

# MISSOURI SENATE

Missouri General Assembly

## Conference Committee Substitute

CCS/HCS/SB 226 - This act modifies provisions relating to taxation.

### PROPERTY TAXES

Current law requires aircraft which are at least twenty-five years old, used solely for noncommercial purposes, and operated less than fifty hours per year to be assessed at five percent of true value. This act changes the operating hours requirement to two hundred hours. (Section 137.115)

This provision is identical to HCS/HB 66 (2021) and to a provision contained in HCS/HB 555 (2021), HCS/SB 686 (2020), HCS/SB 782 (2020), HCS/SCS/SB 867 (2020), and HCS/HB 1333 (2020), and is substantially similar to HB 1284 (2020) and HB 1205 (2019).

Beginning January 1, 2021, this act allows a taxpayer that is a resident of a city or county that imposes one or more restrictive orders for a combined total in excess of fifteen days in a calendar year to receive a credit against property taxes owed on such affected property. A restrictive order shall be any city-wide or county-wide ordinance or order imposed by a city or county that prohibits or otherwise restricts the use of a taxpayer's real property, including, but not limited to, occupancy restrictions, but shall not include any ordinance or order prohibiting or restricting the use of a taxpayer's real property due to a violation of a public health or safety code.

The amount of the credit shall be a percentage of the property tax liability that is equal to the percentage of the calendar year that the restrictions on the use of the property were in place, provided that the first fifteen total combined days of all such orders shall not count toward such calculation of the credit. A taxpayer shall pay his or her property taxes in full prior to submitting a statement to the county collector requesting the credit authorized by the act. Within thirty days of the receipt of such statement, the city or county shall issue the credit to the taxpayer.

A taxpayer receiving a tax credit under the act that leases or rents all or a portion of his or her affected real property to one or more other taxpayers shall distribute the tax credit on a pro rata basis to the taxpayers who are current on all lease or rental payments owed to the taxpayer receiving the credit.

The credit authorized by this act shall only apply to real property tax liabilities owed to a city or county imposing a restrictive order, and shall not apply to property tax liabilities owed to any other taxing jurisdiction. (Section 139.305)

This provision contains an emergency clause.

This provision is substantially similar to SCS/SB 100 (2021) and to a provision contained in SBs 12, et. al (2021) and HB 725 (2021).



### INCOME TAXES

This act allows taxpayers authorized under the Missouri Constitution to operate a business related to medical marijuana to claim an income tax deduction in an amount equal to any expenditures otherwise allowable as a federal income tax deduction, but that are disallowed for federal purposes because cannabis is a controlled substance under federal law. (Section 143.121)

This provision is identical to HB 877 (2021) and to a provision contained in HCS/SS/SB 283 (2021), and is substantially similar to SB 436 (2021).

#### SALES TAX FILING PERIODS

Current law provides statutory sales tax collection thresholds to determine the frequency at which sellers shall file and remit sales taxes collected, with such periods being quarter-monthly, monthly, quarterly, and annually. Current law also allows the Department of Revenue to increase, but not decrease, such thresholds through rule. This act modifies the statutory thresholds for the monthly, quarterly, and annual filing periods.

For monthly filing, the threshold is changed from at least \$250 in the first or second month of a calendar quarter to at least \$500 per calendar month for the prior year.

For quarterly filing, the threshold is changed from at least \$45 in a calendar quarter, but not subject to monthly filing to less than \$500 per calendar month, but at least \$200 in a calendar quarter.

For annual filing, the threshold is changed from less than \$45 per calendar quarter to less than \$200 per calendar quarter. (Section 144.080)

This provision is identical to SB 741 (2020) and SB 141 (2019).

#### SALES TAX RETENTION

Beginning August 28, 2021, and ending June 30, 2023, this act authorizes sellers to deduct and retain one hundred percent of the state portion of sales tax levied on purchases of admission tickets to movies, films, and musical performances, as well as on sales of concessions sold onsite at such seller's place of business. (Section 144.142)

This provision is identical to HB 1307 (2021) and is similar to SB 529 (2021), HB 1255 (2021).

#### SALES TAX EXEMPTIONS

This act provides a sales tax exemption for sales of class III medical devices that use electric fields for the purposes of treatment of cancer, including components and repair parts and disposable or single patient use supplies required for the use of such supplies. (Section 144.813)

This provision is identical to SB 483 (2021).

This act provides that the definition of "retail sale" or "sale at retail" for the purposes of the imposition of sales taxes shall not apply to the purchase by a retailer of products that are intended for resale but that cannot be resold because of theft or because the product is damaged and cannot be resold, or to the purchase by a grocery store of food that is intended for resale but that cannot be resold because of theft or because the food has become spoiled and would not be safe for consumption. (Section 144.011)

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