

HOUSE
AMENDMENT

THIS AMENDMENT
ADOPTED

GOOD/DOWNEY
FEBRUARY 9, 2022

CLERK OF THE HOUSE

REP. DANING PROPOSES THE FOLLOWING AMENDMENT
No. TO H. 3348

(USERS\EMMAHALL\APPDATA\LOCAL\MICROSOFT\
WINDOWS\INETCACHE\CONTENT.OUTLOOK\YTK05
HUT\3348C002.NBD.DG21 (002)):

REFERENCE IS TO THE BILL AS INTRODUCED.

**AMEND THE BILL, AS AND IF AMENDED, BY
STRIKING ALL AFTER THE ENACTING WORDS AND
INSERTING:**

**/SECTION 1. ARTICLE 25, CHAPTER 6, TITLE
12 OF THE 1976 CODE IS AMENDED BY ADDING:**

**“SECTION 12-6-3710. (A) FOR TAX YEARS
BEGINNING AFTER 2021, THERE IS ALLOWED A**

TAX CREDIT FOR ANY TAXPAYER THAT HIRES A FORMERLY INCARCERATED INDIVIDUAL AS A NEW EMPLOYEE IN A REGISTERED APPRENTICESHIP PROGRAM THAT HAS BEEN VALIDATED BY THE UNITED STATES DEPARTMENT OF LABOR. AN EMPLOYER WHO HAS ONE OR MORE ELIGIBLE EMPLOYEES IS ELIGIBLE TO APPLY FOR AND RECEIVE A CREDIT AGAINST THE TAXES SET FORTH IN SUBSECTION (B). IN THE FIRST YEAR IN WHICH THE CREDIT IS EARNED PURSUANT TO SUBSECTION (D), THE AMOUNT OF THE CREDIT IS THREE THOUSAND DOLLARS FOR EACH ELIGIBLE EMPLOYEE. IF THE ELIGIBLE EMPLOYEE REMAINS EMPLOYED AND OTHERWISE MEETS THE REQUIREMENTS OF THIS SECTION THEREAFTER, THE CREDIT IS TWO THOUSAND FIVE HUNDRED DOLLARS IN THE SECOND YEAR, AND ONE THOUSAND DOLLARS IN THE THIRD YEAR. THE CREDIT MAY NOT BE CLAIMED BEYOND THE THIRD YEAR.

(B) THE CREDIT ALLOWED PURSUANT TO THIS SECTION MAY BE TAKEN AGAINST THE

INCOME TAXES IMPOSED PURSUANT TO THIS CHAPTER, THE BANK TAX IMPOSED PURSUANT TO CHAPTER 11 OF THIS TITLE, THE SAVINGS AND LOAN ASSOCIATION TAX IMPOSED PURSUANT TO CHAPTER 13 OF THIS TITLE, THE CORPORATE LICENSE TAX IMPOSED PURSUANT TO CHAPTER 20 OF THIS TITLE, AND INSURANCE PREMIUM TAXES IMPOSED PURSUANT TO CHAPTER 7, TITLE 38.

(C) THE TOTAL AMOUNT OF THE TAX CREDIT FOR A TAXABLE YEAR MAY NOT EXCEED THE TAXPAYER'S TAX LIABILITY. ANY UNUSED CREDIT MAY NOT BE CARRIED OVER TO APPLY TO THE TAXPAYER'S SUCCEEDING YEAR'S LIABILITY.

(D)(1) THE TAX CREDIT IS EARNED IN THE YEAR IN WHICH THE FORMERLY INCARCERATED INDIVIDUAL FIRST COMPLETES THE TWELFTH CONSECUTIVE MONTH OF EMPLOYMENT WITH THE TAXPAYER. THE CREDIT IS EARNED IN THE SAME MANNER AND ON THE SAME SCHEDULE IN THE SECOND AND THIRD YEAR OF EMPLOYMENT.

(2) THE TAX CREDIT ALLOWED BY THIS SECTION ONLY MAY BE CLAIMED FOR AN ELIGIBLE INDIVIDUAL ONCE, REGARDLESS OF THE EMPLOYER. THE DEPARTMENT SHALL CONSULT WITH THE

DEPARTMENT OF COMMERCE, APPRENTICESHIP CAROLINA OF THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM, AND ANY OTHER AGENCY OR ENTITY NECESSARY TO ESTABLISH A PROCESS BY WHICH EMPLOYERS ARE AWARE OF AN INDIVIDUAL'S ELIGIBILITY FOR THE CREDIT ALLOWED BY THIS SECTION.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE CREDIT ALLOWED BY THIS SECTION ONLY MAY BE CLAIMED IF THE FORMERLY INCARCERATED INDIVIDUAL IS HIRED BY THE EMPLOYER AS A NEW EMPLOYEE IN THE REGISTERED APPRENTICESHIP PROGRAM BEFORE 2027. IF THE INDIVIDUAL IS HIRED BEFORE SUCH TIME, THEN THE EMPLOYER MAY CLAIM THE CREDIT FOR EACH YEAR THE INDIVIDUAL IS ELIGIBLE AND ON THE SAME SCHEDULE AS PROVIDED IN THIS SECTION.

(F) THE DEPARTMENT MAY PRESCRIBE FORMS AND PROMULGATE REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION, INCLUDING REQUIRING THE NECESSARY DOCUMENTATION TO PROVE ELIGIBILITY.

(G) FOR PURPOSES OF THIS SECTION:

(1) 'FULL-TIME' HAS THE SAME MEANING AS PROVIDED IN SECTION 12-6-3360.

(2) 'INCARCERATED INDIVIDUAL' MEANS AN INDIVIDUAL THAT, WITHIN THREE YEARS OF BEING HIRED IN A QUALIFYING APPRENTICESHIP PROGRAM, WAS HELD IN A STATE OR COUNTY PRISON, JAIL, OR DETENTION CENTER FOR AT LEAST NINETY CONSECUTIVE DAYS, BUT DOES NOT INCLUDE AN INDIVIDUAL INCARCERATED FOR A VIOLENT CRIME SET FORTH IN SECTION 16-1-60, UNLESS SUCH INDIVIDUAL RECEIVED A PARDON FOR THE OFFENSE OR UNLESS THE ONLY DISQUALIFYING VIOLENT CRIME RESULTED IN A SENTENCE OF TEN YEARS OR LESS UNDER SECTION 44-53-370(E) OR SECTION 44-53-375(C).

SECTION 12-6-3720. (A) FOR TAX YEARS BEGINNING AFTER 2021, THERE IS ALLOWED A TAX CREDIT FOR ANY TAXPAYER THAT HIRES A

VETERAN OF THE ARMED FORCES OF THE UNITED STATES AS A ENW EMPLOYEE IN A REGISTERED APPRENTICESHIP PROGRAM THAT HAS BEEN VALIDATED BY THE UNITED STATES DEPARTMENT OF LABOR. AN EMPLOYER WHO HAS ONE OR MORE ELIGIBLE EMPLOYEES IS ELIGIBLE TO APPLY FOR AND RECEIVE A CREDIT AGAINST THE TAXES SET FORTH IN SUBSECTION (B). IN THE FIRST YEAR IN WHICH THE CREDIT IS EARNED PURSUANT TO SUBSECTION (D), THE AMOUNT OF THE CREDIT IS THREE THOUSAND DOLLARS FOR EACH ELIGIBLE EMPLOYEE. IF THE ELIGIBLE EMPLOYEE REMAINS EMPLOYED AND OTHERWISE MEETS THE REQUIREMENTS OF THIS SECTION THEREAFTER, THE CREDIT IS TWO THOUSAND FIVE HUNDRED DOLLARS IN THE SECOND YEAR, AND ONE THOUSAND DOLLARS IN THE THIRD YEAR. THE CREDIT MAY NOT BE CLAIMED BEYOND THE THIRD YEAR.

(B) THE CREDIT ALLOWED PURSUANT TO THIS SECTION MAY BE TAKEN AGAINST THE INCOME TAXES IMPOSED PURSUANT TO THIS CHAPTER, THE BANK TAX IMPOSED PURSUANT TO CHAPTER 11 OF THIS TITLE, THE SAVINGS AND LOAN ASSOCIATION TAX IMPOSED PURSUANT TO CHAPTER 13 OF THIS TITLE, THE CORPORATE LICENSE TAX IMPOSED PURSUANT TO CHAPTER 20 OF THIS TITLE, AND INSURANCE PREMIUM TAXES IMPOSED PURSUANT TO CHAPTER 7, TITLE 38.

(C) THE TOTAL AMOUNT OF THE TAX CREDIT FOR A TAXABLE YEAR MAY NOT EXCEED THE TAXPAYER'S TAX LIABILITY. ANY UNUSED CREDIT MAY NOT BE CARRIED OVER TO APPLY TO THE TAXPAYER'S SUCCEEDING YEAR'S LIABILITY.

(D)(1) THE TAX CREDIT IS EARNED IN THE YEAR IN WHICH THE VETERAN FIRST COMPLETES THE TWELFTH CONSECUTIVE MONTH OF EMPLOYMENT WITH THE TAXPAYER. THE CREDIT IS EARNED IN THE SAME MANNER AND ON THE SAME SCHEDULE IN THE SECOND AND THIRD YEAR OF EMPLOYMENT.

(2) THE TAX CREDIT ALLOWED BY THIS SECTION ONLY MAY BE CLAIMED FOR AN ELIGIBLE INDIVIDUAL ONCE, REGARDLESS OF THE EMPLOYER. THE DEPARTMENT SHALL CONSULT WITH THE

DEPARTMENT OF COMMERCE, APPRENTICESHIP CAROLINA OF THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM, AND ANY OTHER AGENCY OR DEPARTMENT NECESSARY TO ESTABLISH A PROCESS BY WHICH EMPLOYERS ARE AWARE OF AN INDIVIDUAL’S ELIGIBILITY FOR THE CREDIT ALLOWED BY THIS SECTION.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE CREDIT ALLOWED BY THIS SECTION ONLY MAY BE CLAIMED IF THE VETERAN IS HIRED BY THE EMPLOYER AS A NEW EMPLOYEE IN THE REGISTERED APPRENTICESHIP PROGRAM BEFORE 2027. IF THE INDIVIDUAL IS EMPLOYED BEFORE SUCH TIME, THEN THE EMPLOYER MAY CLAIM THE CREDIT FOR EACH YEAR THE INDIVIDUAL IS ELIGIBLE AND ON THE SAME SCHEDULE AS PROVIDED IN THIS SECTION.

(F) THE DEPARTMENT MAY PRESCRIBE FORMS AND PROMULGATE REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION, INCLUDING REQUIRING THE NECESSARY DOCUMENTATION TO PROVE ELIGIBILITY.

(G) FOR PURPOSES OF THIS SECTION:

(1) ‘FULL-TIME’ HAS THE SAME MEANING AS PROVIDED IN SECTION 12-6-3360.

(2) ‘VETERAN’ MEANS A PERSON WHO SERVED ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES AND WHO, WITHIN THREE YEARS OF BEING HIRED IN A QUALIFYING APPRENTICESHIP PROGRAM, WAS HONORABLY DISCHARGED OR RELEASED FROM SUCH SERVICE DUE TO A SERVICE-CONNECTED DISABILITY.”

SECTION 2. THIS ACT TAKES EFFECT UPON APPROVAL BY THE GOVERNOR. /

RENUMBER SECTIONS TO CONFORM.

AMEND TITLE TO CONFORM.