

FIRST REGULAR SESSION

HOUSE BILL NO. 63

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BERRY.

0117H.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to tax credits for student loan repayment.

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

Section A. Chapter 135, RSMo, is amended by adding thereto one new section, to be known as section 135.1902, to read as follows:

135.1902. 1. As used in this section, the following terms mean:

(1) "Outstanding educational loans", any outstanding balance for educational loans from the pursuit of a degree at a qualified educational institution;

(2) "Qualified educational institution", any accredited two-year or four-year college or university. A qualified educational institution shall not include any institution providing postsecondary distance education not participating in a reciprocity agreement approved by the coordinating board under the provisions of section 173.030;

(3) "Qualified individual", an individual who:

(a) Is a resident of this state;

(b) Is employed by an employer in this state;

(c) Has graduated from a qualified educational institution with a degree in engineering, mathematics, science, or technology after April 30, 2017, with a cumulative grade point average of at least two point five on a four point scale; and

(d) Has current outstanding educational loans from the pursuit of a degree enumerated under paragraph (c) of this subdivision;

(4) "Relocating qualified individual", an individual who:

(a) Relocates his or her primary residence to this state;

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 (b) Is employed by an employer in this state;
- 19 (c) Has graduated from a qualified educational institution with a degree in
20 engineering, mathematics, science, or technology after April 30, 2017, with a cumulative
21 grade point average of at least two point five on a four point scale; and
- 22 (d) Has current outstanding educational loans from the pursuit of a degree
23 enumerated in paragraph (c) of this subdivision;
- 24 (5) “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding
25 withholding tax imposed by sections 143.191 to 143.265.
- 26 2. For all tax years beginning on or after January 1, 2017, a relocating qualified
27 individual shall be allowed to claim a tax credit against such individual’s state tax liability
28 in an amount equal to all repayments of such individual’s outstanding educational loans
29 made during the tax year or three thousand dollars, whichever is less. A relocating
30 qualified individual shall be allowed to claim a credit under this subsection for a maximum
31 of ten years.
- 32 3. For all tax years beginning on or after January 1, 2017, a qualified individual
33 shall be allowed to claim a tax credit against such individual’s state tax liability in an
34 amount equal to all repayments of such individual’s outstanding educational loans made
35 during the tax year or five thousand dollars, whichever is less. A qualified individual shall
36 be allowed to claim a credit under this subsection for a maximum of six years.
- 37 4. The amount of a credit claimed under this section shall not exceed the amount
38 of the relocating qualified individual’s or the qualified individual’s state tax liability for
39 the tax year that the credit is claimed.
- 40 5. Tax credits issued under this section shall not be transferred, sold, or assigned
41 and shall not be carried forward.
- 42 6. A relocating qualified individual or a qualified individual shall be ineligible for
43 the tax credits established under the provisions of this section if he or she moves his or her
44 primary residence outside of this state or is employed by an employer not located in this
45 state.
- 46 7. The department of revenue may promulgate rules and regulations for the
47 administration of this section. Any rule or portion of a rule, as that term is defined in
48 section 536.010, that is created under the authority delegated in this section shall become
49 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
50 if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any
51 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
52 the effective date, or to disapprove and annul a rule are subsequently held

53 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
54 **after August 28, 2017, shall be invalid and void.**

55 **8. In accordance with section 23.253 of the Missouri sunset act:**

56 **(1) The programs authorized under this section shall automatically sunset December**
57 **thirty-first six years after the effective date, unless reauthorized by an act of the general**
58 **assembly;**

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

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

✓