

HOUSE BILL NO. 2612

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JONES.

6234H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for charitable contributions to Love INC.

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

Section A. Chapter 135, RSMo, is amended by adding thereto one new section, to be known as section 135.625, to read as follows:

135.625. 1. As used in this section, the following terms mean:

(1) "Contribution", a contribution of cash, stock, bonds, or other marketable securities, or real property;

(2) "Love INC", a Missouri corporation whose purpose is substantially to organize and coordinate churches to respond to individual, family, and project needs in the name of Christ and that is incorporated as Love INC of Columbia, Love INC of Southeast Missouri, or another such name beginning with Love INC;

(3) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or otherwise due under chapters 147, 148, and 153;

(4) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143; an insurance company paying an annual tax on its gross premium receipts in this state; any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148; an express company which pays an annual tax on its gross receipts in this state under chapter 153; an individual subject to the state income tax under chapter 143; or any charitable organization which

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.

18 is exempt from federal income tax and whose Missouri unrelated business taxable income,
19 if any, would be subject to the state income tax imposed under chapter 143.

20 2. For all tax years beginning on or after January 1, 2017, a taxpayer shall be
21 allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal
22 to fifty percent of the amount of such taxpayer's contributions to Love INC.

23 3. The amount of the tax credit claimed shall not exceed the amount of the
24 taxpayer's state tax liability for the tax year for which the credit is claimed, and such
25 taxpayer shall not be allowed to claim a tax credit in excess of five thousand dollars per tax
26 year. However, any portion of the tax credit that cannot be claimed in the tax year the
27 contribution was made may be carried over to the next three succeeding tax years until the
28 full credit has been claimed. No tax credits issued under the provisions of this section shall
29 be assigned, transferred, or sold.

30 4. Except for any excess credit that is carried over under subsection 3 of this
31 section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such
32 taxpayer's contributions to Love INC in the tax year is at least one hundred dollars.

33 5. Each Love INC shall provide information concerning the identity of each
34 taxpayer who contributes an amount eligible for a tax credit under this section and the
35 amount of such contribution to the director of revenue.

36 6. Under section 23.253 of the Missouri sunset act:

37 (1) The program authorized under this section shall automatically sunset on
38 December thirty-first six years after the effective date of this section unless reauthorized
39 by an act of the general assembly;

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

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

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