

15E.42 Definitions.

For purposes of this division, unless the context otherwise requires:

1. “*Affiliate*” means a spouse, child, or sibling of an investor or a corporation, partnership, or trust in which an investor has a controlling equity interest or in which an investor exercises management control.

2. “*Authority*” means the economic development authority created in section 15.105.

3. “*Investor*” means a person making a cash investment in a qualifying business or in a community-based seed capital fund. “*Investor*” does not include a person that holds at least a seventy percent ownership interest as an owner, member, or shareholder in a qualifying business.

4. “*Near equity*” means debt that may be converted to equity at the option of the debt holder, and royalty agreements.

5. “*Qualifying business*” means a business meeting the criteria defined in section 15E.44. 2002 Acts, ch 1006, §2, 13; 2002 Acts, ch 1175, §75; 2003 Acts, ch 108, §8; 2003 Acts, ch 179, §95, 159; 2004 Acts, ch 1148, §1, 7; 2011 Acts, ch 130, §37, 46, 47, 71

[SP] 2011 amendment to subsection 2 applies retroactively to January 1, 2011, for tax years beginning and investments made on or after that date; 2011 Acts, ch 130, §47