

**136.0704 License tax credit for economic revitalization projects -- Computation --
Cap.**

- (1) As used in this section, unless the context requires otherwise:
 - (a) "Approved company" means a company approved under KRS 154.26-010 and subject to license tax under KRS 136.070;
 - (b) "Economic revitalization project" shall have the same meaning as set forth in KRS 154.26-010; and
 - (c) "Tax credit" means the tax credit allowed in KRS 154.26-090(1)(c)2.
- (2) An approved company that entered into a revitalization agreement prior to July 13, 2004, shall:
 - (a) Compute the company's total license tax due as provided by KRS 136.070; and
 - (b) Compute the license tax due excluding the capital attributable to an economic revitalization project.
- (3) The tax credit shall be the amount by which the tax computed under subsection (2)(a) of this section exceeds the tax computed under subsection (2)(b) of this section; however, the credit shall not exceed the limits set forth in KRS 154.26-090.
- (4) The capital attributable to an economic revitalization project shall be determined by a formula approved by the Department of Revenue.
- (5) For an approved company that enters into a revitalization agreement after July 13, 2004, the tax credit shall be negotiated pursuant to KRS 154.26-090, but shall not exceed one hundred percent (100%) of the computed license tax attributable to the location of the economic revitalization project. In no case shall the tax credit exceed the limits set forth in KRS 154.26-090.
- (6) The license tax attributable to a revitalization project shall be determined by a formula approved by the Department of Revenue.
- (7) The Department of Revenue may promulgate administrative regulations and require the filing of forms designed by the Department of Revenue to reflect the intent of KRS 154.26-010 to 154.26-100 and the allowable income tax credit which an approved company may retain under KRS 154.26-010 to 154.26-100.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 85, sec. 296, effective June 20, 2005. -- Amended 2004 Ky. Acts ch. 18, sec. 4, effective July 13, 2004; and ch. 105, sec. 14, effective July 13, 2004. -- Created 2000 Ky. Acts ch. 547, sec. 1, effective July 14, 2000.