

HOUSE

AMENDMENT NO. ___

Offered by

of

1 AMEND House Committee Substitute for House Bill No. 87, Page 17,
2 Section 135.800, Line 76, by inserting after all of said line the
3 following:

4 "135.1161. 1. As used in this section, the following terms
5 mean:

6 (1) "Disabled employee", any person who is employed by the
7 taxpayer claiming the tax credit under this section for a minimum
8 of forty weeks in each taxable year for which the credit allowed
9 under this section is claimed and who:

10 (a) Is determined to be disabled by the Social Security
11 Administration or the Department of Veterans' Affairs; or

12 (b) Is determined to be disabled by the division of
13 vocational rehabilitation and is participating in the division's
14 job placement program;

15 (2) "Small business", any business that employs fifty or
16 fewer employees and that hires a disabled person or a person
17 recently discharged from a correctional facility;

18 (3) "Tax credit", a credit against the tax otherwise due
19 under chapter 143, excluding withholding tax imposed by sections
20 143.191 to 143.265;

21 (4) "Taxpayer", any small business subject to the tax
22 imposed in chapter 143, excluding withholding tax imposed by
23 sections 143.191 to 143.265.

24 2. For all taxable years beginning on or after January 1,
25 2014, a taxpayer shall be allowed a tax credit for hiring a
26 disabled person or a person discharged from a state or federal
27 correctional facility within the twelve months immediately
28 preceding the hiring. The tax credit amount shall be equal to
29 five hundred dollars for each such person employed, subject to

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1 the following:

2 (1) In the case of a disabled person, such small business
3 shall employ the person for an average of twenty-five hours per
4 week, and the person shall be employed for at least one year
5 before the small business is eligible for the tax credit;

6 (2) In the case of a person discharged from a correctional
7 facility within the twelve months immediately preceding the
8 hiring, such small business shall employ the person for an
9 average of forty hours per week, and such small business shall
10 employ such person for at least one year before the small
11 business is eligible for the tax credit. Upon meeting all
12 eligibility requirements, the small business shall be eligible to
13 claim the tax credit for the next three years.

14 3. The amount of the tax credit redeemed shall not exceed
15 the amount of the taxpayer's state tax liability for the tax year
16 for which the credit is claimed. If the amount of the tax credit
17 redeemed exceeds the amount of the taxpayer's state tax liability
18 for the tax year for which the credit is claimed, the difference
19 shall not be refundable but may be carried forward to any of the
20 taxpayer's three subsequent taxable years. No tax credit
21 redeemed under this section shall be transferred, sold, or
22 assigned. The aggregate amount of tax credits which may be
23 redeemed under this section in any one fiscal year shall not
24 exceed ten million dollars. The tax credits redeemed under this
25 section shall be redeemed on a first-come, first-served filing
26 basis.

27 4. The department of revenue may promulgate rules to
28 implement the provisions of this section. Any rule or portion of
29 a rule, as that term is defined in section 536.010, that is
30 created under the authority delegated in this section shall
31 become effective only if it complies with and is subject to all
32 of the provisions of chapter 536 and, if applicable, section
33 536.028. This section and chapter 536 are nonseverable and if
34 any of the powers vested with the general assembly pursuant to
35 chapter 536 to review, to delay the effective date, or to
36 disapprove and annul a rule are subsequently held
37 unconstitutional, then the grant of rulemaking authority and any

1 rule proposed or adopted after August 28, 2013, shall be invalid
2 and void.

3 5. Under section 23.253 of the Missouri sunset act:

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

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

12 (3) This section shall terminate on September first of the
13 calendar year immediately following the calendar year in which
14 the program authorized under this section is sunset."; and

15 Further amend said title, enacting clause and intersectional
16 references accordingly.