

ACT NO. 2012-168

1 HB152  
2 134947-6  
3 By Representatives Bridges, Wood, Buttram, Merrill, Boothe,  
4 Poole, Farley, Treadaway, McClendon, Williams (J), Barton,  
5 Greer, Nordgren, Johnson (W), Millican, McCutcheon, Rich,  
6 Roberts, Shiver, Faust, Long, Fincher, Brown, Galliher, Lee,  
7 Henry, Chesteen, Ball, Gaston, Moore (B), Tuggle, Johnson (K),  
8 Collins, Baker, Weaver and Beckman  
9 RFD: Ways and Means Education  
10 First Read: 07-FEB-12  
11 PFD: 02/03/2012



1  
2 ENROLLED, An Act,

3 To provide a \$1,000 additional tax credit for job  
4 creation to employers for hiring recently deployed, and now  
5 discharged, unemployed veterans; and to provide a \$2,000  
6 income tax credit to recently deployed, and now discharged,  
7 unemployed veterans who start their own businesses.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. This act shall be known and may be cited  
10 as the "Heroes for Hire" Tax Credit Act of 2012.

11 Section 2. In addition to the existing tax credit  
12 allowed for in the Full Employment Act of 2011, codified as  
13 Section 40-18-290 through 40-18-293, an additional \$1,000 tax  
14 credit for job creation is available if existing requirements  
15 of Section 40-18-290 through 40-18-293 are met along with the  
16 following definition:

17 (a) RECENTLY DEPLOYED UNEMPLOYED VETERAN. An  
18 individual who:

19 (1) Was a resident of Alabama at the time of entry  
20 into military service or was mobilized to active, federal  
21 military service while a member of the Alabama National Guard  
22 or other reserve unit located in Alabama, regardless of the  
23 resident's home of record;

1           (2) Received an honorable or general discharge from  
2 active, federal military service within the two-year period  
3 preceding the date of hire; and

4           (3) Has certification by the Department of  
5 Industrial Relations at the time of hire of:

6           a. Collecting or being eligible to collect  
7 unemployment benefits; or

8           b. Having exhausted his or her unemployment  
9 benefits.

10           Section 3. For all tax years beginning on or after  
11 January 1, 2012, a qualified employer subject to the  
12 requirements of this act and Section 40-18-290 through  
13 40-18-293, shall be eligible for an additional nonrefundable  
14 credit against the income tax liability imposed or the state  
15 portion of the financial institution excise tax owed in an  
16 amount equal to \$1,000 for each new full-time recently  
17 deployed unemployed veteran hired after the passage of this  
18 act for a position, the majority of the duties of which are at  
19 a business location within Alabama.

20           Section 4. (a) In addition to the definition in  
21 Section 2 above, EXPENSE ASSOCIATED WITH A START-UP BUSINESS  
22 is defined as:

23           (1) Expenses associated with the development of a  
24 business plan;

1           (2) Professional services associated with the  
2 formation of the business (e.g., attorney and accounting  
3 services);

4           (3) An analysis or survey of potential markets,  
5 products, labor supply, or transportation facilities;

6           (4) Advertisements for the opening of the business;

7           (5) Salaries and wages for employees who are being  
8 trained and their instructors;

9           (6) Travel and other necessary costs for securing  
10 prospective distributors, suppliers, or customers;

11           (7) Salaries and fees for executives and  
12 consultants, or for similar professional services.

13           (b) For all tax years beginning on or after January  
14 1, 2012, a recently deployed unemployed veteran shall be  
15 eligible for a nonrefundable credit against the income tax  
16 liability imposed in an amount up to a total of \$2,000 for  
17 expenses associated with one start-up business in which the  
18 recently deployed unemployed veteran holds at least 50-percent  
19 ownership interest. A credit under this subsection may only be  
20 taken for a business started after the passage of this act  
21 that is located within Alabama and that shows a net profit of  
22 at least \$3,000 for the year in which the credit is taken.

23           (c) An employer shall not claim the credit in  
24 Section 3 of this bill for an employee who has claimed the  
25 credit under Section 4 of this bill, and a recently deployed

1 unemployed veteran shall not claim the credit in Section 4 if  
2 an employer has claimed his or her hire for the credit in  
3 Section 3.

4 Section 5. (a) The Department of Industrial  
5 Relations, in coordination with the Department of Revenue, the  
6 Department of Economic and Community Affairs, and the  
7 Department of Veterans' Affairs shall:

8 (1) Promote awareness of the recently deployed  
9 unemployed veteran tax credit authorized in this act to  
10 employers and eligible veterans;

11 (2) Establish procedures for prequalifying an  
12 individual as a recently deployed unemployed veteran and for  
13 providing notice to the Department of Industrial Relations  
14 when a new full-time employee is hired;

15 (3) Establish procedures for certifying a qualified  
16 employer's compliance, or in the case of a credit under  
17 subsection (b) of Section 4, a recently deployed unemployed  
18 veteran's compliance, with the eligibility and expense  
19 verification requirements to claim the credit authorized under  
20 this section;

21 (4) Adopt measurable goals, outcomes, and an audit  
22 strategy to assess the utilization and performance of the  
23 credits authorized in this bill;

24 (5) On or before January 15, 2014, submit a written  
25 report on its assessment of the credits to the Alabama House

1 Committees on Military and Veterans Affairs, Commerce and  
2 Small Business and Ways and Means-Education, and to the  
3 Alabama Senate Committees on Veterans and Military Affairs,  
4 Finance and Taxation-ETF and Job Creation and Economic  
5 Development;

6 (6) Engage in efforts to promote the hiring of  
7 recently deployed unemployed veterans through hiring practices  
8 of the State of Alabama.

9 Section 6. This act shall become effective  
10 immediately following its passage and approval by the  
11 Governor, or its otherwise becoming law.

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~~\_\_\_\_\_~~  
Speaker of the House of Representatives

*Kay Ivey*

\_\_\_\_\_  
President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 14-FEB-12, as amended.

Greg Pappas  
Clerk

Senate

\_\_\_\_\_  
20-MAR-12  
\_\_\_\_\_

Passed

APPROVED *April 2, 2012*

TIME

*8:07 am*  
*Robert Bentley*

GOVERNOR

Alabama Secretary Of State

Act Num....: 2012-168  
Bill Num...: H-152

Recv'd 04/02/12 09:44amSLF

ISOR

SPONSORS

*George Johnson (H)  
Collins  
Baker  
McKee  
Beckman*

*Wendell  
Harris (H)*

*Wendell  
Harris (H)*

*Catchman*

*Harris*

*Harris*

*Harris*

*Harris*

*Harris*

*Harris*

*Harris (H)*

HOUSE ACTION

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 152

YEAS 22 NAYS 0  
GREG PAPPAS, Clerk

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. \_\_\_\_\_ AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS, Clerk

CONFERENCE COMMITTEE

House Conferees

DATE: 2-14 2012

RD 1 RFD V+MA

This Bill was referred to the Standing Committee of the Senate on

V+MA

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) \_\_\_\_\_ w/sub \_\_\_\_\_ by a vote of

yeas 5 nays 8 abstain \_\_\_\_\_

this 20th day of Feb 2012

*[Signature]*, Chairperson

DATE: 2-23 2012

RF FAV RD 2 CAL

DATE: \_\_\_\_\_ 20\_\_

RE-REFERRED \_\_\_\_\_ RE-COMMITTED

Committee \_\_\_\_\_

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 152

YEAS 31 NAYS 0

PATRICK HARRIS, Secretary

FURTHER SENATE ACTION (OVER)



SENATE ACTION  
(Continued)

DATE: 3-20-2012 RD 3 at 1  
PASSED  PASSED AS AMENDED

YEAS 31 NAYS 0

And was ordered returned forthwith to the H  
PATRICK HA  
Sec

DATE:

INDEFINITELY POSTPONED YEAS NAYS

DATE:

RECONSIDERED YEAS NAYS

CONFERENCE COMMITTEE

Senate Conferees \_\_\_\_\_

This bill having been referred to the Commi  
Rules pursuant to Senate Rule 23 is reporte  
Senate for assignment to the Committee on:

This \_\_\_\_\_ day of \_\_\_\_\_, 20

\_\_\_\_\_, Chair

Date:

Rereferred

Committee: \_\_\_\_\_