

# HOUSE BILL NO. 1459

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES LAUER (Sponsor), HOSKINS, ZERR, LAIR, CROSS,  
THOMSON, ENGLUND, MAYFIELD, MIMS, ENGLISH AND HUBBARD (Co-sponsors).

5167H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to the innovation campus tax credit.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 620, RSMo, is amended by adding thereto one new section, to be  
2 known as section 620.2600, to read as follows:

**620.2600. 1. This section shall be known and may be cited as the "Innovation  
2 Campus Tax Credit Act".**

3 **2. As used in this section, the following terms mean:**

4 **(1) "Certificate", a tax credit certificate issued under this section;**

5 **(2) "Department", the Missouri department of economic development;**

6 **(3) "Eligible donation", donations received from a taxpayer by innovation campuses  
7 that are to be used solely for projects that advance learning in the areas of science,  
8 technology, engineering, and mathematics. Eligible donations may include cash, publically  
9 traded stocks and bonds, and real estate that will be valued and documented according to  
10 the rules promulgated by the department of economic development;**

11 **(4) "Innovation education campus" or "innovation campus", an educational  
12 partnership consisting of at least one of each of the following entities:**

13 **(a) A local Missouri high school or k-12 school district;**

14 **(b) A Missouri four-year public or private higher education institution;**

15 **(c) A Missouri-based business or businesses; and**

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           **(d) A Missouri two-year public higher education institution or state technical college**  
17 **of Missouri;**

18           **(5) "Taxpayer", any of the following individuals or entities who make an eligible**  
19 **donation to any innovation campus:**

20           **(a) A person, firm, partner in a firm, corporation, or a shareholder in an S**  
21 **corporation doing business in the state of Missouri and subject to the state income tax**  
22 **imposed in chapter 143;**

23           **(b) A corporation subject to the annual corporation franchise tax imposed in**  
24 **chapter 147;**

25           **(c) An insurance company paying an annual tax on its gross premium receipts in**  
26 **this state;**

27           **(d) Any other financial institution paying taxes to the state of Missouri or any**  
28 **political subdivisions of this state under chapter 148;**

29           **(e) An individual subject to the state income tax imposed in chapter 143;**

30           **(f) Any charitable organization which is exempt from federal income tax and whose**  
31 **Missouri unrelated business taxable income, if any, would be subject to the state income**  
32 **tax imposed under chapter 143.**

33           **3. For all taxable years beginning on or after January 1, 2015, a taxpayer shall be**  
34 **allowed a credit against the taxes otherwise due under chapter 147, 148, or 143, excluding**  
35 **withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent**  
36 **of the amount of an eligible donation, subject to the restrictions in this section. The**  
37 **amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income**  
38 **tax liability in the tax year for which the credit is claimed. Any amount of credit that the**  
39 **taxpayer is prohibited by this section from claiming in a tax year shall not be refundable,**  
40 **but may be carried forward to any of the taxpayer's four subsequent taxable years.**

41           **4. To claim the credit authorized in this section, an innovation campus may submit**  
42 **to the department an application for the tax credit authorized by this section on behalf of**  
43 **taxpayers. The department shall verify that the innovation campus has submitted the**  
44 **following items:**

45           **(1) A valid application in the form and format required by the department;**

46           **(2) A statement attesting to the eligible donation received, which shall include the**  
47 **name and taxpayer identification number of the individual making the eligible donation,**  
48 **the amount of the eligible donation, and the date the eligible donation was received by the**  
49 **innovation campus; and**

50           **(3) Payment from the innovation campus equal to the value of the tax credit for**  
51 **which application is made. If the innovation campus applying for the tax credit meets all**

52 criteria required by this subsection, the department shall issue a certificate in the  
53 appropriate amount.

54       **5. Tax credits issued under this section may be assigned, transferred, sold, or**  
55 **otherwise conveyed, and the new owner of the tax credit shall have the same rights in the**  
56 **credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise**  
57 **conveyed, a notarized endorsement shall be filed with the department specifying the name**  
58 **and address of the new owner of the tax credit and the value of the credit.**

59       **6. The department may promulgate rules to implement the provisions of this**  
60 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
61 **created under the authority delegated in this section shall become effective only if it**  
62 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
63 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
64 **vested with the general assembly under chapter 536 to review, to delay the effective date,**  
65 **or to disapprove and annual a rule are subsequently held unconstitutional, then the grant**  
66 **of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be**  
67 **invalid and void.**

68       **7. Under section 23.253 of the Missouri sunset act:**

69       **(1) The program authorized under this section shall expire six years after the**  
70 **effective date of this act unless reauthorized by an act of the general assembly; and**

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

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

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