

hbd-08

Bill No. CS/HB 4147

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Dennis offered the following:

**Amendment (with title amendment)**

On page 4, between lines 21 and 22, of the bill

insert:

Section 3. Section 290.00651, Florida Statutes, is created to read:

290.00651 Designation of enterprise zone pilot area.--

(1) The Office of Tourism, Trade, and Economic Development shall designate one pilot project area within one state enterprise zone. The Office of Tourism, Trade, and Economic Development shall select the pilot area by July 1, 1998, which meets the following qualifications:

(a) The area is contained within an enterprise zone that is composed of one contiguous area and is placed in the category delineated in s. 290.0065(3)(a)1.

(b) The local government having jurisdiction over the enterprise zone grants economic development ad valorem tax exemptions in the enterprise zone pursuant to s. 196.1995, and electrical energy public service tax exemptions pursuant to s.

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1 166.231.

2 (c) The local government having jurisdiction over the  
3 enterprise zone has developed a plan for revitalizing the  
4 pilot project area or for revitalizing an area within the  
5 enterprise zone that contains the pilot project area, and has  
6 committed at least \$5 million to redevelop an area including  
7 the pilot project area.

8 (d) The pilot project area is contiguous and is  
9 limited to no more than 70 acres, or equivalent square miles,  
10 to avoid a dilution of additional state assistance effectively  
11 concentrating those additional resources on revitalizing the  
12 acute area of economic distress.

13 (e) The pilot project area contains a diverse cluster  
14 or grouping of facilities or space for a mix of retail,  
15 restaurants, or service related businesses, necessary to an  
16 overall revitalization of surrounding neighborhoods through  
17 community involvement, investment, and enhancement of  
18 employment markets.

19 (2)(a) Beginning December 1, 1998, no more than four  
20 businesses located within the pilot project area are eligible  
21 for a credit against any tax due for a taxable year under part  
22 I of chapter 212 and chapter 220.

23 (b) The credit shall be computed as \$5,000 times the  
24 number of full-time employees of the business and \$2,500 times  
25 the number of part-time employees of the business. For  
26 purposes of this section, a person shall be deemed to be  
27 employed by such a business if the person performs duties in  
28 connection with the operations of the business on a full-time  
29 basis, provided he or she is performing such duties for an  
30 average of at least 36 hours per week each month, or a  
31 part-time basis, provided he or she is performing such duties

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1 for an average of at least 20 hours per week each month  
2 through the year. The person must be performing such duties at  
3 a business site located in the pilot project area.

4 (c) The total amount of tax credits that may be  
5 granted under this section is \$500,000 annually. In the event  
6 the Office of Tourism, Trade, and Economic Development  
7 receives applications that total more than \$500,000 each year,  
8 the director shall prorate the amount of tax credit each  
9 applicant is eligible to receive to ensure that all eligible  
10 applicants receive a tax credit.

11 (d) In order to be eligible to apply to the Office of  
12 Tourism, Trade, and Economic Development for tax credits under  
13 this section a business must:

14 1. Have entered into a contract with the developer of  
15 the diverse cluster or grouping of facilities or space located  
16 in the pilot project area, governing lease of commercial space  
17 in the facility;

18 2. Have commenced operations in the facility after  
19 July 1, 1998, and before July 1, 1999; and

20 3. Be a business predominantly engaged in activities  
21 usually provided for consideration by firms classified with  
22 the Standard Industrial Classification SIC 5311, SIC 7832, or  
23 SIC 5399.

24 (e) All applications for the granting of the tax  
25 credits allowed under this section shall require the prior  
26 approval of the director of the Office of Tourism, Trade, and  
27 Economic Development. The director shall provide one submittal  
28 date each year for the receipt of applications for such tax  
29 credits.

30 (f) Any business wishing to receive a tax credit  
31 pursuant to this section must submit an application to the

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1 Office of Tourism, Trade, and Economic Development which sets  
2 forth the business name and address, and the number of  
3 employees of the business.

4 (g) The decision of the director shall be in writing,  
5 and, if approved, the application shall state the maximum  
6 credit allowable to the business. A copy of the decision shall  
7 be transmitted to the Executive Director of the Department of  
8 Revenue, who shall apply such credit to the tax liability of  
9 the business firm.

10 (h) If the credit granted pursuant to this section is  
11 not fully used in any 1 year because of insufficient tax  
12 liability on the part of the business, the unused amount may  
13 be carried forward for a period not to exceed 5 years.

14 (4) The Office of Tourism, Trade, and Economic  
15 Development is authorized to adopt all rules necessary to  
16 administer this section, including rules for the approval or  
17 disapproval of applications for tax incentives by businesses.

18 (5) The Department of Revenue shall adopt any rules  
19 necessary to ensure the orderly implementation and  
20 administration of this section.

21 (6) For purposes of this section, "business" and  
22 "taxable year" shall have the same meaning as in s. 220.03.

23 (7) The Office of Program Policy Analysis and  
24 Government Accountability shall review and evaluate the  
25 effectiveness and viability of the pilot project area created  
26 in subsection (1) as part of the review of state enterprise  
27 zones performed pursuant to s. 290.015(2). The office shall  
28 specifically evaluate whether relief from certain taxes  
29 induced new investment and development in the area, increased  
30 the number of jobs created or retained in the area, induced  
31 the renovation, rehabilitation, restoration, improvement, or

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1 new construction of businesses or housing within the area, and  
2 contributed to the economic viability and profitability of  
3 business and commerce located within the area.

4 (8) This section shall stand repealed on June 30,  
5 2014, and any designation made pursuant to this section shall  
6 be revoked on that date.

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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 1, line 22,

12

13 after the semicolon insert:

14 creating s. 290.00651, F.S.; directing the  
15 Office of Tourism, Trade, and Economic  
16 Development to designate a pilot project area  
17 within an enterprise zone; providing  
18 qualifications for such area; providing that  
19 certain businesses in such pilot project area  
20 are eligible for tax credits; prescribing  
21 application criteria and procedures governing  
22 such tax credits; providing rulemaking  
23 authority; requiring a review by the Office of  
24 Program Policy Analysis and Government  
25 Accountability; providing for future repeal and  
26 revocation of designation as an enterprise zone  
27 pilot project area;

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