

1 SENATE BILL 47

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010**

3 INTRODUCED BY

4 Timothy M. Keller

5
6
7
8
9
10 AN ACT

11 RELATING TO ECONOMIC DEVELOPMENT; CREATING GUIDELINES FOR NEW
12 ECONOMIC DEVELOPMENT TAX INCENTIVES TO INCREASE ACCOUNTABILITY;
13 REQUIRING THE ECONOMIC DEVELOPMENT DEPARTMENT TO PUBLISH A LIST
14 OF TAXPAYERS USING ECONOMIC DEVELOPMENT TAX INCENTIVES.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 Section 1. ECONOMIC DEVELOPMENT TAX INCENTIVES--
18 GUIDELINES.--

19 A. An economic development tax incentive shall
20 include in the enabling statute the following minimum
21 provisions:

22 (1) a statement of purpose;

23 (2) the designation of a responsible agency to
24 establish measurable policy goals, track state expenditures,
25 quantify the state's return on investment and report regularly

.179580.2

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 to the interim revenue stabilization and tax policy committee
2 and the legislative finance committee;

3 (3) a requirement that the economic
4 development department track job creation;

5 (4) specific standards for the taxpayer to
6 qualify for the incentive;

7 (5) reporting requirements for the taxpayer;

8 (6) a description of the financial obligation
9 of the taxpayer if the specific standards are not met; and

10 (7) a mandatory review of the incentive no
11 more than every seven years.

12 B. The economic development department shall
13 publish annually an aggregate list of the economic development
14 tax incentives used by each taxpayer.

15 C. For the purposes of this section, "economic
16 development tax incentive" means a credit, deduction, rebate,
17 exemption or other tax benefit for the primary purpose of
18 promoting economic development or offering an advantage to a
19 particular industry or type of business to do business in New
20 Mexico.