

LD 229

Amendment proposed by Sen. Farrin 4/27/21

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §1100-T, sub-§2, ¶C, as amended by PL 2019, c. 616, Pt. LL, §2, is further amended to read:

C. Aggregate investment eligible for tax credits may not be more than \$5,000,000 for any one business as of the date of issuance of a tax credit certificate. Beginning with investments made on or after April 1, 2020, aggregate investment eligible for tax credits may not be more than \$3,500,000 for any one business as of the date of issuance of a tax credit certificate and not more than \$2,000,000 for any calendar year. Notwithstanding the foregoing, with respect to a business that had been approved by the authority as an eligible business under the program prior to April 1, 2020, the aggregate investment eligible for tax credits may not be more than \$5,000,000 for such business as of the date of the issuance of the tax credit certificate, and the \$2,000,000 annual limitation shall not apply.

Sec. 2. 10 MRSA §1100-T, sub-§2-C, ¶C, as amended by PL 2019, c. 616, Pt. LL, §7, is further amended to read:

C. Aggregate investment eligible for tax credit certificates, including investments under this subsection and under subsection 2, may not be more than \$5,000,000 for any one eligible business. Beginning with investments made on or after April 1, 2020, aggregate investment eligible for tax credit certificates, including investments under this subsection and under subsection 2, may not be more than \$3,500,000 for any one eligible business in total and not more than \$2,000,000 for any calendar year. Notwithstanding the foregoing, with respect to a business that had been approved by the authority as an eligible business under the program prior to April 1, 2020, the aggregate investment eligible for tax credits may not be more than \$5,000,000 for such business as of the date of the issuance of the tax credit certificate, and the \$2,000,000 annual limitation shall not apply.

Sec. 3. 10 MRSA §1100-T, sub-§2-C, ¶D, as amended by PL 2019, c. 616, Pt. LL, §8, is further amended to read:

D. The investment with respect to which any private venture capital fund is applying for a tax credit certificate may not be more than the lesser of an amount equal to \$500,000 times the number of investors in the private venture capital fund and an aggregate of \$4,000,000 in any one eligible business invested in by a private venture capital fund in any 3 consecutive calendar years. For investments made on or after April 1, 2020, the investment with respect to which any private venture capital fund is applying for a tax credit certificate may not be more than the lesser of an amount equal to \$500,000 times the number of investors in the private venture capital fund and an aggregate of \$3,500,000 in any one eligible business invested in by a private venture capital fund, except as to investments in a business that had been approved by the authority as an eligible business under the program prior to April 1, 2020, in which case the investment with respect to which any private venture capital fund is applying for a tax credit certificate may not be more than the lesser of an amount equal to \$500,000 times the number of investors in the private venture capital fund and an aggregate of \$5,000,000 for such business. This paragraph does not limit other investment by an applicant for which that applicant is not applying for a tax credit certificate. A private venture capital fund must certify to the authority that it will be in compliance with these limitations. The tax credit certificate issued to a private venture capital fund may be revoked and any credit taken recaptured pursuant to Title 36, section 5216-B,

subsection 5 if the fund is not in compliance with this paragraph.