

1 SB98
2 189370-3
3 By Senators Orr, Livingston, Scofield, Dial and Holtzclaw
4 RFD: Finance and Taxation Education
5 First Read: 09-JAN-18

1 SB98

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4 ENROLLED, An Act,

5 To provide the authority to counties to abate
6 rollback ad valorem taxes for certain projects that qualify
7 for the incentives under the Alabama Jobs Act.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. The following new section is added to the
10 Code of Alabama, 1975 to read as follows:

11 § 40-7-25.4

12 (a) The governing body of a county may, in its
13 discretion, grant an abatement of all or a portion of the
14 taxes otherwise due under Section 40-7-25.3 with respect to
15 property located within the county.

16 (b) The abatement provided by subsection (a) may
17 only be granted if all of the following are satisfied:

18 (1) The property will be used for a qualifying
19 project as defined in Section 40-18-372 (1);

20 (2) The qualifying project shall create at least the
21 number of new jobs specified in Section 40-18-372 (2);

22 (3) The property is an area within which not less
23 than fifty million dollars (\$50,000,000) of capital
24 expenditures in connection with the establishment, expansion,
25 construction, equipping, development, or rehabilitation of

1 such qualifying project is anticipated to be made based upon
2 representations and information provided by the anticipated
3 user or users of the qualifying project and such other
4 information as the county shall have available to it and deems
5 appropriate; and

6 (4) If the property is located within a
7 municipality, the abatement shall be consented to by
8 resolution of the governing body of such municipality.

9 (c) The abatement granted by a county pursuant to
10 this section shall be embodied in an agreement between the
11 county and the owner or user of the property. The agreement
12 described in the preceding sentence shall be filed with the
13 Department of Revenue within 90 days after the granting of the
14 abatement, the contents of which the Department of Revenue
15 shall use solely for its statistical and recordkeeping
16 activities but shall otherwise keep confidential unless
17 consented to in writing by the owner or user of the property.

18 Section 2. The provisions of this act are severable.
19 If any part of this act is declared invalid or
20 unconstitutional, the declaration shall not affect the part
21 which remains.

22 Section 3. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB98
Senate 16-JAN-18
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Passed: 30-JAN-18

By: Senator Orr