

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SCS/House Bill No. 2090, Page 1, Section Title, Lines 4-5,

2 by striking "the office of administration" and inserting in  
3 lieu thereof the following: "the payment of funds from the  
4 state treasury"; and

5 Further amend said bill, page 24, section 288.220, line  
6 49, by inserting after all of said line the following:

7 "Section 1. 1. As used in this section, the following  
8 terms mean:

9 (1) "Eligible individual", any individual or married  
10 couple who:

11 (a) Cannot be claimed as a dependent on any other  
12 taxpayer's federal income tax return for a tax year  
13 beginning in the calendar year in which the individual's tax  
14 year begins;

15 (b) Is not an estate or trust;

16 (c) Is not delinquent on child support obligations;

17 (d) Is a resident of the state, as defined in section  
18 143.101; and

19 (e) Files a Missouri individual or combined individual  
20 income tax return for the tax year ending in calendar year  
21 2021, and has filed such return with the state by October  
22 17, 2022 or such return was postmarked by October 17, 2022;

23 (2) "Qualified taxpayer", any individual subject to  
24 the state income tax imposed under chapter 143, excluding  
25 the withholding tax imposed under sections 143.191 to

26 143.265, who is an eligible individual as defined under this  
27 section;

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

31 2. For the 2021 tax year, a qualified taxpayer shall  
32 be allowed to claim a one-time nonrefundable tax credit  
33 against the taxpayer's state tax liability in an amount  
34 equal to the lesser of each qualified taxpayer's Missouri  
35 income tax due for the tax year ending in calendar year  
36 2021, or five hundred dollars in the case of individuals  
37 filing an individual Missouri income tax return, or one  
38 thousand dollars in the case of married couples filing a  
39 combined Missouri individual income tax return, whichever is  
40 less.

41 3. The department of revenue shall automatically  
42 adjust each qualified taxpayer's tax return for the 2021 tax  
43 year and shall issue refunds, if necessary, to qualified  
44 taxpayers via check or electronic fund transfer.

45 4. No tax credit claimed under this section shall be  
46 carried forward to any subsequent tax year.

47 5. No tax credit claimed under this section shall be  
48 assigned, transferred, sold, or otherwise conveyed.

49 6. Notwithstanding any provision of this section to  
50 the contrary, the director of revenue shall not authorize  
51 more than five hundred million dollars in tax credits under  
52 this section. In the event the aggregate amount of tax  
53 credits claimed by qualified taxpayers exceeds five hundred  
54 million dollars, the value of the tax credit shall be  
55 reduced by the smallest uniform percentage such that the  
56 total of all tax credits issued under this section is equal  
57 to five hundred million dollars.

58           7. There is hereby created in the state treasury the  
59 "Tax Credit Offset Fund", which shall consist of moneys  
60 appropriated by the general assembly. The state treasurer  
61 shall be custodian of the fund and may approve disbursements  
62 from the fund in accordance with sections 30.170 and  
63 30.180. Upon appropriation, money in the fund shall be used  
64 solely to issue tax credits pursuant to this section. Any  
65 moneys remaining in the fund at the end of the fiscal year  
66 ending on June 30, 2023, shall revert to the credit of the  
67 general revenue fund.

68           8. The department of revenue shall promulgate all  
69 necessary rules and regulations for the administration of  
70 this section. Any rule or portion of a rule, as that term  
71 is defined in section 536.010, that is created under the  
72 authority delegated in this section shall become effective  
73 only if it complies with and is subject to all of the  
74 provisions of chapter 536 and, if applicable, section  
75 536.028. This section and chapter 536 are nonseverable, and  
76 if any of the powers vested with the general assembly  
77 pursuant to chapter 536 to review, to delay the effective  
78 date, or to disapprove and annul a rule are subsequently  
79 held unconstitutional, then the grant of rulemaking  
80 authority and any rule proposed or adopted after August 28,  
81 2022, shall be invalid and void."; and

82           Further amend the title and enacting clause accordingly.