

February 25, 2009

S 308. ENDANGERED MANUFACTURING AND JOBS ACT. Filed 2/25/09. *TO PROVIDE ENHANCED ECONOMIC DEVELOPMENT INCENTIVES TO ENDANGERED MANUFACTURERS AND TO CLARIFY THAT A LOW-PROFIT LIMITED LIABILITY COMPANY IS A LIMITED LIABILITY COMPANY UNDER STATE LAW.*

Effective beginning with the 2009 tax year, enacts new GS 105-129.83(m) to provide that for purposes of Article 3J (Tax Credits for Growing Businesses) of GS Chapter 105, an establishment whose primary activity is one of the following is treated as if it were in development tier one: apparel manufacturing, furniture and related product manufacturing, textile mills, or textile product mills, as defined by the North American Industry Classification System. Extends the following incentives and tax reductions to these establishments: (1) the annual sales tax refund in GS 105-164.14(h), effective July 1, 2009; (2) a reduced job creation threshold in GS 143B-437.53 in order to qualify for a Job Development Investment Grant (JDIG); and (3) the exemption from the JDIG reduction in GS 143B-437.56 that otherwise applies to grants for positions in enterprise tier two or three.

Amends GS 57C-1-03 to define a *low-profit limited liability company* as a limited liability company that is organized for a business purpose but significantly furthers charitable or educational purposes, does not have the production of income or appreciation of property as a significant purpose, and does not have a significant political or legislative purpose. Makes a conforming change to GS 55D-20(a).

Intro. by Jacumin.

GS 55D, 57C, 105, 143B

July 1, 2009

S 308. LOW PROFIT LIMITED LIABILITY COMPANY (NEW). Filed 2/26/09. Senate committee substitute makes the following changes to 2nd edition. Deletes provisions of 2nd edition and replaces it with *AN ACT TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY.* Recognizes the formation of a limited liability company as a low-profit limited liability company and authorizes such a company to use the designation "L3C" if its bylaws require it to accomplish one or more of the charitable or educational purposes within the meaning of section 170(c)(2)(B) of the Internal Revenue Code, operate so that no purpose of the company is to accomplish one or more of the political or legislative purposes within the meaning of section 170(c)(2)(D) of the Internal Revenue Code, and to operate so that no significant purpose of the company is the production of income or the appreciation of property. Makes additional conforming changes.

August 12, 2010

SL 2010-187 (S 308). LOW-PROFIT LIMITED LIABILITY COMPANY. AN ACT TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY. Summarized in *Daily Bulletin* 7/1/09. Enacted August 3, 2010. Effective August 3, 2010.