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BUSINESS INCENTIVES Projected Fiscal Costs

By

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BUSINESS INCENTIVES: PROJECTED FISCAL COSTS

State governments have been offering incentives to businesses for several decades in attempts to attract new economic activity and to retain existing businesses and industries. Examples include property tax abatement programs for new or expanding industries and tax credits for new jobs created. Most states, including South Carolina, offer similar incentive programs that differ only in the details.¹

There has been considerable debate about the usefulness of business incentive programs. Although many such programs involve reductions in property tax liability for participating businesses, in numerous surveys businesses have ranked property taxes as only *moderately important* to *not very important* in terms of making location decisions.² In addition, empirical research shows that communities initiating an industrial recruitment program reported tax cuts had only a limited impact on increased economic growth. T.J. Bartik³ finds that a cut in taxes of 10 percent will lead to a 1 to 6 percent increase in economic activity. Other studies have found similar small relationships between taxes and the location of economic activity. These findings have led many regional economists to question the effectiveness of most development programs. These economists are of the opinion that many firms receiving incentives would have located in the state had they not received the incentives.

Despite research findings by the academic community indicating that state and local taxes have a limited impact on firm location decisions, government officials continue to offer businesses incentives to induce firms to locate within their jurisdictions. Indeed, states are continually evaluating their recruitment programs so that they can offer the most attractive incentive package. As each state increases its incentives, this interstate competition has led to the situation where all other states must increase their incentive packages by an equal amount or more just to stay competitive in the recruitment process. State development agencies and public officials use this interstate competition to argue for more lucrative development programs.⁴

¹ This working paper is part of a series examining the fiscal sustainability of South Carolina's revenue and expenditure system. This paper analyzes the costs of South Carolina's business incentive programs in terms of state and local revenue forgone. As part of a series, this study is not intended to be a complete economic evaluation of business incentive programs. The benefits of these programs are implicitly accounted for in the projections of personal income growth.

² See: R. Boblett, "Factors in Industrial Location," *The Appraisal Journal* 35 (October 1967), pp. 518-526; J. Hekman, "What are Businesses Looking for? Survey of Location Decisions in the South," *Economic Review/Federal Reserve Bank of Atlanta* 67 (1982), pp. 6-19; and S. Deller, J. Halstead, and D. Draper, "Factors Influencing Firm Retention by Communities: Results of a Survey," paper presented at the annual meeting of the American Agricultural Economics Association, Toronto, Canada, July 27-30, 1997.

³ T.J. Bartik, "Taxes and Local Economic Development: What Do We Know and What Can We Know?," National Tax Association, *Proceedings of the 86th Annual Conference*, 1994, p. 102-106.

⁴ D.Y. Gabe, "Are Tax Incentives for Economic Development Rational," *Journal of Regional Analysis and Policy* 1 (1996), pp. 99-112.

Business Incentives in South Carolina

The state of South Carolina has made several revisions to its industrial recruitment incentives in recent years.⁵ In 1995, the General Assembly passed and the governor signed into law the Enterprise Zone Act. This piece of legislation offered additional incentives to industrial plants to locate in economically distressed communities. The act was intended to make distressed communities more attractive to newly locating establishments.

The next year, the Rural Development Act (RDA) was passed into law. It allowed all locations in the state to offer the same basic incentive package to recruit new businesses; however, the amount of incentives each county could offer depended on the level of overall economic development in the county.⁶ The RDA divided the state's counties into four categories based on each county's level of economic development relative to the rest of the state. Counties qualifying for the RDA's *least developed* classification receive higher tax credits per new job, for example.

The RDA expanded three major business recruitment incentives: fee-in-lieu of taxes (FILOT), job tax credits, and enterprise zone activity. The fee-in-lieu of taxes does not affect state revenue, but reduces local government revenue receipts. The job tax credit is deducted from an establishment's corporate income tax liability, while the enterprise zone programs reduce individual income tax receipts.

On the final day of the 1997 legislative session, the General Assembly adopted the Fee-in-Lieu of Tax Simplification Act. This act does not add any additional property tax incentives. It does, however, streamline certain legal aspects of the FILOT program, including elimination of the requirement that investors transfer title to their property to the county in order to be eligible to receive a fee on the property.

The projected cost of all business incentive programs to South Carolina's state and local governments in fiscal years 1996-97 and 2009-10 is \$37.3 million and \$420.5 million, respectively (Table 1).

Fee-in-Lieu of Taxes

The fee-in-lieu of taxes program allows new and expanding existing firms to negotiate with local officials to pay a fee instead of the regular local property taxes. Under the FILOT agreement businesses can negotiate their property's assessed value down from 10.5 percent of fair market value, the statutory assessment level, to 6 percent or 4 percent.⁷ In addition, businesses

⁵ Information on South Carolina's business incentives programs was obtained from discussions with personnel at the Departments of Commerce and Revenue, and from the Department of Revenue's 1997 booklet, *South Carolina Tax Incentives for Economic Development*.

⁶ Counties are ranked using unemployment and per capita income, with the exception of counties with certain closed military or federal facilities and certain other counties identified in the law.

⁷ Only new establishments investing \$400 million or more or existing establishments with current investments of at least \$200 million that are investing an additional \$200 million or more qualify for the 4 percent rate. These establishments must also create an additional 200 jobs to qualify. The Fee-in-Lieu of Tax Simplification Act of 1997 added the provision that businesses investing \$600 million may qualify for the 4 percent assessment without any job creation requirements.

Table 1
South Carolina Business Incentive Programs
Projected Revenue Losses, 1996-97 and 2009-10
(in millions of dollars)

Incentive Program	1996-97	2009-10
Corporate Income Tax Incentives		
Job Tax Credit	\$7.3	\$63.4
Economic Impact Zones	2.0	6.9
Aid to Families With Dependent Children	0	15.0
Total Corporate	\$9.3	\$85.3
Individual Income Tax Withholdings		
Job Development Fees	\$0	\$139.8
Retraining Agreements	8.0	23.0
Total Individual	\$8.0	\$162.8
Local Property Tax Reductions		
Fee-in-Lieu of Taxes (FILOT)	\$20.1	\$172.4
Total Local	\$20.1	\$172.4
Total Program Costs^a		
Total Excluding FILOT	\$17.3	\$248.1
Total All Incentives	\$37.3	\$420.5
Other Statistics		
Annual Employment Growth	7,828	9,876
Employees in Job Development Program	0	148,688
Employees in Retraining Program	29,000	83,509

^a Detail may not sum to totals due to rounding.

can have the county millage rate frozen at the current level for as long as the fee agreement is in effect.

Discussions with personnel at the South Carolina Department of Commerce and Department of Revenue indicate that the dollar amount of investment actually obtaining FILOT is approximately 20 percent of announced investment statewide.⁸ Firms negotiating a fee agreement normally locate outside of city limits, which subjects them to only school and county taxes. In addition, South Carolina counties to date have only offered fee agreements to planned investments of \$45 million or more,⁹ although the Rural Development Act of 1996 made any investment of \$5 million or more eligible for such agreements.

⁸ Through annual surveys, the SC Department of Commerce obtains estimates from firms of investment and employment expansion planned during the coming year

⁹ Based on conversations with personnel at the SC Department of Commerce.

South Carolina's FILOT program is costly to local governments. By the end of 1996-97, it is estimated that real and personal property valued at \$1.8 billion will be entered into FILOT agreements. These agreements will cost participating counties \$20.1 million in forgone property tax revenue in this year alone. By 2009-10, it is projected that \$15.7 billion in property (accumulated estimated investment less depreciation) will be entered into FILOT agreements, resulting in \$172.4 million in lost county revenue.

Revenue lost due to the FILOT program was calculated as follows. Announced investment over the period from 1986 to 1996 was evaluated to obtain a linear trend in investment growth.¹⁰ This trend in growth was then forecast forward to the year 2009-10 (only 20 percent of this forecast investment was assumed to obtain a FILOT agreement). All FILOT agreements were assumed to be in effect for 20 years and have a 6 percent assessment ratio. Eighty-five percent of the FILOT investment was assumed to be for personal property, and it was depreciated by the straight-line method using a 29-year life span and 10 percent salvage value.¹¹ The millage rate used was the state average of county and school rates for 1996.

Job Tax Credit

The job tax credit program allows new and expanding existing businesses in qualifying industries¹² to deduct from their corporate income tax a set amount for each new employee. The amount that can be deducted varies depending on the location of the business. Businesses in the state's *least developed* counties can deduct \$4,500 for each new employee. The credit amount for *under developed*, *moderately developed*, and *developed* counties is \$3,500, \$2,500, and \$1,500, respectively. Businesses that are located in multicounty industrial parks can deduct an additional \$1,000 per new employee. The job tax credit is available for five years after the initial year but can not exceed 50 percent of the business's current tax liability. However, unused credits can be carried forward for an additional 15 years.

Statistics from the South Carolina Department of Revenue revealed that establishments that participated in the job tax credit program between 1988 and 1990 used 16 percent of the available credits and carried forward 84 percent. Thus, this analysis assumed 16 percent of the available credit was used during the current tax year and the remainder carried forward. With these assumptions, the average establishment would be allowed to have an income tax credit for its first 20 years of operation.

The job tax credit program is a cost to the state government in corporate income tax forgone. The projected costs of the job tax credit program are \$7.3 million in 1996-97. This amount was calculated by assuming 40 percent of the estimated announced employment will actually locate

¹⁰ Announced investment and employment figures were obtained from the SC Department of Commerce's Division of Industry Data.

¹¹ The breakout between personal and real property and percent of investment receiving FILOT agreements were determined from conversations with the SC Department of Commerce, while the depreciation method was adopted from the Board of Economic Advisors, SC State Budget and Control Board.

¹² Manufacturing, processing, tourism, warehousing, distribution, or research and development with a minimum of 10 new employees; service facilities creating at least 250 jobs; health service (SIC code 80), retail or service facility in a least developed county creating 10 jobs.

in the state.¹³ The distribution of employment across the four county development classifications was assumed to be same as locations for the job development fees in 1996.¹⁴ The 1996-97 projection is over \$2.3 million higher than the forecasts made by the State Budget and Control Board.¹⁵

This forecast of the job tax credit to the year 2009-10 was made assuming no changes in the dollar level of the credit per worker. It was also assumed that county economic development classifications will remain unchanged and that counties will not shift from their 1996 classification during the intervening years. Using the above assumptions and historical trends in employment growth, the job tax credit increases annually and will decrease corporate income taxes by \$63.4 million in 2009-10.¹⁶

Enterprise Zone Activity

The job development fee and job retraining fee are the two major components of the enterprise zone program.

Job Development Fee. Job development fees (JDFs) were created in the Enterprise Zone Act. The job development fee allows a business to retain a portion of their employees' state individual income tax withholding for certain uses, including training and facilities costs, real estate acquisition, improvements to infrastructure, and meeting environmental standards. The amount withheld is determined by employee wage rates. Businesses can retain 2 percent of wages for employees earning between \$6.34 and \$8.44 per hour. The percentage increases to 3 percent for employees earning \$8.45 to \$10.56 per hour; 4 percent for employees earning \$10.57 to \$15.84 per hour; and 5 percent for employees earning \$15.84 per hour or more.

The amount of JDFs a business is allowed to use also depends on the county in which it is located. Businesses in counties classified as *least developed* may retain 100 percent of the withheld amount. Businesses in *under developed*, *moderately developed* and *developed* counties may retain 85 percent, 70 percent, and 55 percent of the withheld amount, respectively. Any amount not retained by the business goes into the State Rural Infrastructure Fund. This fund is designed to assist less developed counties in improving their infrastructure so that they can better compete for new investment.

There are no costs to the state for the job development fee program in 1996-97.¹⁷ The cost of the job development fee program to the state in 1997-98 is estimated to be \$6.3 million. This esti-

¹³ Regional economists have found that announced investment tends to overstate the amount of investment that actually occurs.

¹⁴ The distribution of 1996 employment across the development classifications was obtained from the SC Department of Commerce's 1996 Annual Report.

¹⁵ Discussions with SC State Budget and Control Board staff revealed that the new higher credits that were available as a result of the Enterprise Zone Act and Rural Development Act were not considered in the Board's projections. The fact that firms cannot take a credit for more than 50 percent of their tax liability or carry forward part of their credit also was not considered.

¹⁶ Over 90 percent of costs in 2010 is attributable to unused credits that were carried forward from previous years.

¹⁷ Conversations with SC Department of Commerce staff revealed that employees enrolled in the program in 1995-96 had not actually gone on company payrolls by the end of 1996-97 due to uncompleted facility construction.

mate is based on half of the 19,000 employees enrolled through 1996-97 being on the payroll in 1997-98. It was assumed that each employee earned wages of \$10.26 per hour—the 1996 state average wage. It was also assumed that 12,000 additional employees would be added to the program in 1997-98.¹⁸ Enrollment in future years is assumed to grow at two percent per year, which is roughly the same rate as new employment growth. Under these assumptions, the program's cost is projected to rise to \$139.8 million in 2009-10.¹⁹

Job Retraining Program. The job retraining program allows businesses to retain as much as \$500 per year in state income tax withholding per employee entered in a training program. The business must match the amount of the funds withheld and the training must take place at a state technical college or institute approved by the technical college. The business may not withhold more than \$2,000 per retrained employee over a five-year period.

The cost of the job retraining program to the state in individual income tax revenue foregone is estimated at \$8.0 million in 1996-97. This figure is based on enrollment of 29,000 at the end of 1996-97. New employees enrolled in 1997-98 are assumed to total 16,000.²⁰ Enrollment in the program is assumed to increase by 2 percent annually. The 1996-97 cost estimate is also based on the assumption that for each employee accepted into the program the business retains \$275, the average withholding for current program enrollees. Assuming continued 2 percent annual growth in program enrollment and business retention of \$275 per employee, the cost of the job retraining program is projected to be \$23.0 million in 2009-10.²¹

Other Incentive Packages

Two additional incentive packages are available to South Carolina businesses. The Aid to Families with Dependent Children (AFDC) credit, allows businesses to retain part of their corporate income taxes for hiring someone who was recently on AFDC. The Economic Impact Zone (EIZ) credit targets communities that have been affected by recent (since December 1990) military downsizing.

The AFDC credit program allows businesses to retain 20 percent of employee gross earnings for the employee's first year of work if the employee was on AFDC during the 3 months prior to hire. The percentage decreases to 15 percent for the second year and 10 percent for the third year. The total amount a business may withhold for the two programs combined cannot exceed \$5,500.²² However, any unused credit can be carried forward for 15 years.

¹⁸ SC Department of Commerce staff indicated 19,000 employees had been enrolled in the program through 1996-97 and that monthly enrollment levels were still increasing. Therefore, it was estimated that 12,000 employees would enroll in 1997-98.

¹⁹ Over 90 percent of the costs in 2010 are related to employees enrolled in previous years.

²⁰ SC Department of Commerce staff indicated that 29,000 employees had been enrolled during 1995-96 and 1996-97, the first two years of the program. They also indicated that enrollment for 1997-98 would be higher than for 1996-97. Thus it was estimated that 16,000 employees would be enrolled in 1997-98.

²¹ Nearly 80 percent of the costs in 2010 are due to employees enrolled in this program in previous years.

²² Least developed counties' maximum is \$5,650.

The EIZ credit program allows a business that invests in an area classified as an economic impact zone an investment tax credit equal to 5 percent of the cost of certain manufacturing equipment purchases. Economic impact zones are defined as counties located within 50 miles of a closed military base or other approved federal facility. The credit is only allowed in the year in which the investment is made and does not apply to equipment receiving other tax credits. Legislation in 1997 provides for a 10-year carry forward for any unused credit.

The State Budget and Control Board has projected the annual cost of these two programs to the state for the years 1996-97 to 2004-05. In 1996-97, the costs of the AFDC credit and EIZ credit programs were estimated at \$0 and \$2.0 million, respectively. The revenue lost from these programs was estimated at \$4.8 and \$2.2 million in 1997-98. The State Budget and Control Board assumed a 10 percent annual growth rate for each program for the years 1998-99 to 2004-05. Extending these projections to 2009-10 using the same 10 percent growth rate yields 2009-10 program costs to the state of \$6.9 million for the EIZ credit program and \$15.1 million for the AFDC credit program.

Business Incentives in Other Southeastern States

South Carolina is consistent with its southeastern neighbors—Alabama, Georgia, North Carolina, and Tennessee—in the types of incentives it offers to new and expanding establishments (Table 2). All four states offer job tax credits and worker retraining credits. Three states, including South Carolina, offer programs to reduce business property tax liabilities. South Carolina is the only state that does not offer a state level investment tax credit. However, South Carolina is the only state to offer a development tax credit. This incentive program allows the firm to retain a portion of employee wages for property and/or infrastructure improvements.

The dollar amount of each incentive offered varies considerably across the five states. On average, South Carolina tends to offer more than its neighbors for the job tax credit. For example, Tennessee has a more uniform job tax credit than South Carolina, which is higher than South Carolina's job tax credit for the state's most developed counties. However, when the additional credit available in multicounty parks is included, South Carolina offers higher incentives than Tennessee at all levels of development. North Carolina offers a higher incentive than South Carolina in its most depressed areas.

South Carolina's retraining credit is different from similar programs in the four other states in that the credit is taken against employee withholdings as opposed to corporate income. The structure of this program will likely lead new and expanding firms in South Carolina to retain more revenue than their counterparts in other states. States generally limit the amount of credits to firms' current year tax liability; and with the other deductions, firms are likely to have exhausted most of their allowable reductions in corporate income liability.

South Carolina's development credit also allows firms to retain employee withholdings. This incentive is only available in South Carolina. All of the four neighboring states use an investment tax credit, which reduces firms' corporate tax liability. This program is forecast to be the

**Table 2
Business Incentives Offered by States in the Southeast**

Incentive	Alabama	Georgia	North Carolina	South Carolina	Tennessee
Job Tax Credit^a	Limited to Enterprise Zone areas	\$2,500 level 1 ^b 1,500 level 2 500 level 3	\$12,500 level 1 ^b 4,000 level 2 3,000 level 3 1,000 level 4 500 level 5	\$4,500 level 1 ^b 3,500 level 2 2,500 level 3 1,500 level 4	\$2,000-3,000 depending on location and number hired
Investment Tax Credit^c	5% per year for up to 20 years	5% level 1 3% level 2 1% level 3 Optional Credit: Higher credits are allowed for 10-year participation and more investment if you take the job tax credit, you cannot take either investment credit)	7% of investment Minimum Investment: 0 level 1 \$ 100,000 level 2 200,000 level 3 500,000 level 4 1,000,000 level 5	NA	1% of industrial machinery
Property Tax	Can be exempted from property taxes for up to 10 years (excluding school taxes)	NA	Credit of 4.5% on tangible property up to \$4,500 per year (5 year limit)	Reduced assessment rate from 10.5% to 6% or 4% for up to 20 years (\$5 million minimum investment)	NA
Retraining Credits	Up to 20% credit for providing basic skills education.	50% of training costs up to \$500 per employee. (cannot exceed 50% of liability)	50% of training costs up to \$500 per employee; must train at least 5 employees.	Up to \$500 per employee; firm must match credit amount.	Free employment training to new establishments.
Development Credit	NA	NA	NA	Employers can retain between 2 and 5% of employees wages (based on wage level) for property and/or infrastructure improvements	NA

Table Continued on Next Page

Table 2
Business Incentives Offered by States in the Southeast (Continued)

^aGeorgia and South Carolina limit the amount of the job tax credit in any given year to a maximum of 50 percent of the firms' tax liability that year. The other states did not indicate their maximum.

^bThe various incentive levels in Georgia, North Carolina, and South Carolina are based on the relative level of development of each county within its respective states. In Georgia, level 1 counties comprise the bottom 33% of counties, level 2 the middle 33%, and level 3 the top 33%. In North Carolina, level 5 counties are ranked 91 – 100, level 4 counties rank 76 – 90, level 3 counties rank 51 – 75, level 2 counties rank 26 – 50, and level 1 counties rank 1 – 25. Higher-ranking counties are more developed. In South Carolina, level 1 counties are the least developed, level 2 are underdeveloped, level 3 are moderately developed, and level 4 counties are developed counties. County classifications are based on the income, unemployment, and poverty status of each county's residents, and there is no set percentage of counties in each category.

^cAlabama allows 100 percent of the firms' tax liability to be reduced while Georgia only allows 50 percent. The other states did not indicate their maximum.

Sources:

Alabama: Alabama Development Office.

Georgia: Georgia Business Expansion Support Act – Executive Summary 1997, The Governor's Development Council.

North Carolina: 1996-97 North Carolina Financial Programs and Advantages, North Carolina Department of Commerce.

South Carolina: South Carolina Tax Incentives for Economic Development, South Carolina Department of Revenue, 1997.

Tennessee: Tennessee Economic Development Incentives, Department of Economic and Community Development.

most expensive incentive program for South Carolina in terms of foregone state revenue in the year 2009-10, reducing individual income tax receipts by \$139.8 million.

Summary

In 1996-97, the total cost of business tax incentives to the state government is estimated to be \$17.3 million. This amount consists of \$9.3 million in incentives that reduce corporate income tax revenue and \$8.0 million in incentives that reduce revenue from individual income taxes. Local governments (mostly counties and school districts) are estimated to lose \$20.1 million in property tax revenue in 1996-97 due to FILOT agreements.

In 2009-10, the total cost of business tax incentives to the state government is projected to increase to \$248.1 million. Deductions from corporate income are forecast at \$85.3 million, while deductions from individual income taxes are projected to be \$162.8 million. In addition, local government property tax revenue is projected to be reduced by \$172.4 million in 2009-10.

Overall, business tax incentive and FILOT programs are projected to cost South Carolina state and local governments revenue totaling \$37.3 million in 1996-97 and \$420.5 million in 2009-10. Yearly projections of cost of incentive programs are found in Appendix 1.

Appendix 1
Projected Cost of South Carolina's Business Incentives, 1997-98 to 2009-10
(in millions of dollars)

	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Corporate Income Tax Incentives														
Job Tax Credit	\$7.3	\$11.1	\$15.1	\$19.1	\$23.2	\$27.3	\$31.6	\$35.9	\$40.3	\$44.7	\$49.3	\$53.9	\$58.6	\$63.4
Economic Impact Zones	2.0	2.2	2.4	2.7	2.9	3.2	3.5	3.9	4.3	4.7	5.2	5.7	6.3	6.9
Aid to Families with Dependent Children	0	4.8	5.3	5.8	6.4	7.0	7.7	8.5	9.4	10.3	11.3	12.4	13.7	15.1
Total Corporate	\$9.3	\$18.1	\$22.8	\$27.6	\$32.5	\$37.6	\$42.8	\$48.3	\$53.9	\$59.7	\$65.8	\$72.1	\$78.6	\$85.3
Individual Income Tax Withholdings														
Job Development Fees	\$0	\$6.3	\$14.6	\$20.1	\$29.3	\$39.1	\$49.5	\$60.4	\$71.9	\$84.1	\$97.0	\$110.5	\$124.8	\$139.8
Retraining Agreements	8.0	12.5	17.0	18.1	18.5	19.0	19.4	19.9	20.4	20.9	21.4	21.9	22.4	23.0
Total Individual	\$8.0	\$18.8	\$31.6	\$38.2	\$47.8	\$58.1	\$68.9	\$80.3	\$92.3	\$105.0	\$118.3	\$132.4	\$147.2	\$162.8
Local Property Tax Reductions														
Fee-in-Lieu-of Taxes (FILOT)	\$20.1	\$30.3	\$40.9	\$51.7	\$62.8	\$74.2	\$85.8	\$97.6	\$109.6	\$121.8	\$134.2	\$146.8	\$159.5	\$172.4
Total Local	\$20.1	\$30.3	\$40.9	\$51.7	\$62.8	\$74.2	\$85.8	\$97.6	\$109.6	\$121.8	\$134.2	\$146.8	\$159.5	\$172.4
Total Excluding FILOT														
Total All Incentives	\$37.3	\$67.2	\$95.3	\$117.5	\$143.1	\$169.8	\$197.5	\$226.2	\$255.9	\$286.6	\$318.4	\$351.3	\$385.3	\$420.5
Employment Projections														
Employment Growth	7,828	7,985	8,143	8,300	8,458	8,616	8,773	8,931	9,088	9,246	9,403	9,561	9,718	9,876
Employees in Job Development Program	0	9,544	21,488	28,688	40,688	52,688	64,688	76,688	88,688	100,688	112,688	124,688	136,688	148,688
Employees in Retraining Program	29,000	45,320	61,966	65,946	67,265	68,930	70,629	72,361	74,128	75,931	77,770	79,645	81,558	83,509

Note: Detail may not add to totals due to rounding.