

FIRST EXTRAORDINARY SESSION OF THE  
SECOND REGULAR SESSION

# HOUSE BILL NO. 9

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIDSON.

5963H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 143.171, RSMo, and section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof two new sections relating to income tax, with a delayed effective date.

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

Section A. Section 143.171, RSMo, and section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, are repealed and two new sections enacted in lieu thereof, to be known as sections 143.011 and 143.171, to read as follows:

143.011. 1. A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000

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.

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Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000	\$315 plus 6% of excess over \$9,000

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2. (1) Beginning with the 2017 calendar year, the top rate of tax under subsection 1 of this section may be reduced over a period of years. Each reduction in the top rate of tax shall be by one-tenth of a percent and no more than one reduction shall occur in a calendar year. ~~[No more than seven reductions shall be made under this subsection.]~~ Reductions in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred fifty million dollars.

(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection. The bracket for income subject to the top rate of tax shall be eliminated once the top rate of tax has been reduced to five and one-half percent, and the top remaining rate of tax shall apply to all income in excess of the income in the second highest remaining income bracket.

(5) Notwithstanding the provisions of subdivision (1) of this subsection to the contrary, there shall be no reduction under this subsection in the 2024 calendar year. However, such reductions shall continue after the 2024 calendar year for subsequent calendar years.

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3. (1) In addition to the rate reductions under subsection 2 of this section, beginning with the 2019 calendar year, the top rate of tax under subsection 1 of this section shall be reduced by four-tenths of one percent. Such reduction in the rate of tax shall take effect on January first of the 2019 calendar year.

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(2) The modification of tax rates under this subsection shall only apply to tax years that begin on or after the date the modification takes effect.

51 (3) The director of the department of revenue shall, by rule, adjust the tax tables under  
52 subsection 1 of this section to effectuate the provisions of this subsection.

53 **4. (1) In addition to the rate reductions under subsections 2 and 3 of this section,**  
54 **beginning with the 2023 calendar year, the top rate of tax under subsection 1 of this**  
55 **section shall be reduced by five-tenths of one percent. Such reduction in the rate of tax**  
56 **shall take effect on January first of the 2023 calendar year.**

57 **(2) The modification of tax rates under this subsection shall only apply to tax**  
58 **years that begin on or after the date the modification takes effect.**

59 **(3) The director of the department of revenue shall, by rule, adjust the tax tables**  
60 **under subsection 1 of this section to effectuate the provisions of this subsection.**

61 ~~[4-]~~ **5. (1) In addition to the rate reductions under subsections 2 ~~[and]~~, 3, and 4 of this**  
62 **section, beginning with the 2024 calendar year, the top rate of tax under subsection 1 of this**  
63 **section shall be reduced by one-tenth of one percent.**

64 (2) The modification of tax rates under this subsection shall apply only to tax years  
65 that begin on or after the date the modification takes effect.

66 (3) The director of the department of revenue shall, by rule, adjust the tax tables under  
67 subsection 1 of this section to effectuate the provisions of this subsection.

68 ~~[5-]~~ **6. Beginning with the 2017 calendar year, the brackets of Missouri taxable**  
69 **income identified in subsection 1 of this section shall be adjusted annually by the percent**  
70 **increase in inflation. The director shall publish such brackets annually beginning on or after**  
71 **October 1, 2016. Modifications to the brackets shall take effect on January first of each**  
72 **calendar year and shall apply to tax years beginning on or after the effective date of the new**  
73 **brackets.**

74 ~~[6-]~~ **7. As used in this section, the following terms mean:**

75 (1) "CPI", the Consumer Price Index for All Urban Consumers for the United States  
76 as reported by the Bureau of Labor Statistics, or its successor index;

77 (2) "CPI for the preceding calendar year", the average of the CPI as of the close of the  
78 twelve month period ending on August thirty-first of such calendar year;

79 (3) "Net general revenue collected", all revenue deposited into the general revenue  
80 fund, less refunds and revenues originally deposited into the general revenue fund but  
81 designated by law for a specific distribution or transfer to another state fund;

82 (4) "Percent increase in inflation", the percentage, if any, by which the CPI for the  
83 preceding calendar year exceeds the CPI for the year beginning September 1, 2014, and  
84 ending August 31, 2015.

143.171. 1. For all tax years beginning on or after January 1, 1994, and ending on or  
2 before December 31, 2018, an individual taxpayer shall be allowed a deduction for his or her  
3 federal income tax liability under Chapter 1 of the Internal Revenue Code for the same

4 taxable year for which the Missouri return is being filed, not to exceed five thousand dollars  
 5 on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for  
 6 all credits thereon, except the credit for payments of federal estimated tax, the credit for the  
 7 overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26  
 8 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34.

9 2. (1) Notwithstanding any other provision of law to the contrary, for all tax years  
 10 beginning on or after January 1, 2019, **and ending on or before December 31, 2022**, an  
 11 individual taxpayer shall be allowed a deduction equal to a percentage of his or her federal  
 12 income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year  
 13 for which the Missouri return is being filed, not to exceed five thousand dollars on a single  
 14 taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits  
 15 thereon, except the credit for payments of federal estimated tax, the credit for the  
 16 overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26  
 17 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34. The deduction  
 18 percentage is determined according to the following table:

If the Missouri gross income on the return is:	The deduction percentage is:
\$25,000 or less	35 percent
From \$25,001 to \$50,000	25 percent
From \$50,001 to \$100,000	15 percent
From \$100,001 to \$125,000	5 percent
\$125,001 or more	0 percent

26 (2) Notwithstanding any provision of law to the contrary, the amount of any tax  
 27 credits reducing a taxpayer's federal tax liability pursuant to Public Law 116-136 or 116-260,  
 28 enacted by the 116th United States Congress, for the tax year beginning on or after January 1,  
 29 2020, and ending on or before December 31, 2020, and the amount of any tax credits reducing  
 30 a taxpayer's federal tax liability under any other federal law that provides direct economic  
 31 impact payments to taxpayers to mitigate financial challenges related to the COVID-19  
 32 pandemic shall not be considered in determining a taxpayer's federal tax liability for the  
 33 purposes of subdivision (1) of this subsection.

34 3. For all tax years beginning on or after September 1, 1993, a corporate taxpayer  
 35 shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter  
 36 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is  
 37 being filed after reduction for all credits thereon, except the credit for payments of federal  
 38 estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the

39 Internal Revenue Code by 26 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section  
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41           **4. For all tax years ending on or before December 31, 2022**, if a federal income tax  
42 liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he **or**  
43 **she** was not previously entitled to a Missouri deduction is later paid or accrued, he **or she** may  
44 deduct the federal tax in the later year to the extent it would have been deductible if paid or  
45 accrued in the prior year.

46           **5. For all tax years beginning on or after January 1, 2023, there shall be no**  
47 **federal income tax deduction for any individual taxpayer under this section.**

Section B. Section A of this act shall become effective on January 1, 2023.

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