

HOUSE

AMENDMENT NO. ___

Offered by

of

1 AMEND House Bill No. 676, Page 1, Section A, Line 2, by inserting
2 after all of said line the following:

3 "135.1161. 1. As used in this section, the following terms
4 mean:

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

9 (a) Is determined to be at least fifty percent disabled by
10 the Social Security Administration or the Department of Veterans'
11 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 employee 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 2016, a taxpayer shall be allowed a tax credit for hiring a
26 disabled employee or a person discharged from a state or federal
27 correctional facility within the twelve months immediately

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1 preceding the hiring. The tax credit amount shall be equal to
2 five hundred dollars for each such person employed, subject to
3 the following:

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

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

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

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

1 unconstitutional, then the grant of rulemaking authority and any
2 rule proposed or adopted after August 28, 2015, shall be invalid
3 and void.

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

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

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

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

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