

FIRST REGULAR SESSION

# HOUSE BILL NO. 611

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WILDBERGER (Sponsor), TALBOY, WALSH, SALVA, NORR,  
LAMPE, SCAVUZZO, YAEGER, MEADOWS, CORCORAN, RUCKER AND CASEY (Co-sponsors).

Read 1st time January 25, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1596L.01I

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### AN ACT

To amend chapter 143, RSMo, by adding thereto one new section relating to an income tax deduction.

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*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 143.125, to read as follows:

**143.125. 1. As used in this section, "taxpayer" means any resident individual:**

2 **(1) Who is sixty-five years of age or older;**

3 **(2) Whose federal adjusted gross income is eighty-nine thousand dollars or less;**

4 **and**

5 **(3) Who receives Social Security benefits, receives reduced Social Security benefits,**  
6 **or receives no Social Security benefits because such individual participates in a privately**  
7 **funded annuity, pension, or retirement system.**

8 **2. For all taxable years beginning on or after January 1, 2007, any taxpayer shall**  
9 **be allowed to subtract from the taxpayer's Missouri adjusted gross income to determine**  
10 **Missouri taxable income an amount equal to the amount of any Social Security benefits**  
11 **received by the taxpayer or the amount of any retirement allowance received from any**  
12 **privately funded source and that are included in federal adjusted gross income under**  
13 **Section 86 of the Internal Revenue Code of 1986, as amended.**

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.

14           **3. The director of the department of revenue may promulgate rules to implement**  
15 **the provisions of this section. Any rule or portion of a rule, as that term is defined in**  
16 **section 536.010, RSMo, that is created under the authority delegated in this section shall**  
17 **become effective only if it complies with and is subject to all of the provisions of chapter**  
18 **536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,**  
19 **RSMo, are nonseverable and if any of the powers vested with the general assembly**  
20 **pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and**  
21 **annul a rule are subsequently held unconstitutional, then the grant of rulemaking**  
22 **authority and any rule proposed or adopted after August 28, 2007, shall be invalid and**  
23 **void.**

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

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

28           **(2) If such program is reauthorized, the program authorized under this section**  
29 **shall automatically sunset twelve years after the effective date of the reauthorization of this**  
30 **section; and**

31           **(3) This section shall terminate on December thirty-first of the calendar year**  
32 **immediately following the calendar year in which the program authorized under this**  
33 **section is sunset.**

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