

FIRST REGULAR SESSION

HOUSE BILL NO. 1024

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHOELLER.

0945L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 143, RSMo, by adding thereto one new section relating to a tax deduction for loan payments to repair a premises damaged by flooding.

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

Section A. Chapter 143, RSMo, is amended by adding thereto one new section, to be
2 known as section 143.1035, to read as follows:

143.1035. 1. As used in this section, the following terms mean:

2 (1) "Deduction", an amount subtracted from the taxpayer's Missouri adjusted
3 gross income to determine Missouri taxable income for the tax year in which such
4 deduction is claimed;

5 (2) "Taxpayer", any individual or entity subject to the income tax imposed in this
6 chapter.

7 2. In addition to all deductions listed in this chapter for all taxable years beginning
8 on or after January 1, 2010, a taxpayer shall be allowed a deduction for loan payments for
9 a loan the taxpayer obtains to repair flood damage to the taxpayer's premises so long as
10 the flood damage was not caused by the taxpayer.

11 3. The department of revenue shall establish the procedure by which the deduction
12 provided in this section may be claimed, and may promulgate rules to implement the
13 provisions of this section. Any rule or portion of a rule, as that term is defined in section
14 536.010, RSMo, that is created under the authority delegated in this section shall become
15 effective only if it complies with and is subject to all of the provisions of chapter 536,
16 RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
17 nonseverable and if any of the powers vested with the general assembly under chapter 536,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 **RSMo, to review, to delay the effective date, or to disapprove and annul a rule are**
19 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
20 **proposed or adopted after August 28, 2009, shall be invalid and void.**

21 **4. Under section 23.253, RSMo, of the Missouri sunset act:**

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

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

28 **(3) This section shall terminate on September first of the calendar year immediately**
29 **following the calendar year in which the program authorized under this section is sunset.**

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