

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 648, Pages 26, Section 143.011, Line 3,

by inserting after all of said line the following:

"143.177. 1. This section shall be known and may be cited as the "Missouri Working Family Tax Credit Act".

2. For purposes of this section, the following terms mean:

(1) "Department", the department of revenue;

(2) "Eligible taxpayer", a resident individual with a filing status of single, head of household, widowed, or married filing combined who is subject to the tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, and who is allowed a federal earned income tax credit under Section 32 of the Internal Revenue Code of 1986, as amended;

(3) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265.

3. For all tax years beginning on or after January 1, 2021, an eligible taxpayer shall be allowed a tax credit in an amount equal to twenty percent of the amount such taxpayer would receive under the federal earned income tax credit. The tax credit allowed by this section shall be claimed by such taxpayer at the time such taxpayer files a return and shall be applied against

1 the income tax liability imposed by chapter 143 after reduction
2 for all other credits allowed thereon. If the amount of the
3 credit exceeds the tax liability, the difference shall be
4 refunded to the taxpayer and shall not be carried forward to any
5 subsequent tax year.

6 4. Notwithstanding the provisions of section 32.057 to the
7 contrary, the department shall determine whether any taxpayer
8 filing a report or return with the department who did not apply
9 for the credit authorized under this section may qualify for the
10 credit and if so, determines a taxpayer may qualify for the
11 credit, shall notify such taxpayer of his or her potential
12 eligibility. In making a determination of eligibility under this
13 section, the department shall use any appropriate and available
14 data including, but not limited to, data available from the
15 Internal Revenue Service, the U.S. Department of Treasury, and
16 state income tax returns from previous tax years.

17 5. The department shall prepare an annual report containing
18 statistical information regarding the tax credits issued under
19 this section for the previous tax year, including the total
20 amount of revenue expended, the number of credits claimed, and
21 the average value of the credits issued to taxpayers whose earned
22 income falls within various income ranges determined by the
23 department.

24 6. The director of the department may promulgate rules and
25 regulations to administer the provisions of this section. Any
26 rule or portion of a rule, as that term is defined in section
27 536.010 that is created under the authority delegated in this
28 section shall become effective only if it complies with and is
29 subject to all of the provisions of chapter 536, and, if

1 applicable, section 536.028. This section and chapter 536 are
2 nonseverable and if any of the powers vested with the general
3 assembly pursuant to chapter 536, to review, to delay the
4 effective date, or to disapprove and annul a rule are
5 subsequently held unconstitutional, then the grant of rulemaking
6 authority and any rule proposed or adopted after the effective
7 date of this section shall be invalid and void.

8 7. Tax credits authorized under this section are not
9 subject to the requirements of sections 135.800 to 135.830.

10 8. Under section 23.253 of the Missouri sunset act:

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

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

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

22 Further amend the title and enacting clause accordingly.