



COMMONWEALTH of VIRGINIA

Department of Taxation

November 1, 2023

TO: The Honorable Janet D. Howell
Co-Chair, Senate Finance and Appropriations Committee

The Honorable, George L. Barker
Co-Chair, Senate Finance and Appropriations Committee

The Honorable Barry D. Knight
Chairman, House Appropriations Committee

The Honorable Roxann L. Robinson
Chairman, House Finance Committee

FROM: Craig M. Burns
Tax Commissioner

A handwritten signature in black ink, appearing to read "Craig M. Burns".

During the 2019 Session, the General Assembly enacted House Bill 2003 (Chapter 699 of the *Acts of Assembly*), which required the Department of Taxation ("the Department") to publish an annual report regarding the Major Business Facility Job Tax Credit. This report must include the location of sites used for major business facilities for which a credit was claimed; the North American Industry Classification System ("NAICS") codes used for the major business facilities for which a credit was claimed; the number of qualified full-time employees for whom a credit was claimed; and the total cost to the Commonwealth's General Fund of the credits claimed. The report is to be published for taxable years beginning on or after January 1, 2019, and must include information for the 12-month period ending on the preceding December 31. The Department is publishing this report to provide data pertaining to Taxable Year 2021 Major Business Facility Job Tax Credits.

Background Regarding the Major Business Facility Job Tax Credit

Under *Va. Code* § 58.1-439, Virginia allows individuals, estates, trusts and corporations to claim the Major Business Facility Job Tax Credit against their Virginia income tax. Taxpayers may also apply these credits against their Virginia bank franchise tax and certain license taxes. The credit is available to businesses that establish a new facility, or expand an existing facility in Virginia. The credit amount is \$1,000 per new job created in excess of the qualifying threshold amount. The threshold amount is generally 50 new jobs, but may be lowered to 25 new jobs if the new jobs are located in designated Enterprise Zones, or areas the Virginia Economic Development Authority has identified as economically distressed. The credit is earned over a two-year period and the employment level must be maintained for a minimum of six years. The

amount of credit allowed cannot exceed the tax imposed in any taxable year. Any credit not used in the taxable year the credit was allowed may be carried forward for the next ten succeeding taxable years.

Information Regarding Taxable Year 2021 Credits

The Department issued a total of \$1.02 million in Major Business Facility Tax Credits to taxpayers for Taxable Year 2021. Because the credit is issued for a two-year period beginning with the year after the establishment or expansion of a major business facility, this amount includes credits for major business facilities established or expanded during Taxable Years 2019 and 2020.

The credits issued for Taxable Year 2021 accounted for 2,043 qualified full-time employees. The credit was issued to facilities located in eight different localities, and by facilities with six different NAICS codes, as shown below:

Taxable Year 2021 Major Business Facility Job Tax Credits	
Locations	NAICS Codes
<p>The Localities of Augusta, Chesapeake, Fairfax, Goochland, Henrico, Richmond, Suffolk, Virginia Beach</p>	<p>General Warehousing and Storage (493110)</p>
	<p>Insurance Agencies and Brokerages (524210)</p>
	<p>Offices of Other Holding Companies (551112)</p>
	<p>All Other General Merchandise Stores (452319)</p>
	<p>Employment Services (561300)</p>
	<p>Paper and Paper Product Merchant Wholesalers (424100)</p>

The General Fund revenue impact of the Major Business Facility Tax Credit for credits claimed on Taxable Year 2021 returns processed during Calendar Year 2022 was \$652,636. This amount includes the amount of credit issued by the Department for Taxable Year 2021 and also includes amounts carried over from prior taxable years under the Major Business Facility Tax Credit’s ten-year carryover. It does not include credits issued for Taxable Year 2021 that could not be applied against tax liability on the Taxable Year 2021 return and, therefore, will be carried over to future taxable years. It also does not include credits claimed on returns processed after Calendar Year 2022.

C: The Honorable Stephen E. Cummings, Secretary of Finance
 Kristin Collins, Assistant Commissioner for Tax Policy