at least forty hours per week, and such small business
8 shall employ such person for at least one year before the small
9 business is eligible for the tax credit. Upon meeting all
10 eligibility requirements, the small business shall be eligible to
11 claim the tax credit for the next three years.

12 3. The amount of the tax credit redeemed shall not exceed
13 the amount of the taxpayer's state tax liability for the tax year
14 for which the credit is claimed. If the amount of the tax credit
15 redeemed exceeds the amount of the taxpayer's state tax liability
16 for the tax year for which the credit is claimed, the difference
17 shall not be refundable but may be carried forward to any of the
18 taxpayer's three subsequent taxable years. No tax credit
19 redeemed under this section shall be transferred, sold, or
20 assigned. The aggregate amount of tax credits which may be
21 redeemed under this section in any one fiscal year shall not
22 exceed ten million dollars. The tax credits redeemed under this
23 section shall be redeemed on a first-come, first-served filing
24 basis.

25 4. The department of revenue may promulgate rules to
26 implement the provisions of this section. Any rule or portion of
27 a rule, as that term is defined in section 536.010, that is
28 created under the authority delegated in this section shall
29 become effective only if it complies with and is subject to all
30 of the provisions of chapter 536 and, if applicable, section
31 536.028. This section and chapter 536 are nonseverable and if
32 any of the powers vested with the general assembly pursuant to
33 chapter 536 to review, to delay the effective date, or to
34 disapprove and annul a rule are subsequently held
35 unconstitutional, then the grant of rulemaking authority and any
36 rule proposed or adopted after August 28, 2011, shall be invalid
37 and void.

1 5. Under section 23.253 of the Missouri sunset act:

2 (1) The provisions of the new program authorized under this
3 section shall automatically sunset on December thirty-first six
4 years after the effective date of this section unless
5 reauthorized by an act of the general assembly; and

6 (2) If such program is reauthorized, the program authorized
7 under this section shall automatically sunset on December thirty-
8 first twelve years after the effective date of the
9 reauthorization of this section; and

10 (3) This section shall terminate on September first of the
11 calendar year immediately following the calendar year in which
12 the program authorized under this section is sunset."; and

13 Further amend said title, enacting clause and intersectional
14 references accordingly.