2014 -- H 8119

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

AN ACT

RELATING TO STATE AFFAIRS AND GOVERNMENT -- MICRO ZONE ECONOMIC REVITALIZATION ACT

Introduced By: Representatives Marshall, O'Brien, Almeida, Keable, and Craven

Date Introduced: May 01, 2014

Referred To: House Finance

It is enacted by the General Assembly as follows:

SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND 1 2 GOVERNMENT" is hereby amended by adding thereto the following chapter: 3 **CHAPTER 64.20** MICRO ZONE ECONOMIC REVITALIZATION ACT 4 5 42-64.20-1. Short title. - This chapter shall be known and may be cited as the "Micro 6 Zone Economic Revitalization Act." 7 <u>42-64.20-2. Legislative findings. – The general assembly finds and declares:</u> 8 (1) That there are certain distressed areas in this state which are characterized by 9 substantial and persistent levels of unemployment; blighted areas; obsolete, dilapidated, and 10 abandoned industrial and commercial structures; and, as a consequence, continually shrinking tax 11 bases which strain the resources of the communities in which such distressed areas are located; 12 (2) That the numerous programs undertaken by the federal government and the state during the past two (2) decades to stop the deterioration and stimulate economic activity in these 13 14 distressed areas have, in large part, failed; and 15 (3) That it is the public policy of this state to undertake an experimental program in distressed areas to stimulate economic revitalization, promote employment opportunities, 16 encourage business development and expansion through the redevelopment of obsolete, 17 18 dilapidated, and abandoned industrial and commercial structures.

1	<u>42-64.20-3. Definitions. – As used in this chapter:</u>
2	(1) "Abandoned structure" means a building that has been forsaken or deserted in whole,
3	or in part, for at least two (2) years.
4	(2) "Building owner" means an individual, partnership, corporation, limited liability
5	company or other entity which is listed in the appropriate municipal records of land evidence as
6	the owner of a building, and may include the owner of a leasehold interest with a minimum term
7	of fifty (50) years, with respect to which a memorandum of lease has been recorded in the land
8	evidence records.
9	(3) "Certifiable building" means a building:
10	(i) That is either an obsolete structure, dilapidated structure or abandoned structure as
11	defined in this chapter;
12	(ii) For which no less than forty percent (40%) of the gross square footage shall be used
13	for manufacturing or other commercial purposes that are not related to or ancillary to any
14	residential use of the building;
15	(iii) The use of which conforms to the comprehensive plan and local land use
16	management ordinances of the municipality in which the building is located;
17	(iv) That is proposed for substantial rehabilitation;
18	(v) That has been at a minimum fifty percent (50%) vacant for a minimum of twenty-four
19	(24) months at the time of submission by a municipality to the commerce corporation; and
20	(vi) That is located within a micro zone.
21	(4) "Certified building" means a building with respect to which the commerce
22	corporation has issued a written notice of designation as a certified building pursuant to the
23	provisions of § 42-64.20-5.
24	(5) "Certified building owner" means an individual, partnership, corporation, limited
25	liability company or other entity which is listed in the appropriate municipal records of land
26	evidence as the owner of a certified building, and may include one or more successors in title to
27	the owner of the building at the time the building received written notice of designation as a
28	certified building pursuant to § 42-64.20-5. A certified building owner may include the owner of
29	a leasehold interest with a minimum term of fifty (50) years, with respect to which a
30	memorandum of lease has been recorded in the land evidence records.
31	(6) "Commerce corporation" shall mean the Rhode Island commerce corporation created
32	pursuant to § 42-64-4.
33	(7) "Dilapidated structure" means a building that has fallen into partial ruin or decay from
34	age, wear or neglect.

1	(8) "Division of taxation" means the division of taxation of the department of revenue for
2	the state.
3	(9) "Eligible business" means any for-profit business corporation, sole proprietorship,
4	partnership, or limited partnership or limited liability company:
5	(i) That is not yet operating or located within the state at the time it submits its initial
6	application for certification to the commerce corporation under § 42-64.20-8;
7	(ii) That is not substantially similar in operation and in ownership to a business entity
8	located within the state that ceased operations within the prior three (3) years or reduced
9	employment within the prior year;
10	(iii) That has not caused individuals to transfer from existing employment with a related
11	person located within the state to similar employment with the business;
12	(iv) That is not comprised in whole or in part of the tangible or intangible assets of a
13	business entity located within the state that was operating within the prior three (3) years;
14	(v) That is located in a certified building after the building has undergone substantial
15	rehabilitation;
16	(vi) That is engaged principally in manufacturing or other commercial enterprise
17	designated by regulation of the commerce corporation as eligible for the benefits of this statute
18	other than the following:
19	(A) Retail trade as defined in NAICS codes 44 and 45;
20	(B) Wholesale trade as defined in NAICS code 42;
21	(C) Accommodations and food services as defined in NAICS code 42;
22	(D) Real estate rental and leasing as defined in NAICS code 531110 through 531390;
23	(E) Law firms as defined in NAICS codes 541110 through 541199;
24	(F) Medical or dental practices as defined in NAICS codes 621111;
25	(G) Businesses with less than one hundred (100) employees, providing business
26	administrative or support services as defined in NAICS code 41;
27	(H) Businesses providing utilities as defined in NAICS code 22;
28	(I) Energy production and distribution companies as defined in NAICS code 21;
29	(J) Accounting firms as defined in NAICS codes 541211 through 541219;
30	(K) Credit intermediation and related activities as defined in NAICS code 522110
31	through 522390; and
32	(L) Businesses providing personal services as defined in NAICS code 81.
33	(vii) That obtains certificates of good standing from the division of taxation, the
34	corporations division of the Rhode Island secretary of state and a municipal lien certificate

2	(viii) That provides the commerce corporation with an affidavit stating under oath that
3	the entity seeking certification as a qualified business has not within the preceding twelve (12)
4	months from the date of application for certification changed its legal status for the purpose of
5	gaining favorable treatment under the provisions of this chapter.
6	(10) "Micro zone" means an area of land that is located in and designated by a micro zone
7	community as a micro zone subject to the benefits of this chapter.
8	(11) "Micro zone community" means a municipality that meets the criteria for eligibility
9	in the distressed communities relief fund as set forth in § 45-13-12, at any time during the
10	applicability of this chapter without regard to whether the community subsequently does not meet
11	such criteria.
12	(12) "Municipality" means any city or town within the state, whether now existing or
13	hereafter created.
14	(13) "NAICS code" means the North American Industrial Classification System code of
15	<u>2012.</u>
16	(14) "Obsolete structure" means a building that is outmoded or out of date with respect to
17	the building's construction, design or use.
18	(15) "Rehabilitation and reconstruction costs" means and includes only those amounts
19	incurred and paid by a certified building owner, after issuance of the notice of designation of the
20	building, solely and exclusively for the rehabilitation of the certified building and which are
21	incurred and paid by the certified building owner to acquire tangible personal property and
22	structural components of the certified building which:
23	(i) Are depreciated pursuant to 26 U.S.C. 167;
24	(ii) Have a useful life of three (3) years or more as evidenced by the tax depreciation
25	method taken and shown on the federal tax return of the certified building owner;
26	(iii) Are acquired by purchase as defined in 26 U.S.C. 179(d). Rehabilitation and
27	reconstruction costs do not include amounts incurred or paid with respect to tangible personal
28	property and structural components of the certified building which the certified building owner
29	leases from any other person or corporation. For the purposes of the preceding sentence, any
30	contract or agreement to lease or rent or for a license to use the property shall be considered a
31	lease unless the contract or agreement is treated for the federal income tax purposes of the
32	certified building owner as an installment purchase rather than a lease; and
33	(iv) Are certified to the commerce corporation as meeting the foregoing criteria by a
34	Rhode Island licensed certified public accountant.

indicating that all local taxes are current at the time of certification; and

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1	(16) "Related person" means a "related person" pursuant to 465(b)(3)(c) of the internal
2	revenue code.
3	(17) "Substantial rehabilitation" means rehabilitation or reconstruction costs of a certified
4	building in a dollar amount that equals or exceeds fifty percent (50%) of the market value of the
5	certified building prior to rehabilitation or reconstruction, as said prior market value is determined
6	by a Rhode Island licensed and certified appraiser who is independent of the certified building
7	owner or owners and their affiliated corporations, and/or any tenants of the certified building and
8	their affiliated corporations and who has been approved by the commerce corporation to issue an
9	appraisal under this chapter in respect to a particular project.
10	42-64.20-4. Designation of micro zones. – (a) The legislative body of a micro zone
11	community may designate by ordinance one or more areas within the community as a micro zone.
12	Each ordinance shall include a description of the boundaries of the area or areas designated as a
13	micro zone. Before passing an ordinance, the legislative body, or the committee thereof to which
14	the proposed ordinance has been referred, shall give notice of the date, time, place, and purpose
15	of a public hearing or hearings with reference to the ordinance. The notice shall be published not
16	less than once a week for three (3) successive weeks prior to the hearing in a newspaper of
17	general circulation published in the community, or if no newspaper is published in the
18	community, then in a newspaper of general circulation in the community. At the public hearing
19	all interested persons or agencies shall have an opportunity to be heard and to submit
20	communications in writing.
21	(b) Any person, group, association, or corporation may, in writing, petition the legislative
22	body to designate one or more areas within the community as a micro zone, and may submit, with
23	their petition, plans, showing the proposed redevelopment of those areas or any part or parts of
24	the areas.
25	42-64.20-5. Building certification process (a) Subsequent to the creation of a micro
26	zone, any building within such zone shall be eligible for consideration by the commerce
27	corporation as a certifiable building, provided that the micro zone community has:
28	(1) Promulgated local regulations and ordinances to expedite the building permit review
29	and approval process required in the municipality for the rehabilitation of certified buildings;
30	(2) Promulgated local regulations and ordinances waiving all building permit fees of the
31	municipality for the rehabilitation of certified buildings;
32	(3) Entered into a tax stabilization agreement with the building owner applicable to the
33	proposed project providing for, at a minimum, stabilization of real property taxes for a period of
34	not less than ten (10) years and an exemption for any eligible business occupying a certified

2	substantial completion of a certified building or for any project completed in phases, for a ten
3	(10) year period from substantial completion of each phase of a certified building; and
4	(4) Provided notice to the commerce corporation that the municipality has satisfied the
5	requirements of this chapter and designated the building(s) for consideration by the corporation.
6	(b) Upon receipt of notice by the commerce corporation from a micro zone community
7	that the conditions of § 42-64.20-4(a) have been satisfied, the commerce corporation shall accept
8	the application from any building owner(s) designated by the community for determination of a
9	project as a certified building.
10	(c) Upon receipt of a complete application from a building owner designated by a
11	community as provided in this section, the commerce corporation shall undertake consideration
12	of such application and if the project meets the criteria of this chapter and such rules or
13	regulations promulgated by the commerce corporation in accordance with § 42-64.20-19, the
14	corporation, acting by and through its board of directors, shall issue a notice of designation
15	qualifying the project as a certified building, and the corporation shall enter into an agreement
16	with the building owner to ensure compliance with the requirements of this chapter and related
17	rules and regulations promulgated in relation to this chapter. The commerce corporation may
18	require such terms and conditions in an agreement with a building owner as it deems advisable in
19	its sole discretion, provided that the agreement shall require that a building owner obtain an
20	independent appraisal in order to comply with the requirements of § 42-64.20-6. The commerce
21	corporation may also impose necessary fees and charges as part of any agreement with a building
22	owner to aid in the administration of the provisions of this chapter.
23	(d) Notwithstanding anything to the contrary contained in this chapter, the certified
24	buildings within any micro zone community shall be limited in accordance with the following:
25	(1) In any municipality with a population less than one hundred twenty five thousand
26	(125,000) according to the most recent federal census, the total combined land area of all micro
27	zones shall not exceed twenty (20) acres and the aggregate square footage of all certified
28	buildings within a municipality shall not exceed five hundred thousand (500,000) gross square
29	<u>feet.</u>
30	(2) In any municipality with a population equal to or greater than one hundred twenty
31	five thousand (125,000) according to the most recent federal census, the total combined land area
32	of all micro zones shall not exceed forty (40) acres and the aggregate square footage of all
33	certified buildings within a municipality shall not exceed one million (1,000,000) gross square
34	feet.

building from payment of personal property taxes for a ten (10) year period commencing from the

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1	42-64.20-6. Certified building renabilitation (a) A certified building shall be treated
2	as having been substantially rehabilitated only if the reconstruction and rehabilitation
3	expenditures incurred during the twenty-four (24) month period selected by the certified building
4	owner and ending with or within the taxable year in which the rehabilitated certified building is
5	first placed in service by the certified building owner meet the definition of "substantial
6	rehabilitation" set forth in § 42-64.20-3(17). For purposes of determining whether the
7	requirements of § 42-64.20-3(17) have been met, the market value of the certified building shall
8	be determined at the beginning of the first (1st) day of such twenty-four (24) month period. The
9	certified building owner shall submit to the commerce corporation such information as the
10	corporation may require, evidencing to its satisfaction the substantial rehabilitation, in accordance
11	with the provisions of this chapter.
12	(b) Special rule for phased rehabilitation. In the case of any rehabilitation which may
13	reasonably be expected to be completed in phases set forth in architectural plans and
14	specifications completed before the rehabilitation begins, the commerce corporation may
15	specifically indicate in its notice of designation and agreement with the building owner that the
16	project is approved to be completed in phases and in such event, subsection (a) of this section
17	shall be applied by substituting "sixty (60) month period" for "twenty-four (24) month period."
18	42-64.20-7. Impact analysis (a) The commerce corporation shall not designate any
18 19	<u>42-64.20-7. Impact analysis</u> (a) The commerce corporation shall not designate any building as a certified building under this chapter until it has first prepared and publicly released
19	building as a certified building under this chapter until it has first prepared and publicly released
19 20	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis
19 20 21	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited
19 20 21 22	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors:
19 20 21 22 23	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors: (1) The impact on the industry or industries in which the applicant will be involved;
19 20 21 22 23 24	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors: (1) The impact on the industry or industries in which the applicant will be involved; (2) State fiscal matters, including the state budget (revenues and expenses);
19 20 21 22 22 23 24 25	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors: (1) The impact on the industry or industries in which the applicant will be involved; (2) State fiscal matters, including the state budget (revenues and expenses); (3) The financial exposure of the taxpayers of the state under the plans for the proposed
19 20 21 22 22 23 24 25 26	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors: (1) The impact on the industry or industries in which the applicant will be involved; (2) State fiscal matters, including the state budget (revenues and expenses); (3) The financial exposure of the taxpayers of the state under the plans for the proposed investment and negative foreseeable contingencies that may arise therefrom;
19 20 21 22 22 23 24 25 26	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors: (1) The impact on the industry or industries in which the applicant will be involved; (2) State fiscal matters, including the state budget (revenues and expenses); (3) The financial exposure of the taxpayers of the state under the plans for the proposed investment and negative foreseeable contingencies that may arise therefrom; (4) The approximate number of full-time, part-time, temporary, seasonal and/or
19 20 21 22 22 23 24 25 26 27 28	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors: (1) The impact on the industry or industries in which the applicant will be involved; (2) State fiscal matters, including the state budget (revenues and expenses); (3) The financial exposure of the taxpayers of the state under the plans for the proposed investment and negative foreseeable contingencies that may arise therefrom; (4) The approximate number of full-time, part-time, temporary, seasonal and/or permanent jobs projected to be created, construction and non-construction;
19 20 21 22 23 24 25 26 27 28	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors: (1) The impact on the industry or industries in which the applicant will be involved; (2) State fiscal matters, including the state budget (revenues and expenses); (3) The financial exposure of the taxpayers of the state under the plans for the proposed investment and negative foreseeable contingencies that may arise therefrom; (4) The approximate number of full-time, part-time, temporary, seasonal and/or permanent jobs projected to be created, construction and non-construction; (5) Identification of geographic sources of the staffing for identified jobs;
19 20 21 22 23 24 25 26 27 28 29	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors: (1) The impact on the industry or industries in which the applicant will be involved; (2) State fiscal matters, including the state budget (revenues and expenses); (3) The financial exposure of the taxpayers of the state under the plans for the proposed investment and negative foreseeable contingencies that may arise therefrom; (4) The approximate number of full-time, part-time, temporary, seasonal and/or permanent jobs projected to be created, construction and non-construction; (5) Identification of geographic sources of the staffing for identified jobs; (6) The projected duration of the identified construction jobs;
19 20 21 22 23 24 25 26 27 28 29	building as a certified building under this chapter until it has first prepared and publicly released an analysis of the impact the proposed investment will or may have on the state. The analysis shall be supported by appropriate data and documentation and shall consider, but not be limited to, the following factors: (1) The impact on the industry or industries in which the applicant will be involved; (2) State fiscal matters, including the state budget (revenues and expenses); (3) The financial exposure of the taxpayers of the state under the plans for the proposed investment and negative foreseeable contingencies that may arise therefrom; (4) The approximate number of full-time, part-time, temporary, seasonal and/or permanent jobs projected to be created, construction and non-construction; (5) Identification of geographic sources of the staffing for identified jobs; (6) The projected duration of the identified construction jobs; (7) The approximate wage rates for each category of the identified jobs:

2	(10) The description of any plan or process intended to stimulate hiring from the host
3	community, training of employees or potential employees, and outreach to minority job
4	applicants and minority businesses.
5	(b) Upon its preparation and release of the analysis required by subsection (a) of this
6	section, the commerce corporation shall provide copies of that analysis to the chairpersons of the
7	house and senate finance committees, the house and senate fiscal advisors, the department of
8	labor and training and the division of taxation. Any such analysis shall be available to the public
9	for inspection by any person and shall by published by the tax administrator on the tax division
10	website.
11	42-64.20-8. Certification of an eligible business (a) Upon application from a
12	business, the commerce corporation shall make a determination as to whether a business meets
13	the criteria set forth in § 42-64.20-3(9) and upon determination that such criteria have been
14	satisfied, the commerce corporation shall issue a certification designating the applicant as an
15	eligible business under this chapter and may require the applicant, upon approval, to enter into an
16	agreement with the commerce corporation to ensure compliance with the provisions of this
17	chapter. The commerce corporation may require such terms and conditions in an agreement with
18	an eligible business as it deems advisable in its sole discretion. The commerce corporation may
19	also impose necessary fees and charges as part of any agreement with an eligible business to aid
20	in the administration of the provisions of this chapter.
21	(b) Annually, an eligible business shall submit a renewal application to the commerce
22	corporation for the purposes of allowing the corporation to confirm the continuing eligibility of
23	such business for the benefits of this chapter.
24	(c) If a business loses its eligibility for the benefits of this chapter either by reason of its
25	failure to meet the criteria set forth in this chapter or the failure to submit a renewal application,
26	the commerce corporation shall provide notice to the taxing authority of the municipality in
27	which such business is located of the loss of designation as an eligible business.
28	42-64.20-9. Incentives for certified building owner (a) A certified building owner
29	shall be exempt from state sales tax of any kind on any personal property, including fixtures,
30	furnishings or equipment, which is acquired and used in the construction and development of the
31	owner's certified building.
32	(1) The total sales tax exemption benefit to a certified building owner under this chapter
33	shall be implemented through a reimbursement process as determined by the division of taxation
34	rather than an un-front purchase exemption; and

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1	(2) The sales tax benefits shall only apply to materials used in the construction,
2	reconstruction or rehabilitation of the certified building and to the acquisition of furniture,
3	fixtures and equipment, except automobiles, trucks or other motor vehicles, or materials that
4	otherwise are depreciable and have a useful life of one year or more, for the project for a period
5	not to exceed six (6) months after receipt of a certificate of occupancy for any given phase of the
6	project for which sales tax benefits are utilized.
7	(b) All fees for any permit required by any state statute, rule, regulation or otherwise by
8	any department, agency or instrumentality of the state in relation to the substantial rehabilitation
9	of a certified building ordinarily due from a building owner are hereby waived.
10	(c) A certified building owner shall not be eligible for historic preservation tax credits
11	available under chapter 33.6 of title 44.
12	42-64.20-10. Incentives for an eligible business (a) An eligible business shall be
13	exempt from state sales tax of any kind on any personal property, including fixtures, furnishings
14	or equipment, which is acquired and used in the operation of the eligible business located in a
15	certified building that has been substantially rehabilitated.
16	(1) The total sales tax exemption benefit to an eligible business under this chapter shall
17	be implemented through a reimbursement process as determined by the division of taxation rather
18	than an up-front purchase exemption; and
19	(2) The sales tax benefits shall only apply to materials used in the outfitting of the rented
20	space occupied by the eligible business in the certified building and to the acquisition of furniture,
21	fixtures and equipment, except automobiles, trucks or other motor vehicles, or materials that
22	otherwise are depreciable and have a useful life of one year or more, for a period not to exceed
23	six (6) months after the date upon which the eligible business first occupies the rented space in
24	the certified building; provided, that an expansion of business operations by an eligible business
25	within a certified building shall entitle the eligible business to the benefit of this provision for a
26	period not to exceed six (6) months from the date upon which the eligible business first occupies
27	additional rented space in the certified building.
28	(b) The income derived by an owner from an eligible business operating within a certified
29	building that has been substantially rehabilitated shall be exempt from taxation under title 44 for a
30	period not to exceed ten (10) years commencing as of January 1 of the year in which the eligible
31	business receives a certification under § 42-64.20-8; provided, however, that the exemption
32	provided hereunder shall expire and no longer be available after December 31, 2029.
33	42-64.20-11. Interest income (a) The interest income derived by any person from any
34	loan extended to a certified building owner for the acquisition or reconstruction of a certified

1	building shall be exempt from taxation under title 44 of the general laws until the earlier of
2	January 1, 2030 or ten (10) years from the date upon which such loan was first extended to the
3	certified building owner.
4	(b) The interest income derived by any person from any loan extended to an eligible
5	business operating solely within a certified building that has been substantially rehabilitated shall
6	be exempt from taxation under title 44 of the general laws until the earlier of January 1, 2030 or
7	ten (10) years from the date upon which such loan was first extended to the eligible business.
8	42-64.20-12. Exemption or stabilization of taxes Notwithstanding the provisions of
9	any municipal charter or any other general, special or local law to the contrary, real property taxes
10	for a certified building and tangible property taxes of the owner(s) of a certified building or any
11	owner(s) of an eligible business for tangible property used in the certified building may be
12	exempted from payment, in whole or in part, notwithstanding the valuation of the property or the
13	rate of tax, by vote of the city or town council to the extent deemed appropriate by the city or
14	town council to carry out the purposes of this chapter. This section shall be construed to provide a
15	complete, additional and alternative authority for the city or town council to grant exemption or
16	stabilization of real or tangible property taxes with respect to certified buildings and the tenants
17	thereof, and the granting of tax exemption or stabilization by the city or town council under the
18	provisions of this section does not require the taking of any other proceedings or the happening of
19	any condition, except for the vote of the city or town council.
20	42-64.20-13. Expedited permit process Any building considered for certification
21	under this chapter shall, at the election of the building owner, receive consideration as a project of
22	critical economic concern as that term is defined in § 42-117-3(3) and shall be entitled to the
23	benefits of chapter 117 of title 42.
24	42-64.20-14. Expiration This chapter shall terminate and be of no further effect on
25	January 1, 2030, unless the chapter is extended by action of the general assembly.
26	42-64.20-15. Coordination with existing programs To the maximum extent possible,
27	the directors of the departments of administration, business regulation, labor and training,
28	environmental management, human services, transportation, and the Rhode Island housing and
29	mortgage finance corporation shall provide special assistance to the zones. This shall include, but
30	not be limited to:
31	(1) Expedited processing;
32	(2) Priority funding;
33	(3) Program set asides; and
34	(4) Provision of technical assistance in furtherance of the public policy enunciated in §

1	<u>42-64.20-2.</u>
2	42-64.20-16. Examination of taxpayer's records The tax administrator and his or her
3	agents, for the purpose of ascertaining the correctness of any tax benefit claimed under the
4	provisions of this chapter, may examine any books, papers, records, or memoranda bearing upon
5	the matters required to be included in the return, report, or other statement, and may require the
6	attendance of the person executing the return, report, or other statement, or of any officer or
7	employee of any taxpayer, or the attendance of any other person, and may examine the person
8	under oath respecting any matter which the tax administrator or his or her agent deems pertinent
9	or material in determining the eligibility for the benefit claimed.
10	42-64.20-17. Penalties Any taxpayer or employee, officer or agent of any taxpayer
11	that willfully fails to comply with the provisions of this chapter or otherwise submits false or
12	misleading information shall be guilty of a felony and upon conviction shall be fined an amount
13	not more than three (3) times the amount of the tax benefit received by the taxpayer, or
14	imprisoned not more than one year, or both.
15	42-64.20-18. Revocation of certification (a) The commerce corporation shall have
16	the power to revoke the certification of any building certified under this chapter or revoke the
17	eligibility of any business determined as an eligible business under this chapter for failure to
18	comply with this chapter, the regulations promulgated in accordance with this chapter, or any
19	agreement entered into by any building owner or eligible business with the commerce
20	corporation.
21	(b) In the event the commerce corporation revokes any certification issued under this
22	chapter, the person or entity whose eligibility has been revoked shall be liable to the state for all
23	the tax benefits granted hereunder, plus interest, as determined in § 44-1-7, calculated from the
24	date the person or entity first received the tax benefits.
25	42-64.20-19. Additional rules and regulations (a) The division of taxation shall
26	promulgate appropriate rules and regulations to ensure the proper administration of the taxation
27	provisions of this chapter.
28	(b) The commerce corporation shall promulgate appropriate rules and regulations to
29	ensure the proper administration of this chapter.
30	42-64.20-20. Severability If the provisions of this chapter or the application of this

chapter to any person or circumstances is held invalid, the invalidity shall not affect other

provisions or applications of the chapter, which can be given effect without the invalid provision

or application, and to this end the provisions of this chapter are declared to be severable.

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1	SECTION 2. This act shall take effect upon passage
	LC005512
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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO STATE AFFAIRS AND GOVERNMENT -- MICRO ZONE ECONOMIC REVITALIZATION ACT

This act would create micro zones in distressed areas to stimulate economic revitalization, employment opportunities, and business development through the redevelopment of obsolete, dilapidated and abandoned industrial and commercial structures.

This act would take effect upon passage.

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LC005512
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