

## SB22 INTRODUCED



1 SB22  
2 LJIGAAW-1  
3 By Senator Coleman  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 04-Feb-25  
6 PFD: 19-Nov-24



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SYNOPSIS:

Under existing law, the Alabama Jobs Act provides certain incentives to allow the state to foster economic development through the recruitment of quality projects and the expansion of existing businesses within Alabama.

This bill would provide that any incentives awarded to an incentivized company may be recaptured by the state if the incentivized company or a related company engaged in human trafficking violations or violated the Fair Labor Standards Act of 1938.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Alabama Jobs Act; to amend Section 40-18-374, Code of Alabama 1975; to provide that certain awarded incentives may be recaptured in certain circumstances.  
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-18-374, Code of Alabama 1975, is amended to read as follows:

"§40-18-374

(a) An incentivized company may claim either or both of



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29 the jobs act incentives, to the extent provided in the project  
30 agreement.

31 (b) In order for an incentivized company to claim the  
32 jobs act incentives, the Governor and the incentivized company  
33 shall execute a project agreement. The agreement shall contain  
34 all of the following:

35 (1) The name of the incentivized company.

36 (2) The location of the qualifying project.

37 (3) The activity to be conducted at the qualifying  
38 project.

39 (4) The jobs act incentives to be granted.

40 (5) The capital investment to be made at the qualifying  
41 project.

42 (6) The time period for the capital investment to be  
43 made at the qualifying project.

44 (7) The number of employees at the qualifying project.

45 (8) The anticipated wages to be paid to or for the  
46 benefit of employees during the incentive period for the jobs  
47 created.

48 (9) The dates or conditions that shall begin the  
49 running of the incentive periods for applicable jobs act  
50 incentives.

51 (10) The lengths of the incentive periods for the jobs  
52 act incentives.

53 (11) Any annual or aggregate limitations on the amount  
54 of either or both of the jobs act incentives that can be  
55 claimed during an incentive period.

56 (12) Provisions governing the recapture of all or part



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57 of the jobs act incentives awarded to the qualifying project,  
58 should the approved company default on its obligations in the  
59 project agreement or should the incentivized company or a  
60 related company engage in any act or practice that violates  
61 the human trafficking laws as provided in Article 8 of Chapter  
62 6 of Title 13A, or federal child labor provisions of the Fair  
63 Labor Standards Act of 1938, 29 U.S.C. Chapter 8.

64 (13) Whether the project agreement may be assigned by  
65 the approved company to some other purchaser, assignee, or  
66 successor.

67 (14) Any other terms, conditions, and limitations that  
68 this article or the Governor may require for an incentivized  
69 company to qualify for and receive a jobs act incentive.

70 (15) Any other terms the parties deem necessary or  
71 desirable.

72 (c) The Governor may decrease the amounts and durations  
73 of the jobs act incentives to ensure that the anticipated  
74 revenues for the state will exceed the amount of tax  
75 incentives sought."

76 Section 2. This act shall become effective on October  
77 1, 2025.