

By the Committee on Commerce and Economic Opportunities; and
Senator Silver

310-1698-99

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A bill to be entitled
An act relating to empowerment zones; creating
s. 290.0491, F.S.; creating the "Florida
Empowerment Zone Act"; defining terms;
providing legislative intent; providing for
administration by the Department of Community
Affairs; providing an appropriation; providing
requirements for eligibility; providing an
effective date.

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

Section 1. Section 290.0491, Florida Statutes, is
created to read:

290.0491 Florida Empowerment Zones.--

(1) SHORT TITLE.--This section may be cited as the
"Florida Empowerment Zone Act."

(2) DEFINITIONS.--As used in this section, the term:

(a) "Department" means the Department of Community
Affairs.

(b) "Federal Empowerment Zone Program" means the
empowerment zone program established in 26 U.S.C. s. 1391 et
seq.

(c) "Nominated area" means an area nominated for
participation in the Federal Empowerment Zone Program.

(d) "Sponsoring designee" means the lead entity that
applied for and received the empowerment zone designation, but
does not include other entities that joined in the
application.

(3) LEGISLATIVE INTENT.--The Legislature recognizes
that it is in the public interest that the state create

1 economic opportunity in poverty-stricken areas and rebuild
2 such areas by empowering the people and communities within
3 these areas to create jobs and opportunities. The U.S.
4 Congress in 1997 provided that an additional 20 areas may be
5 designated as federal empowerment zones by January 1, 1999,
6 and, as such, be eligible for federal funding under the
7 Federal Empowerment Zone Program. The Legislature seeks to
8 promote local governments in submitting the strongest possible
9 proposals under the Federal Empowerment Zone Program by
10 establishing a companion state empowerment zone program.

11 (4) EMPOWERMENT ZONE PROGRAM.--There is created an
12 economic development program to be known as the Florida
13 Empowerment Zone Program. The program shall exist for 10 years
14 and, except as otherwise provided by law, be operated by the
15 Department of Community Affairs in conjunction with the
16 Federal Empowerment Zone Program.

17 (5) FUNDING.--Beginning in fiscal year 1999-2000, the
18 sum of \$5,250,000 is appropriated to the Department of
19 Community Affairs from the General Revenue Fund each year
20 during the 10-year program. The funds must be distributed by
21 the department to each sponsoring designee within the state
22 which was announced in January 1999 as having the Federal
23 Empowerment Zone designation under 26 U.S.C. s. 1391(g) or to
24 each community that was awarded in January 1999 the Rural
25 Enterprise Community designation, except that the Department
26 of Community Affairs may retain up to 2 percent of the annual
27 appropriation for state administrative costs associated with
28 the program. From those funds, at least \$4.9 million but no
29 more than \$5 million must be distributed to an urban
30 sponsoring designee and at least \$245,000 but no more than
31 \$250,000 must be distributed to a rural sponsoring designee or

1 Rural Enterprise Community, if the rural sponsoring designee
2 or Rural Enterprise Community has matched the amount with
3 local funds. The funds must be used for the benefit of the
4 nominated area and are contingent upon the sponsoring designee
5 or Rural Enterprise Community receiving Empowerment Zone or
6 Enterprise Community funds under federal law and meeting the
7 local-match requirements imposed by the Federal Empowerment or
8 Enterprise Community regulations and this section.

9 (6) GENERAL POWERS OF THE DEPARTMENT OF COMMUNITY
10 AFFAIRS.--The department has all the powers necessary to carry
11 out the purposes of the Florida Empowerment Zone Program
12 including the power to adopt and enforce rules not
13 inconsistent with this section for the administration of the
14 fund. The department shall evaluate the performance of the
15 Florida Empowerment Zone program recipients against the
16 milestones, outcomes, and performance measures contained in
17 the application's strategic plan as submitted for designation
18 as an empowerment zone.

19 Section 2. This act shall take effect upon becoming a
20 law.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 214
4 This committee substitute differs from Senate Bill 214 in that
5 it:
6 Appropriates \$250,000 each year for 10 years in state general
7 revenue for Immokalee as a supplement to federal grants of
8 equal value awarded under a federal "Enterprise Community"
9 designation.
10 Allows the Department of Community Affairs to retain up to 2
11 percent of the annual state appropriations for costs
12 associated with administering the federal grants and state
13 appropriations. The 2 percent is to come out of the \$5.25
14 million in annual state appropriations for Miami-Dade County
15 and Immokalee.
16 Directs the Department of Community Affairs to evaluate the
17 performance of Empowerment Zone program recipients.
18 Adds the term "sponsoring designee" to the list of definitions
19 and defines the term to mean the lead entity that applied for
20 and received the empowerment zone designation.
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