

Bill No. CS for CS for SB 1566

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5			
6			
7			
8			
9			
10			
11	Senator King moved the following amendment:		
12			
13	Senate Amendment (with title amendment)		
14	On page 163, between lines 27 and 28,		
15			
16	insert:		
17	Section 63. Section 290.0069, Florida Statutes, is		
18	created to read:		
19	<u>290.0069 Designation of enterprise zone pilot project</u>		
20	<u>area.--</u>		
21	<u>(1) The Office of Tourism, Trade, and Economic</u>		
22	<u>Development shall designate one pilot project area within one</u>		
23	<u>state enterprise zone. The Office of Tourism, Trade, and</u>		
24	<u>Economic Development shall select a pilot project area by July</u>		
25	<u>1, 1999, which meets the following qualifications:</u>		
26	<u>(a) The area is contained within an enterprise zone</u>		
27	<u>that is composed of one contiguous area and is placed in the</u>		
28	<u>category delineated in s. 290.0065(3)(a)1.</u>		
29	<u>(b) The local government having jurisdiction over the</u>		
30	<u>enterprise zone grants economic development ad valorem tax</u>		
31	<u>exemptions in the enterprise zone pursuant to s. 196.1995, and</u>		

Bill No. CS for CS for SB 1566

Amendment No. ____

1 electrical energy public service tax exemptions pursuant to s.
2 166.231(8).

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

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

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

20 (2)(a) Beginning December 1, 1999, no more than four
21 businesses located within the pilot project area are eligible
22 for a credit against any tax due for a taxable year under
23 chapters 212 and 220.

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

Bill No. CS for CS for SB 1566

Amendment No. ____

1 such duties for an average of at least 20 hours per week each
2 month throughout the year. The person must be performing such
3 duties at 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 \$1 million annually. In the
6 event the Office of Tourism, Trade, and Economic Development
7 receives applications that total more than \$1 million in any
8 year, 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 a facility.

18 2. Have commenced operations in the facility after
19 July 1, 1999, and before July 1, 2000.

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

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 establish one
28 submission date each year for the receipt of applications for
29 such tax credits.

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

Bill No. CS for CS for SB 1566

Amendment No. ____

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 credits allowable to the business. A copy of the decision
7 shall be transmitted to the executive director of the
8 Department of Revenue, who shall apply such credits to the tax
9 liabilities of the business firm.

10 (h) If any credit granted pursuant to this section is
11 not fully used in any one 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) Prior to the 2004 Regular Session of the
24 Legislature, the Office of Program Policy Analysis and
25 Government Accountability shall review and evaluate the
26 effectiveness and viability of the pilot project area created
27 under this section, using the research design prescribed
28 pursuant to s. 290.015. The office shall specifically evaluate
29 whether relief from certain taxes induced new investment and
30 development in the area, increased the number of jobs created
31 or retained in the area, induced the renovation,

Bill No. CS for CS for SB 1566

Amendment No. ____

1 rehabilitation, restoration, improvement, or new construction
 2 of businesses or housing within the area, and contributed to
 3 the economic viability and profitability of business and
 4 commerce located within the area. The office shall submit a
 5 report of its findings and recommendations to the Speaker of
 6 the House of Representatives and the President of the Senate
 7 no later than January 15, 2004.

8 (8) This section shall stand repealed on June 30,
 9 2015, and any designation made pursuant to this section shall
 10 be revoked on that date.

11
 12 (Redesignate subsequent sections.)

13
 14

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

16 And the title is amended as follows:

17 On page 10, line 17, after the semicolon

18

19 insert:

20 creating s. 290.0069, F.S.; directing the
 21 Office of Tourism, Trade, and Economic
 22 Development to designate a pilot project area
 23 within an enterprise zone; providing
 24 qualifications for such area; providing that
 25 certain businesses in such area are eligible
 26 for credits against the tax on sales, use, and
 27 other transactions and corporate income tax;
 28 providing for computation of such credits;
 29 providing application procedures and
 30 requirements; providing rulemaking authority;
 31 requiring a review and report by the Office of

Bill No. CS for CS for SB 1566

Amendment No. ____

1 Program Policy Analysis and Government
2 Accountability; providing for future repeal and
3 revocation of such designation;
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31