

1 SB163
2 164298-4
3 By Senator Holley
4 RFD: Finance and Taxation Education
5 First Read: 05-MAR-15

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8 SYNOPSIS: This bill would change the Alabama New
9 Markets Development Act to allow the Governor to
10 provide via executive order for an additional \$5
11 Million to the existing cap of \$20 Million.

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13 A BILL
14 TO BE ENTITLED
15 AN ACT

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17 Amending the annual state cap limits to allow the
18 Governor to provide an additional credits relating to the
19 Alabama New Markets Development Act.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Section 41-9-219.2, Code of Alabama 1975,
22 is amended to read as follows:

23 "§41-9-219.2

24 Once the department has certified a cumulative
25 amount of qualified equity investments that can result in the
26 utilization of twenty million dollars (\$20,000,000) of tax
27 credits in any tax year, the department may not certify any

1 more qualified equity investments under Section 41-9-219.3
2 except as provided below. This limitation shall be based on
3 the scheduled utilization of tax credits without regard to the
4 potential for taxpayers to carry forward tax credits to later
5 tax years. The Governor by executive order may provide for an
6 additional amount of qualified investments that can result in
7 an additional utilization of five million dollars (\$5,000,000)
8 of tax credits in any year."

9 Section 2. All laws or parts of laws that conflict
10 with this act are hereby repealed.

11 Section 3. The provisions of this act are severable.
12 If any part of this act is declared invalid or
13 unconstitutional, that declaration shall not affect the part
14 which remains.

15 Section 4. This act shall become effective for all
16 taxable years beginning after December 31, 2015, following its
17 passage and approval by the Governor, or upon its otherwise
18 becoming law.