(2)   20% OF UP TO THE FIRST $6,000 OF THE WAGES PAID TO THE QUALIFIED EX–FELON EMPLOYEE DURING THE SECOND YEAR OF EMPLOYMENT.

(C)   (1)   A BUSINESS ENTITY MAY NOT CLAIM THE CREDIT UNDER THIS SECTION FOR AN EMPLOYEE:

(I)   WHO IS HIRED TO REPLACE A LAID–OFF EMPLOYEE OR TO REPLACE AN EMPLOYEE WHO IS ON STRIKE; OR

(II)   FOR WHOM THE BUSINESS ENTITY SIMULTANEOUSLY RECEIVES FEDERAL OR STATE EMPLOYMENT TRAINING BENEFITS.

(2)   A BUSINESS ENTITY MAY NOT CLAIM THE CREDIT UNDER THIS SECTION UNTIL IT HAS NOTIFIED THE DEPARTMENT THAT A QUALIFIED EX–FELON EMPLOYEE HAS BEEN HIRED.

(3)   A BUSINESS ENTITY MAY CLAIM A CREDIT IN THE AMOUNT PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION FOR AN EMPLOYEE WHOSE EMPLOYMENT LASTS LESS THAN 1 YEAR IF THE EMPLOYEE:

(I)   VOLUNTARILY   TERMINATES   EMPLOYMENT   WITH   THE EMPLOYER;

(II)   IS UNABLE TO CONTINUE EMPLOYMENT DUE TO A DISABILITY OR DEATH; OR

(III)   IS TERMINATED FOR CAUSE.

(4)   A BUSINESS ENTITY MAY NOT CLAIM THE CREDIT UNDER THIS SECTION IF THE BUSINESS ENTITY IS CLAIMING A TAX CREDIT FOR THE SAME EMPLOYEE UNDER ARTICLE 88A, § 54 OF THE CODE OR § 21–309 OF THE EDUCATION ARTICLE.

(5)   (I)   IF A BUSINESS ENTITY IS ENTITLED TO A TAX CREDIT FOR AN EMPLOYEE WHO IS EMPLOYED FOR LESS THAN 1 YEAR BECAUSE THE EMPLOYEE VOLUNTARILY TERMINATES EMPLOYMENT WITH THE EMPLOYER TO TAKE ANOTHER JOB, THE BUSINESS ENTITY MAY CLAIM A TAX CREDIT OF 30% OF UP TO THE FIRST $6,000 OF THE WAGES PAID TO THE EMPLOYEE DURING THE COURSE OF EMPLOYMENT.

(II)   IF A BUSINESS ENTITY IS ENTITLED TO A TAX CREDIT FOR AN EMPLOYEE WHO IS EMPLOYED FOR LESS THAN 1 YEAR FOR A REASON OTHER THAN THAT DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE AMOUNT OF THE CREDIT SHALL BE REDUCED BY THE PROPORTION OF A YEAR THAT THE EMPLOYEE DID NOT WORK.

(D)   IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE TOTAL TAX OTHERWISE PAYABLE BY THE BUSINESS ENTITY FOR THAT TAXABLE YEAR, A BUSINESS ENTITY MAY APPLY THE EXCESS AS A CREDIT FOR SUCCEEDING TAXABLE YEARS UNTIL THE EARLIER OF:

(1)   THE FULL AMOUNT OF THE EXCESS IS USED; OR