

SENATE BILL NO. 723

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

2906S.03I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 33.282 and 376.975, RSMo, and to enact in lieu thereof two new sections relating to unused tax credits.

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

Section A. Sections 33.282 and 376.975, RSMo, are repealed
2 and two new sections enacted in lieu thereof, to be known as
3 sections 33.282 and 376.975, to read as follows:

33.282. 1. Subject to appropriation the office of
2 administration shall develop a tax expenditure budget for
3 submission to the general assembly in conjunction with the
4 submission of the state budget as required in section
5 33.280. The tax expenditure budget shall indicate, on an
6 annual basis, the reduction in revenue collections for each
7 fiscal year as a result of each deduction, exemption, credit
8 or other tax preference as may be authorized by law, and
9 shall indicate, where appropriate, the tax source of each
10 state-funded program. Periodically the tax expenditure
11 budget shall include a cost-benefit analysis of the
12 following:

- 13 (1) The neighborhood assistance program, sections
14 32.100 to 32.125;
- 15 (2) Tax increment financing, sections 99.800 to 99.865;
- 16 (3) Export and infrastructure funding, sections
17 100.250 to 100.297;

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

- 18 (4) Credit for new expanded business facility,
19 sections 135.100 to 135.150;
- 20 (5) Enterprise zones, sections 135.200 to 135.256;
- 21 (6) Main street program, sections 251.470 to 251.485;
- 22 (7) Economic development districts, sections 251.500
23 to 251.510;
- 24 (8) Rural economic development, sections 620.155 to
25 620.165;
- 26 (9) Export development, sections 620.170 to 620.174;
- 27 (10) Small business incubator program, section
28 620.495; and
- 29 (11) Other programs as may be practical.

30 Pursuant to the provisions of section 32.057, the department
31 of revenue shall not release information as part of the tax
32 expenditure budget in a manner that would allow the
33 identification of any individual taxpayer.

34 2. On or before October first of each year each state
35 department authorized by law to offer deductions,
36 exemptions, credits or other tax preferences shall submit to
37 the budget director the estimated amount of such tax
38 expenditures for the fiscal year beginning July first of the
39 following year and a cost/benefit analysis of such tax
40 expenditures for the preceding fiscal year. Such estimates
41 and analysis shall be in the manner and form prescribed by
42 the budget director and shall be submitted by the budget
43 director to the chairman of the senate appropriations
44 committee and the chairman of the house budget committee by
45 January first of each year.

46 3. No new tax credits, except the senior citizens
47 property tax credit as referenced in chapter 135, shall be
48 issued or certified for any tax year beginning after July

49 first of the following year unless the estimate of such
50 credits have been reviewed and approved by a majority of the
51 senate appropriations committee and the house budget
52 committee.

53 **4. The office of administration shall, by no later**
54 **than December thirty-first of each year, submit a report to**
55 **the general assembly detailing each tax credit program for**
56 **which no tax credit has been authorized or redeemed during**
57 **the five year period ending on June thirtieth of such year.**

376.975. Each member's proportion of participation in
2 the pool shall be determined annually by the board based on
3 annual statements and other reports deemed necessary by the
4 board and filed by the member with it. Any deficit incurred
5 by the pool shall be recouped by assessments apportioned as
6 provided in subsections 1, 2, and 3 of section 376.973 by
7 the board among members. [The amount of assessments
8 incurred by each member of the pool shall be allowed as an
9 offset against certain taxes, and shall be subject to
10 certain limitations, as follows: Each pool member subject
11 to chapter 148 may deduct from premium taxes payable for any
12 calendar year to the state any and all assessments paid for
13 the same year pursuant to sections 376.960 to 376.989.] All
14 assessments, for a fiscal year, shall not exceed the net
15 premium tax due and payable by such member in the previous
16 year. [If the assessment exceeds any premium tax due or
17 payable in such year, the excess shall be a credit or offset
18 carried forward against any premium tax due or payable in
19 succeeding years until the excess is exhausted.]

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