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2 An act relating to the WAGES Program; creating  
3 s. 414.155, F.S.; providing a relocation  
4 assistance program for families receiving or  
5 eligible to receive WAGES Program assistance;  
6 providing responsibilities of the Department of  
7 Children and Family Services and the Department  
8 of Labor and Employment Security; providing for  
9 a relocation plan and for monitoring of the  
10 relocation; requiring agreements restricting  
11 application for temporary cash assistance for a  
12 specified period; providing exceptions;  
13 requiring repayment of temporary cash  
14 assistance provided under certain  
15 circumstances, and reduced eligibility for  
16 future assistance; providing authority for  
17 rules; providing legislative intent with  
18 respect to employment of WAGES recipients by  
19 the food and beverage industry; requiring the  
20 Office of Tourism, Trade, and Economic  
21 Development within the Executive Office of the  
22 Governor to annually certify the total number  
23 of specified WAGES recipients; requiring the  
24 Department of Business and Professional  
25 Regulation to annually recalculate and reduce  
26 the surcharge on the sale of alcoholic  
27 beverages for consumption on the premises;  
28 providing a formula for such recalculation;  
29 requiring the department to adopt procedures  
30 and establish rules; creating s. 290.00651,  
31 F.S.; directing the Office of Tourism, Trade,

1 and Economic Development to designate a pilot  
2 project area within an enterprise zone;  
3 providing qualifications for such area;  
4 providing that certain businesses in such pilot  
5 project area are eligible for tax credits;  
6 prescribing application criteria and procedures  
7 governing such tax credits; providing  
8 rulemaking authority; requiring a review by the  
9 Office of Program Policy Analysis and  
10 Government Accountability; providing for future  
11 repeal and revocation of designation as an  
12 enterprise zone pilot project area; providing  
13 an effective date.

14

15 Be It Enacted by the Legislature of the State of Florida:

16

17 Section 1. Section 414.155, Florida Statutes, is  
18 created to read:19 414.155 Relocation assistance program.--

20 (1) The Legislature recognizes that the need for  
21 public assistance may arise because a family is located in an  
22 area with limited employment opportunities, because of  
23 geographic isolation, because of formidable transportation  
24 barriers, because of isolation from their extended family, or  
25 because domestic violence interferes with the ability of a  
26 parent to maintain self-sufficiency. Accordingly there is  
27 established a program to assist families in relocating to  
28 communities with greater opportunities for self-sufficiency.

29 (2) The relocation assistance program shall involve  
30 five steps by the Department of Children and Family Services  
31 or the Department of Labor and Employment Security:

1           (a) A determination that the family is a WAGES Program  
2 participant or that all requirements of eligibility for the  
3 WAGES Program would likely be met.

4           (b) A determination that there is a basis for  
5 believing that relocation will contribute to the ability of  
6 the applicant to achieve self-sufficiency. For example, the  
7 applicant:

8                 1. Is unlikely to achieve independence at the current  
9 community of residence;

10                2. Has secured a job that requires relocation to  
11 another community;

12                3. Has a family support network in another community;  
13 or

14                4. Is determined, pursuant to criteria or procedures  
15 established by the WAGES Program State Board of Directors, to  
16 be a victim of domestic violence who would experience reduced  
17 probability of further incidents through relocation.

18           (c) Establishment of a relocation plan, including a  
19 budget and such requirements as are necessary to prevent abuse  
20 of the benefit and to provide an assurance that the applicant  
21 will relocate. The plan may require that expenditures be made  
22 on behalf of the recipient. However, the plan must include  
23 provisions to protect the safety of victims of domestic  
24 violence and avoid provisions that place them in anticipated  
25 danger. The payment to defray relocation expenses shall be  
26 limited to an amount not to exceed 4 months' temporary cash  
27 assistance, based on family size.

28           (d) A determination, pursuant to criteria adopted by  
29 the WAGES Program State Board of Directors, that a Florida  
30 community receiving a relocated family has the capacity to  
31 provide needed services and employment opportunities.

1           (e) Monitoring the relocation.

2           (3) A family receiving relocation assistance for  
3 reasons other than domestic violence must sign an agreement  
4 restricting the family from applying for temporary cash  
5 assistance for 6 months, unless an emergency is demonstrated  
6 to the department. If a demonstrated emergency forces the  
7 family to reapply for temporary cash assistance within 6  
8 months after receiving a relocation assistance payment,  
9 repayment must be made on a prorated basis over an 8-month  
10 period and subtracted from any regular payment of temporary  
11 cash assistance for which the applicant may be eligible.

12           (4) The Department of Labor and Employment Security  
13 shall have authority to adopt rules pursuant to the  
14 Administrative Procedure Act to determine that a community has  
15 the capacity to provide services and employment opportunities  
16 for a relocated family.

17           (5) The Department of Children and Family Services  
18 shall have authority to adopt rules pursuant to the  
19 Administrative Procedure Act to develop and implement  
20 relocation plans and to draft an agreement restricting a  
21 family from applying for temporary cash assistance within 6  
22 months after receiving a relocation assistance payment.

23           Section 2. The Legislature recognizes that the  
24 restaurant industry is uniquely positioned to provide  
25 employment opportunities for a significant number of WAGES  
26 participants. Therefore, it is the intent of the Legislature  
27 to encourage employment of WAGES participants by the food and  
28 beverage industry. By March 1, 1999, and each March  
29 thereafter, the Office of Tourism, Trade, and Economic  
30 Development shall certify the total number of WAGES  
31 participants employed by the food and beverage industry during

1 the prior calendar year using data from the Department of  
2 Labor's WAGES Information System as summarized in the  
3 Employment Information Report prepared by the Bureau of Labor  
4 Market and Performance Information and information from the  
5 Florida Education and Training Placement Information Program  
6 at the Department of Education. To be counted for purposes of  
7 this act, each WAGES participant must have been on welfare for  
8 at least 3 months and must remain off of the welfare rolls for  
9 the three calendar quarters immediately following the calendar  
10 quarter in which the individual is first employed by the food  
11 and beverage industry. By July 1, 1999, and each year  
12 thereafter, the Department of Business and Professional  
13 Regulation shall recalculate and reduce the tax rate imposed  
14 by s. 561.501, Florida Statutes, by the following formula:  
15 each WAGES participant job certified in the report shall be  
16 given a value of \$3,500 which shall then be multiplied by the  
17 total number of WAGES participant jobs certified in the report  
18 to arrive at a "gross economic benefit." The gross economic  
19 benefit shall then be subtracted from the total amount  
20 collected from the tax imposed under s. 561.501, Florida  
21 Statutes, and shall not exceed 33 1/3 percent reduction in  
22 any given year, to arrive at a "remainder." The Department of  
23 Business and Professional Regulation shall then recalculate  
24 and reduce the tax rate imposed by s. 561.501, Florida  
25 Statutes, to generate the revenue represented by the remainder  
26 as set forth above. The Department of Business and  
27 Professional Regulation shall adopt procedures for  
28 administering these provisions and establish rules pursuant to  
29 the provisions of this act.

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

1           290.00651 Designation of enterprise zone pilot area.--

2           (1) The Office of Tourism, Trade, and Economic  
3 Development shall designate one pilot project area within one  
4 state enterprise zone. The Office of Tourism, Trade, and  
5 Economic Development shall select the pilot area by July 1,  
6 1998, which meets the following qualifications:

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

10           (b) The local government having jurisdiction over the  
11 enterprise zone grants economic development ad valorem tax  
12 exemptions in the enterprise zone pursuant to s. 196.1995, and  
13 electrical energy public service tax exemptions pursuant to s.  
14 166.231.

15           (c) The local government having jurisdiction over the  
16 enterprise zone has developed a plan for revitalizing the  
17 pilot project area or for revitalizing an area within the  
18 enterprise zone that contains the pilot project area, and has  
19 committed at least \$5 million to redevelop an area including  
20 the pilot project area.

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

26           (e) The pilot project area contains a diverse cluster  
27 or grouping of facilities or space for a mix of retail,  
28 restaurants, or service related businesses, necessary to an  
29 overall revitalization of surrounding neighborhoods through  
30 community involvement, investment, and enhancement of  
31 employment markets.

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

5           (b) The credit shall be computed as \$5,000 times the  
6 number of full-time employees of the business and \$2,500 times  
7 the number of part-time employees of the business. For  
8 purposes of this section, a person shall be deemed to be  
9 employed by such a business if the person performs duties in  
10 connection with the operations of the business on a full-time  
11 basis, provided he or she is performing such duties for an  
12 average of at least 36 hours per week each month, or a  
13 part-time basis, provided he or she is performing such duties  
14 for an average of at least 20 hours per week each month  
15 through the year. The person must be performing such duties at  
16 a business site located in the pilot project area.

17           (c) The total amount of tax credits that may be  
18 granted under this section is \$500,000 annually. In the event  
19 the Office of Tourism, Trade, and Economic Development  
20 receives applications that total more than \$500,000 each year,  
21 the director shall prorate the amount of tax credit each  
22 applicant is eligible to receive to ensure that all eligible  
23 applicants receive a tax credit.

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

27           1. Have entered into a contract with the developer of  
28 the diverse cluster or grouping of facilities or space located  
29 in the pilot project area, governing lease of commercial space  
30 in the facility;

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

3           3. Be a business predominantly engaged in activities  
4 usually provided for consideration by firms classified with  
5 the Standard Industrial Classification SIC 5311, SIC 7832, or  
6 SIC 5399.

7           (e) All applications for the granting of the tax  
8 credits allowed under this section shall require the prior  
9 approval of the director of the Office of Tourism, Trade, and  
10 Economic Development. The director shall provide one submittal  
11 date each year for the receipt of applications for such tax  
12 credits.

13           (f) Any business wishing to receive a tax credit  
14 pursuant to this section must submit an application to the  
15 Office of Tourism, Trade, and Economic Development which sets  
16 forth the business name and address, and the number of  
17 employees of the business.

18           (g) The decision of the director shall be in writing,  
19 and, if approved, the application shall state the maximum  
20 credit allowable to the business. A copy of the decision shall  
21 be transmitted to the Executive Director of the Department of  
22 Revenue, who shall apply such credit to the tax liability of  
23 the business firm.

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

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

1           (5) The Department of Revenue shall adopt any rules  
2 necessary to ensure the orderly implementation and  
3 administration of this section.

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

6           (7) The Office of Program Policy Analysis and  
7 Government Accountability shall review and evaluate the  
8 effectiveness and viability of the pilot project area created  
9 in subsection (1) as part of the review of state enterprise  
10 zones performed pursuant to s. 290.015(2). The office shall  
11 specifically evaluate whether relief from certain taxes  
12 induced new investment and development in the area, increased  
13 the number of jobs created or retained in the area, induced  
14 the renovation, rehabilitation, restoration, improvement, or  
15 new construction of businesses or housing within the area, and  
16 contributed to the economic viability and profitability of  
17 business and commerce located within the area.

18           (8) This section shall stand repealed on June 30,  
19 2014, and any designation made pursuant to this section shall  
20 be revoked on that date.

21           Section 4. This act shall take effect July 1 of the  
22 year in which enacted.

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