**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑6‑3710 SO AS TO ALLOW A TAX CREDIT, NOT TO EXCEED TEN THOUSAND DOLLARS, TO ANY TAXPAYER THAT EMPLOYS A FORMERLY INCARCERATED INDIVIDUAL AS A FULL‑TIME EMPLOYEE, TO SPECIFY THE TAXES FOR WHICH THE CREDIT MAY BE APPLIED, TO ALLOW THE CREDIT FOR THE TWENTY‑FOUR CONSECUTIVE MONTHS FOR EACH ELIGIBLE EMPLOYEE, AND SPECIFY ELIGIBILITY REQUIREMENTS.

Be it enacted by the General Assembly of the State of South Carolina:

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 2012, there is allowed a tax credit for any taxpayer that employs a formerly incarcerated individual as a full‑time employee. 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). The amount of the credit is eight hundred thirty‑three dollars a month for each eligible employee. The monthly credit is earned after every thirty consecutive days the employee is employed.

(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 any tax credit for a taxable year may not exceed ten thousand dollars and may not exceed the taxpayer’s tax liability. Any unused credit may be carried over to apply to the taxpayer’s succeeding year’s liability.

(D) The tax credit provided for in this section remains in effect for twenty‑four consecutive months for each eligible employee. The tax credit allowed by this section may only be claimed for an eligible individual for twenty-four months, regardless of the employer.”

(E) The department may prescribe forms and promulgate regulations necessary to implement the provisions of this section, including requiring the necessary documentation to prove eligibility.

(F) 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 was held in a state or county prison, jail, or detention center for at least ninety consecutive days.”

SECTION 2. This act takes effect upon approval by the Governor and applies to eligible employees first employed by the employer after the effective date of this act.

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