

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Williams, A. offered the following:

Amendment

Remove lines 639-669 and insert:

(c) If the amount of credits applied for each year exceeds the amount authorized in paragraph (g) ~~\$5 million~~, the Department of Agriculture and Consumer Services shall allocate credits to qualified applicants based on the following priority:
~~award to each applicant a prorated amount based on each applicant's increased production and sales and the increased production and sales of all applicants.~~

1. An applicant who places a new facility in operation after May 1, 2012, shall be allocated credits first, up to a maximum of \$250,000 each, with any remaining credits to be granted pursuant to subparagraph 3., but if the claims for credits under this subparagraph exceed the state fiscal year cap

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17 in paragraph (g), credits shall be allocated pursuant to this
18 subparagraph on a prorated basis based upon each applicant's
19 qualified production and sales as a percentage of total
20 production and sales for all applicants in this category for the
21 fiscal year.

22 2. An applicant who does not qualify under subparagraph 1.
23 but who claims a credit of \$50,000 or less shall be allocated
24 credits next, but if the claims for credits under this
25 subparagraph combined with credits allocated in subparagraph 1.
26 exceed the state fiscal year cap in paragraph (g), credits shall
27 be allocated pursuant to this subparagraph on a prorated basis
28 based upon each applicant's qualified production and sales as a
29 percentage of total qualified production and sales for all
30 applicants in this category for the fiscal year.

31 3. An applicant who does not qualify under subparagraph 1.
32 or subparagraph 2. and an applicant whose credits have not been
33 fully allocated under subparagraph 1. shall be allocated credits
34 next. If there is insufficient capacity within the amount
35 authorized for the state fiscal year in paragraph (g) and after
36 allocations pursuant to subparagraphs 1. and 2., the credits
37 allocated under this subparagraph shall be prorated based upon
38 each applicant's unallocated claims for qualified production and
39 sales as a percentage of total unallocated claims for qualified
40 production and sales of all applicants in this category, up to a
41 maximum of \$1 million per taxpayer per state fiscal year. If,
42 after application of this \$1 million cap, there is excess
43 capacity under the state fiscal year cap in paragraph (g) in any
44 state fiscal year, that remaining capacity shall be used to

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45 allocate additional credits with priority given in the order set
46 forth in this paragraph and without regard to the cap of \$1
47 million per taxpayer per state fiscal year.
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