

FIRST REGULAR SESSION

# HOUSE BILL NO. 812

## 99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BASYE.

1736H.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for charitable contributions to certain organizations.

*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 135.625, to read as follows:

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

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

(2) "Love INC", a Missouri corporation whose purpose is substantially to organize and coordinate churches to respond to individual, family, and project needs in the name of Christ and that is incorporated as Love INC of Columbia, Love INC of Southeast Missouri, or another such name beginning with Love INC;

(3) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or otherwise due under chapter 148 or 153;

(4) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143; an insurance company paying an annual tax on its gross premium receipts in this state; any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148; an express company that pays an annual tax on its gross receipts in this state under chapter 153; an individual subject to the state income tax under chapter 143; or any charitable organization that is

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 exempt from federal income tax and whose Missouri unrelated business taxable income,  
19 if any, would be subject to the state income tax imposed under chapter 143.

20       2. For all tax years beginning on or after January 1, 2018, a taxpayer shall be  
21 allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal  
22 to fifty percent of the amount of such taxpayer's contributions to Love INC.

23       3. The amount of the tax credit claimed shall not exceed the amount of the  
24 taxpayer's state tax liability for the tax year for which the credit is claimed, and such  
25 taxpayer shall not be allowed to claim a tax credit in excess of five thousand dollars per tax  
26 year. However, any portion of the tax credit that cannot be claimed in the tax year the  
27 contribution was made may be carried over to the next three succeeding tax years until the  
28 full credit has been claimed. No tax credits issued under the provisions of this section shall  
29 be assigned, transferred, or sold.

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

33       5. Each Love INC shall provide information concerning the identity of each  
34 taxpayer who contributes an amount eligible for a tax credit under this section and the  
35 amount of such contribution to the director of revenue.

36       6. Under section 23.253 of the Missouri sunset act:

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

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

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

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