

SECOND REGULAR SESSION

SENATE BILL NO. 784

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Pre-filed December 12, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4473S.011

AN ACT

To repeal section 143.1027, RSMo, and to enact in lieu thereof one new section relating to income tax refund donations.

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

Section A. Section 143.1027, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 143.1027, to read as follows:

143.1027. 1. For all taxable years beginning on or after January 1, 2014,
2 each individual or corporation entitled to a tax refund in an amount sufficient to
3 make a designation under this section may designate that one dollar or any
4 amount in excess of one dollar on a single return, and two dollars or any amount
5 in excess of two dollars on a combined return, of the refund due be credited to the
6 Missouri National Guard Foundation fund. If any individual or corporation that
7 is not entitled to a tax refund in an amount sufficient to make a designation
8 under this section wishes to make a contribution to the fund, such individual or
9 corporation may, by separate check, draft, or other negotiable instrument, send
10 in with the payment of taxes, or may send in separately, that amount the
11 individual or corporation wishes to contribute. Such amounts shall be clearly
12 designated for the fund.

13 2. There is hereby created in the state treasury the "Missouri National
14 Guard Foundation Fund", which shall consist of money collected under this
15 section. The state treasurer shall be custodian of the fund. In accordance with
16 sections 30.170 and 30.180, the state treasurer may approve disbursements. The
17 fund shall be a dedicated fund and, upon appropriation, money in the fund shall
18 be used solely for the administration of this section. Notwithstanding the
19 provisions of section 33.080 to the contrary, any moneys remaining in the fund

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

20 at the end of the biennium shall not revert to the credit of the general revenue
21 fund. The state treasurer shall invest moneys in the fund in the same manner
22 as other funds are invested. Any interest and moneys earned on such
23 investments shall be credited to the fund. The treasurer shall distribute all
24 moneys deposited in the fund at least monthly to the Missouri National Guard
25 Foundation.

26 3. The director of revenue shall deposit at least monthly all contributions
27 designated by individuals under this section to the state treasurer for deposit to
28 the fund. The director of revenue shall deposit at least monthly all contributions
29 designated by the corporations under this section, less an amount sufficient to
30 cover the costs of collection and handling by the department of revenue, to the
31 state treasury for deposit to the fund. A contribution designated under this
32 section shall only be deposited in the fund after all other claims against the
33 refund from which such contribution is to be made have been satisfied.

34 4. Under section 23.253 of the Missouri sunset act:

35 (1) The provisions of the [new] program authorized under this section
36 shall automatically sunset on December [thirty-first six years after August 28,
37 2014] **31, 2032**, unless reauthorized by an act of the general assembly; and

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

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

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