

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 746

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BROWN (85) (Sponsor), CONWAY (14), STREAM,  
WIELAND AND LONG (Co-sponsors).

1648L.02P

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 143, RSMo, by adding thereto one new section relating to designation of tax refunds to the department of agriculture for puppy protection.

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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 143.1014, to read as follows:

3 **143.1014. 1. For all taxable years beginning on or after January 1, 2011, each**  
4 **individual or corporation entitled to a tax refund in an amount sufficient to make a**  
5 **designation under this section may designate that one dollar or any amount in excess of one**  
6 **dollar on a single return, and two dollars or any amount in excess of two dollars on a**  
7 **combined return, of the refund due be credited to the puppy protection trust fund. If any**  
8 **individual or corporation that is not entitled to a tax refund in an amount sufficient to**  
9 **make a designation under this section wishes to make a contribution to the fund, such**  
10 **individual or corporation may, by separate check, draft, or other negotiable instrument,**  
11 **send in with the payment of taxes, or may send in separately, that amount the individual**  
12 **or corporation wishes to contribute. Such amounts shall be clearly designated for the fund.**

13 **2. There is hereby created in the state treasury the "Puppy Protection Trust Fund",**  
14 **which shall consist of money collected under this section. The state treasurer shall be**  
15 **custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer**  
**may approve disbursements. The fund shall be a dedicated fund and, upon appropriation,**  
**money in the fund shall be used solely for the state department of agriculture'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.

16 administration of section 273.345. Notwithstanding the provisions of section 33.080 to the  
17 contrary, any moneys remaining in the fund at the end of the biennium shall not revert to  
18 the credit of the general revenue fund. The state treasurer shall invest moneys in the fund  
19 in the same manner as other funds are invested. Any interest and moneys earned on such  
20 investments shall be credited to the fund. All moneys credited to the trust fund shall be  
21 considered nonstate funds under section 15, article IV, Constitution of Missouri. The  
22 treasurer shall distribute all moneys deposited in the fund at times the treasurer deems  
23 appropriate to the department of agriculture.

24 3. The director of revenue shall deposit at least monthly all contributions  
25 designated by individuals under this section to the state treasurer for deposit to the fund.  
26 The director of revenue shall deposit at least monthly all contributions designated by the  
27 corporations under this section, less an amount sufficient to cover the costs of collection  
28 and handling by the department of revenue, to the state treasury for deposit to the fund.  
29 A contribution designated under this section shall only be deposited in the fund after all  
30 other claims against the refund from which such contribution is to be made have been  
31 satisfied.

32 4. Under section 23.253 of the Missouri sunset act:

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

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

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