

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823,  
2 Page 1, in the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words  
3 "relating to taxation."; and

4  
5 Further amend said bill, page, Section A, Line 3, by inserting after all of said section and line the  
6 following:

7  
8 "135.620. 1. As used in this section, the following terms mean:

9 (1) "Contribution", a contribution of cash, stock, bonds, or other marketable securities, or  
10 real property;

11 (2) "Director", the director of the department of social services;

12 (3) "Homeless individual", the same meaning as such term is defined under 42 U.S.C.  
13 Section 11302;

14 (4) "Homeless shelter", a supervised nighttime residence operated by a public, private, or  
15 charitable organization to provide temporary living arrangements for homeless individuals;

16 (5) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding  
17 withholding tax imposed under sections 143.191 to 143.265, or otherwise due under chapters 148  
18 and 153;

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

28 2. For all tax years beginning on or after January 1, 2017, a taxpayer shall be allowed to  
29 claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the  
30 amount of such taxpayer's contributions to a homeless shelter.

31 3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state

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1 tax liability for the tax year for which the credit is claimed, and such taxpayer shall not be allowed  
2 to claim a tax credit in excess of fifty thousand dollars per tax year. However, any portion of the tax  
3 credit that cannot be claimed in the tax year the contribution was made may be carried over to the  
4 next four succeeding tax years until the full credit has been claimed. No tax credits issued under the  
5 provisions of this section shall be assigned, transferred, or sold.

6 4. Except for any excess credit that is carried over under subsection 3 of this section, a  
7 taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's  
8 contributions to homeless shelters in the tax year is at least one hundred dollars.

9 5. The director shall determine, at least annually, which facilities in this state may be  
10 classified as homeless shelters. The director may require of a facility seeking to be classified as a  
11 homeless shelter whatever information that is reasonably necessary to make such a determination.  
12 The director shall classify a facility as a homeless shelter if such facility meets the definition under  
13 subsection 1 of this section. The director shall establish a procedure by which a taxpayer can  
14 determine if a facility has been classified as a homeless shelter.

15 6. The cumulative amount of tax credits that may be claimed under this section in a tax year  
16 shall not exceed two million five hundred thousand dollars. Tax credits shall be issued in the order  
17 contributions are received.

18 7. The director shall establish a procedure by which, from the beginning of the tax year until  
19 some point in time later in the tax year to be determined by the director, the cumulative amount of  
20 tax credits are apportioned among all facilities classified as homeless shelters. If a homeless shelter  
21 fails to use all, or some percentage determined by the director, of its apportioned tax credits during  
22 this predetermined period of time, the director may reapportion such unused tax credits to those  
23 homeless shelters that have used all, or some percentage determined by the director, of their  
24 apportioned tax credits during the predetermined period of time. The director may establish more  
25 than one period of time and reapportion more than once during each tax year. To the maximum  
26 extent possible, the administration of this procedure shall enable taxpayers to claim the cumulative  
27 amount of tax credits available for the tax year.

28 8. Each homeless shelter shall provide information to the director concerning the identity of  
29 each taxpayer who makes a contribution to the homeless shelter and claims a tax credit under this  
30 section and the amount of such contribution. The director shall provide the information to the  
31 director of revenue. The director shall be subject to the confidentiality and penalty provisions of  
32 section 32.057 relating to the disclosure of tax information.

33 9. Under section 23.253 of the Missouri sunset act:

34 (1) The program authorized under this section shall automatically sunset on December  
35 thirty-first six years after the effective date of this section unless reauthorized by an act of the  
36 general assembly;

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

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

- 1
- 2 Further amend said bill by amending the title, enacting clause, and intersectional references
- 3 accordingly.