

AMENDMENT #2

BY SEN.  
FRENCH,  
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OFFERED IN THE SENATE

TO: SCS CSHB 287(FIN)

1 Page 3, line 18, following "incurred.":

2 Insert "A taxpayer shall apply for the credit with the department. Before a taxpayer  
3 may qualify for a credit under this section, the department shall, after the review described in  
4 (j) of this section, make a finding that the expenditure that is the basis of the credit would not  
5 be economically feasible but for the receipt of the credit by the taxpayer."  
6

7 Page 4, following line 28:

8 Insert new subsections to read:

9 "(j) In the review of a credit application under this section, the department  
10 shall

11 (1) require that a taxpayer submit financial data sufficient for the  
12 department to determine that the expenditure that is the basis of the credit would not  
13 be economically feasible but for the receipt of the credit by the taxpayer;

14 (2) make available to the public a preliminary written finding  
15 regarding the eligibility of the taxpayer for the credit;

16 (3) after the publication of the preliminary written finding under this  
17 subsection, provide opportunity for public comment on the preliminary written finding  
18 for a period of not less than 14 days;

19 (4) within 30 days after the close of the public comment period under  
20 (3) of this subsection, make a final determination and findings and make copies of the  
21 final determination and findings available to each person who submitted comments  
22 under (3) of this subsection and who has filed a request for the copies.

23 (k) At the request of the applicant, the department shall keep information

1 submitted on an application for a credit under this section confidential. However, the  
2 department may, under confidentiality agreements, share confidential information  
3 obtained under this section with members of the legislature, the legislative auditor, and  
4 the director of the legislative finance division."

5

6 Reletter the following subsection accordingly.