154.20-230 Definitions for KRS 154.20-230 to 154.20-240.

As used in KRS 154.20-230 to 154.20-240:

(1) "Application" means a document submitted by small businesses and investors, on a form supplied by the authority, for the purpose of requesting certification to participate in the program and to apply for a credit;

(2) "Authority" means the Kentucky Economic Development Finance Authority;

(3) "Commonwealth" means the Commonwealth of Kentucky;

(4) "Credit" means the nonrefundable angel investor tax credit established by KRS 141.396 and awarded by the authority pursuant to KRS 154.20-236;

(5) "Department" means the Department of Revenue;

(6) "Enhanced incentive counties" has the same meaning as in KRS 154.32-010;

(7) "Entity" means any corporation, limited liability company, business development corporation, partnership, limited partnership, sole proprietorship, association, joint stock company, receivership, trust, professional service organization, or other legal entity through which business is conducted;

(8) "Fee" means a nonrefundable application fee in an amount set by the authority, to be collected by the authority to offset the cost of administering KRS 154.20-230 to 154.20-240;

(9) "Full-time employee" means a person that is required to work a minimum of thirty-five (35) hours per week and is subject to the tax imposed by KRS 141.020;

(10) "Knowledge-based" has the same meaning as in KRS 164.6011;

(11) (a) "Qualified activity" means any knowledge-based activity related to the new economy focus areas of the Office of Entrepreneurship and Innovation, including but not limited to:

1. Bioscience;
2. Environmental and energy technology;
3. Health and human development;
4. Information technology and communications; and
5. Materials science and advanced manufacturing.

(b) A "qualified activity" does not include any activity principally engaged in by financial institutions, commercial development companies, credit companies, financial or investment advisors, brokerage or financial firms, other investment funds or investment fund managers, charitable and religious institutions, oil and gas exploration companies, insurance companies, residential housing developers, retail establishments, or any activity that the authority determines in its discretion to be against the public interest, against the purposes of KRS 154.20-230 to 154.20-240, or in violation of any law. Notwithstanding this paragraph, an entity involved in other technological advances may be deemed to be engaged in qualified activity, as determined by the executive director of the Office of Entrepreneurship and Innovation;

(12) "Qualified investment" means an investment meeting the requirements of KRS 154.20-234 for qualified investments, and certified pursuant to KRS 154.20-236;

(13) "Qualified investor" means an individual investor meeting the requirements of KRS 154.20-234 for qualified investors, and certified pursuant to KRS 154.20-236; and

(14) "Qualified small business" means an entity meeting the requirements of KRS 154.20-234 for qualified small businesses, and certified pursuant to KRS 154.20-236.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 75, sec. 16, effective June 29, 2023. -- Amended 2021 Ky. Acts ch. 185, sec. 109, effective June 29, 2021. -- Amended 2018 Ky. Acts ch. 199, sec. 22, effective July 14, 2018. -- Created 2014 Ky. Acts ch. 102, sec. 21, effective July 15, 2014.

Legislative Research Commission Note (7/15/2014). In codification, the Reviser of Statutes has altered the numbering within subsection (11) of this statute from the way it appeared in 2014 Ky. Acts ch. 102, sec. 21, under the authority of KRS 7.136(1)(c).