



1 SB289
2 BYBRGQ4-2
3 By Senator Singleton
4 RFD: Finance and Taxation Education
5 First Read: 10-Feb-26

ACT #2026-533





1 Enrolled, An Act,

2

3

4 Regarding the Growing Alabama Act; to amend Sections
5 40-18-417.1, 40-18-417.2, and 40-18-417.3, Code of Alabama
6 1975, to allow sites owned by one or more entities to qualify
7 for Growing Alabama tax credits if all parties listed on the
8 deed are eligible applicants; and to make nonsubstantive,
9 technical revisions to update existing code language to
10 current style.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Sections 40-18-417.1, 40-18-417.2, and
13 40-18-417.3, Code of Alabama 1975, are amended to read as
14 follows:

15 "§40-18-417.1

16 For the purposes of the Growing Alabama Act pursuant to
17 this article, the following words and phrases ~~shall~~ have the
18 following meanings:

19 (1) CAPITAL IMPROVEMENTS. Construction and
20 rehabilitation expenses of a capital nature at an inland port
21 or intermodal facility, the dredging of waterways in the
22 immediate vicinity of an inland port, and the expansion of
23 onsite storage facilities at an inland port or intermodal
24 facility.

25 (2) ECONOMIC DEVELOPMENT ACTIVITIES. Activities and
26 initiatives that enhance the use of, and flow of goods
27 through, an inland port or intermodal facility.

28 (3) ECONOMIC DEVELOPMENT ORGANIZATION. A local economic



29 development organization or a state economic development
30 organization.

31 (4) GROWING ALABAMA CREDIT. The credit provided for in
32 ~~subsection (a) of~~ Section 40-18-417.4 (a).

33 (5) INDUSTRY or BUSINESS. An entity that would conduct
34 at a site an activity that is primarily described in Section
35 40-18-372(1).

36 (6) INLAND PORT. Any port on a navigable river away
37 from traditional land, air, and coastal borders.

38 (7) INTERMODAL FACILITY. Any facility that
39 interconnects two or more different modes of air, rail, or
40 road traffic serving multiple customers, and which involves
41 storage facilities.

42 (8) LOCAL ECONOMIC DEVELOPMENT ORGANIZATION.

43 Organizations which are determined by the Department of
44 Commerce to meet both of the following criteria:

45 a. The organization is an Alabama entity not operating
46 for profit, including, but not limited to, a municipality or
47 county, an industrial board or authority, a chamber of
48 commerce, or some other foundation or Alabama nonprofit
49 corporation charged with improving a community or region of
50 the state.

51 b. The organization has a record of supporting or
52 otherwise participating in economic development in some part
53 of this state.

54 (9) RENEWAL OF ALABAMA COMMISSION. The Renewal of
55 Alabama Commission created by Section 40-18-402.

56 (10) SITE. Real property owned by one or more local



57 economic development ~~organization~~organizations and intended
 58 for use by an industry or business.

59 (11) STATE ECONOMIC DEVELOPMENT ORGANIZATION. An
 60 organization that is determined by the Department of Commerce
 61 to be an Alabama entity not operating for profit which is
 62 charged with improving the state or a region of the state and
 63 has a record of supporting or otherwise participating in
 64 economic development in the state."

65 "§40-18-417.2

66 (a) (1) A local economic development organization that
 67 owns a site, either solely or jointly with other local
 68 economic development organizations, may apply to the
 69 Department of Commerce for funding to solve an inadequacy
 70 involving the site. For sites with multiple owners, all owners
 71 shall submit a joint application as co-applicants. The
 72 application ~~by the local economic development organization~~
 73 shall include at least one of the following:

74 a. If there is a pending expression of interest about
 75 the site from an industry or business, a list of the site
 76 preparation or public infrastructure work needed to make the
 77 site acceptable to the industry or business.

78 b. If the site has been offered to one or more
 79 industries or businesses but the offer did not result in the
 80 industry or business locating on the site, a list of the site
 81 preparation or public infrastructure work that, if it had been
 82 completed, would have made the site acceptable to the
 83 industries or businesses.

84 c. If the site is an industrial or research park that



85 needs connections to interstates, highways, roadways, rail
86 systems, or sewer, fiber, electrical, gas, or water
87 infrastructure, a list of the site preparation or public
88 infrastructure work needed.

89 d. Capital improvements or economic development
90 activities at an inland port or intermodal facility, as
91 described in Section 40-18-417.1~~+~~L provided that the
92 application is accompanied by an economic impact report on
93 such improvements or activities.

94 e. Any site improvement or public infrastructure work
95 in census tracts that meets the definition of low-income
96 communities pursuant to 26 U.S.C. § 45D(e) as those
97 communities were identified as of January 1, 2015, or in such
98 a community identified thereafter.

99 (2) An economic development organization may apply to
100 the Department of Commerce for funding to undertake the
101 construction, maintenance, promotion, operation, management,
102 leasing, and subleasing of an agricultural center that
103 includes a multi-use facility and related commercial and
104 noncommercial structures for livestock, equestrian, small
105 animal shows and events, spectator events, trade shows,
106 educational conferences, agricultural and agricultural related
107 industries, educational, demonstrational or training purposes,
108 educational and training conferences or events, recreational
109 vehicle rallies, recreational vehicle multi-day parking,
110 hosting of corporate and non-corporate organization meetings,
111 use as fair grounds, operation of retail activities, and other
112 events and facilities expected to draw participants and



113 spectators from states located across the southeastern United
114 States, with a projected total annual economic impact upon
115 completion of all phases of the agricultural center of at
116 least thirty-five million dollars (\$35,000,000) and with the
117 related and supporting infrastructure and facilities having a
118 projected capital expenditure upon completion of all phases of
119 the agricultural center of at least one hundred million
120 dollars (\$100,000,000)+, provided that the application is
121 accompanied by an economic impact report on the agricultural
122 center.

123 (b) The application shall include quotes for the
124 completion of the work, following compliance with the
125 procedures set forth by the Department of Economic and
126 Community Affairs, as if the organization were disbursing
127 state funds received from the department.

128 (c) The application provided in paragraph (a)(1)-a. or
129 b. shall include an estimate of the number of jobs, wages, and
130 capital investment that would have been undertaken by the
131 industries or businesses referred to in paragraph (a)(1)-a. or
132 b.

133 (d) The application provided in subsection (a) shall
134 include proof that ~~the economic development organization~~ each
135 applicant or co-applicant has in full force and effect a
136 conflict of interest policy consistent with that found in the
137 instructions to Form 1023 issued by the Internal Revenue
138 Service.

139 (e) The application provided in subsection (a) shall
140 include a notarized affirmation by an officer of the economic



141 development organization that the submission of the
142 application did not violate the conflict of interest policy
143 referred to in subsection (d).

144 (f) If the site is owned by one or more economic
145 development organizations, the application provided in
146 subsection (a) must be jointly submitted by all economic
147 development organizations. Each co-applicant must submit the
148 conflict of interest policy referred to in subsections (d) and
149 (e)."

150 "§40-18-417.3

151 (a) Following a review, if the Department of Commerce
152 approves the application provided in ~~subsection (a) of Section~~
153 40-18-417.2(a), it shall forward the application to the
154 Renewal of Alabama Commission.

155 (b) The Renewal of Alabama Commission shall consider
156 the application and shall approve it if the commission deems
157 it worthy of approval. As to improvements at industrial sites,
158 the commission shall give preference to sites with at least
159 1,000 acres of available space. As to applications for
160 projects located in communities which have the potential to
161 provide additional funding separate from the Growing Alabama
162 Credits, the commission shall take into consideration whether
163 the separate funding is to be provided to the project that is
164 the subject of the application. Meetings of the commission are
165 subject to Chapter 25A of Title 36. Notwithstanding the
166 foregoing, the commission may meet by telephone or some other
167 telecommunications device so long as members of the public are
168 allowed the opportunity to listen to or otherwise observe the



169 commission's deliberations.

170 (c) The approval of an application by the commission
171 shall specify the amount of money which the economic
172 development organization is allowed to receive so that it can
173 complete the work specified in the application.

174 (d) Following approval by the commission, the
175 Department of Commerce shall enter into an agreement with ~~the~~
176 ~~economic development organization~~ all applicants or
177 co-applicants. The agreement shall require all co-applicants
178 to be jointly and severally liable for the proper disposition
179 of funds and for the submission of all required reports and
180 financial reviews. The agreement shall further ~~which shall do~~
181 all of the following:

182 (1) Require the economic development organization to
183 use funding received as a result of this law only for the
184 purposes approved by the commission as expressed in the
185 agreement.

186 (2) Require the economic development organization to
187 make periodic reports, not more often than annually, to the
188 Department of Commerce and the commission, as required by the
189 commission, on the disposition of the funds. As to a project
190 described in ~~subdivision (a)(1) of~~ Section 40-18-417.2(a)(1),
191 the report shall include information on the marketing of the
192 site, and the ultimate use of the site until such time as it
193 makes a final report. As to a project related to inland ports
194 or intermodal facilities as described in ~~paragraph (a)(1) d.~~
195 ~~of~~ Section 40-18-417.2(a)(1)d. or a project related to an
196 agricultural center as described in ~~subdivision (a)(2) of~~



197 Section 40-18-417.2(a)(2), the report shall include an
198 economic impact report.

199 (3) Require the economic development organization to
200 provide a review of its financial accounts as directed by the
201 Renewal of Alabama Commission.

202 (e) For any approved applications, the Department of
203 Commerce shall notify the Department of Revenue of the
204 information specified in subsection (c).

205 (f) The Department of Commerce shall publish on its
206 website a list of all approved applications and a list of the
207 economic development organizations that made the approved
208 applications."

209 Section 2. This act shall become effective on June 1,
210 2026.



211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB289

Senate 26-Feb-26

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives

Passed: 08-Apr-26

By: Senator Singleton

APPROVED

4-15-2026

TIME

1:45 pm

GOVERNOR

Alabama Secretary Of State

Act Num....: 2026-533
Bill Num....: S-289

SPONSOR
 1 S. H. T.
 CO-SPONSORS

2	19
3	20
4	21
5	22
6	23
7	24
8	25
9	26
10	27
11	28
12	29
13	30
14	31
15	32
16	33
17	34
18	35

SENATE ACTION

DATE: 2/10/20
 RD 1 RFD FATE

I hereby certify that the notice & proof is attached to the Bill, SB _____ as required in the General Acts of Alabama, 1975 Act No. 919.
 PATRICK HARRIS,
 Secretary

This Bill was referred to the Standing Committee of the Senate on FATE

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) _____ w/sub _____ w/eng sub _____ abstain _____
 this 14 day of February, 2020
 _____, Chairperson

DATE: 2-25 2020
 RF FAIL RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 289
 years 32 nays _____ abstain _____
 PATRICK HARRIS,
 Secretary

DATE: 2-26-20 RD 3 at length
 PASSED AS AMENDED
 years 32 nays _____ abstain _____
 And was ordered sent forthwith to the House.
 PATRICK HARRIS,
 Secretary

FURTHER SENATE ACTION (COVER)

HOUSE ACTION

DATE: 2-26 2020
 RD 1 RFD EDIT

REPORT OF STANDING COMMITTEE
 This bill having been referred by the House to its standing committee on _____

EDIT

was acted upon by such Committee in session, and returned therefrom to the House with the recommendation that it be Passed.
 w/amd(s) _____ w/sub _____
 this 17th day of March, 2020.
 _____, Chairperson

DATE: 3-11 2020
 RF _____ RD 2 CAL

DATE: _____ 20____
 RE-REFERRED RE-COMMITTED
 COMMITTEE _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 289.
 YEAS _____ NAYS _____
 JOHN TREADWELL,
 Clerk

FURTHER HOUSE ACTION (COVER)