

1 HB109  
2 115338-2  
3 By Representatives Knight, Fields and Oden  
4 RFD: Education Appropriations  
5 First Read: 12-JAN-10  
6 PFD: 01/06/2010

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8 SYNOPSIS: Under existing law, economic development  
9 qualifying projects may file a letter of intent  
10 with the Department of Revenue for the approval of  
11 certain tax incentives concerning the projects. Act  
12 2009-722 amended the base wage requirements of  
13 qualifying projects after the effective date of Act  
14 2009-722, which was May 21, 2009.

15 This bill would provide for a transition  
16 period of six months after May 21, 2009, for a  
17 qualifying project to be approved based on base  
18 wage requirements prior to the effective date of  
19 Act 2009-722, provided a letter of intent  
20 concerning the project was filed within the  
21 six-month period.

22  
23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
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1           Relating to certain tax incentives for certain  
2           economic development qualifying projects; to further provide  
3           for the base wage requirements of certain qualifying projects  
4           under certain conditions.

5           BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6           Section 1. The Legislature finds that Act 2009-722  
7           generally became effective May 21, 2009, upon the approval of  
8           the Governor. The Legislature finds that certain otherwise  
9           qualifying projects were in the development stages under  
10          existing law prior to the certain amendments in Act 2009-722.  
11          The Legislature desires to have a transition period for the  
12          approval of certain projects based on certain requirements  
13          under existing law before the effective date of Act 2009-722.

14          Section 2. Notwithstanding the effective date  
15          provisions of Act 2009-722, for the purposes of any qualifying  
16          project for which an investing company filed a written  
17          statement of intent as defined in Section 40-18-191, Code of  
18          Alabama 1975, with the Department of Revenue on or before  
19          November 21, 2009, the term "base wage requirement" as defined  
20          in Section 40-18-190(a)(1)a. means the term "base wage  
21          requirement" as defined in Section 40-18-190(a)(1) prior to  
22          the effective date of Act 2009-722.

23          Section 3. All laws or parts of laws which conflict  
24          with this act are repealed.

25          Section 4. This act shall become effective  
26          immediately following its passage and approval by the  
27          Governor, or its otherwise becoming law.

