

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1092

93RD GENERAL ASSEMBLY

Reported from the Special Committee on Energy and Environment March 15, 2006 with recommendation that House Committee Substitute for House Bill No. 1092 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules March 28, 2006 with recommendation that House Committee Substitute for House Bill No. 1092 Do Pass.

Taken up for Perfection April 10, 2006. House Committee Substitute for House Bill No. 1092 ordered Perfected and printed.

STEPHEN S. DAVIS, Chief Clerk

3221L.03P

AN ACT

To amend chapter 143, RSMo, by adding thereto one new section relating to an income tax deduction for qualified hybrid motor vehicle purchases.

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 143.114, to read as follows:

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

2 (1) "Motor vehicle", any self-propelled vehicle not operated exclusively upon
3 tracks, except farm tractors;

4 (2) "Qualified hybrid motor vehicle", any motor vehicle licensed under chapter
5 301, RSMo, and:

6 (a) Which meets the definition of new qualified hybrid motor vehicle in section
7 30B(d)(3)(A) of the Internal Revenue Code of 1986, as amended;

8 (b) The original use of which commences with the taxpayer; and

9 (c) Which is acquired for use by the taxpayer and not for resale.

10 2. For all tax years beginning on or after January 1, 2006, any taxpayer who
11 purchases a qualified hybrid vehicle shall be allowed to subtract from the taxpayer's

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.

12 Missouri adjusted gross income to determine Missouri taxable income, for the tax year in
13 which the taxpayer purchases the vehicle, an amount equal to one thousand five hundred
14 dollars or ten percent of the purchase price of the vehicle, whichever is less.

15 3. The director of revenue shall establish the procedure by which the deduction in
16 this section may be claimed, and shall promulgate rules to provide for the submission of
17 documents by the taxpayer proving the purchase price and date of the qualified hybrid
18 motor vehicle and to implement the provisions of this section.

19 4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
20 that is created under the authority delegated in this section shall become effective only if
21 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
22 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
23 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
24 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
25 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
26 adopted after August 28, 2006, shall be invalid and void.

27 5. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

28 (1) The provisions of the new program authorized under this section shall
29 automatically sunset six years after the effective date of this section unless reauthorized by
30 an act of the general assembly; and

31 (2) If such program is reauthorized, the program authorized under this section
32 shall automatically sunset twelve years after the effective date of the reauthorization of this
33 section; and

34 (3) This section shall terminate on December thirty-first of the calendar year
35 immediately following the calendar year in which the program authorized under this
36 section is sunset.

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