

1 SB493
2 131535-1
3 By Senator Orr
4 RFD: Finance and Taxation Education
5 First Read: 24-MAY-11

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8 SYNOPSIS: Certain tax abatements and tax credits
9 otherwise allowable under state law could be
10 disqualified, disallowed, or unduly delayed simply
11 as the result of the unforeseen destruction and
12 economic disruptions caused by the recent tornado
13 outbreak on April 15 and April 27, 2011. This bill
14 would insure these devastating events would not
15 alter the outcome of otherwise viable economic
16 decisions and plans.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT
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22 To establish the Tornado Recovery Tax Incentive
23 Protection Act of 2011; to protect the granting and extension
24 of economic benefits that became impacted and disrupted by the
25 recent tornado outbreaks on April 15 and April 27, 2011, due
26 to property damage and unexpected deadline delays during the
27 qualification processes.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. This act shall be known as the "Tornado
3 Recovery Tax Incentive Protection Act of 2011."

4 Section 2. (a) Tax abatements that may otherwise be
5 granted pursuant to Chapter 9B, Title 40 of the Code of
6 Alabama 1975, shall not be subject to disqualification solely
7 because the underlying transactions or property relate to the
8 repair or replacement of property damaged in the devastating
9 tornado outbreaks of April 15 and April 27, 2011, and not to
10 new construction. This expansion of Alabama's abatement law
11 applies to transactions entered into or property acquired
12 before December 31, 2012. Ad valorem tax abatements in
13 existence on April 15 or April 27, 2011, shall not be
14 disallowed due to an interruption of a qualifying business
15 activity at the site lasting through October 1, 2011, and
16 directly attributable to the tornados of April 15 and April
17 27, 2011.

18 (b) The wage and employee requirements of the
19 capital credit provided for in Title 40, Chapter 18, Article 7
20 of the Code of Alabama 1975, shall be tolled for a period of
21 two years for any otherwise qualifying projects that were
22 damaged by the tornados of April 15 and April 27, 2011.

23 Section 3. The provisions of this act are severable.
24 If any part of this act is declared invalid or
25 unconstitutional, that declaration shall not affect the part
26 which remains.

1 Section 4. All laws or parts of laws which conflict
2 with this act are repealed.

3 Section 5. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.