

Bill No. HB 297, 1st Eng.

Amendment No.

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Silver moved the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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1 does not include other entities that joined in the
2 application.

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

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

21 (5) FUNDING.--For fiscal year 1999-2000, the sum of
22 \$3,500,000 in nonrecurring general revenue is appropriated to
23 the Department of Community Affairs to implement this act. The
24 funds must be distributed by the department to each sponsoring
25 designee within the state which was announced in January 1999
26 as having the Federal Empowerment Zone designation under 26
27 U.S.C. s. 1391(g) or to each community that was awarded in
28 January 1999 the Rural Enterprise Community designation,
29 except that the Department of Community Affairs may retain up
30 to 2 percent of the annual appropriation for state
31 administrative costs associated with the program. The funds

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

7 Section 2. Paragraph (e) of subsection (2) of section
8 212.097, Florida Statutes, 1998 Supplement, is amended to
9 read:

10 212.097 Urban High-Crime Area Job Tax Credit
11 Program.--

12 (2) As used in this section, the term:

13 (e) "Qualified high-crime area" means an area selected
14 by the Office of Tourism, Trade, and Economic Development in
15 the following manner: every third year, the office shall rank
16 and tier those areas nominated under subsection (8), according
17 to the following prioritized criteria:

18 1. Highest arrest rates within the geographic area for
19 violent crime and for such other crimes as drug sale, drug
20 possession, prostitution, vandalism, and civil disturbances;

21 2. Highest reported crime volume and rate of specific
22 property crimes such as business and residential burglary,
23 motor vehicle theft, and vandalism;

24 3. Highest percentage of reported index crimes that
25 are violent in nature;

26 4. Highest overall index crime volume for the area;
27 and

28 5. Highest overall index crime rate for the geographic
29 area.

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31 Tier-one areas are ranked 1 through 5 and represent the

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1 highest crime areas according to this ranking. Tier-two areas
 2 are ranked 6 through 10 according to this ranking. Tier-three
 3 areas are ranked 11 through 15. Notwithstanding this
 4 definition, "qualified high-crime area" also means an area
 5 that has been designated as a federal Empowerment Zone
 6 pursuant to the Taxpayer Relief Act of 1997. Such a designated
 7 area is ranked in Tier Three until the areas are reevaluated
 8 by the Office of Tourism, Trade, and Economic Development.

9 Section 3. Paragraph (c) of subsection (2) of section
 10 212.098, Florida Statutes, 1998 Supplement, is amended to
 11 read:

12 212.098 Rural Job Tax Credit Program.--

13 (2) As used in this section, the term:

14 (c) "Qualified county" means a county that has a
 15 population of fewer than 75,000 persons, or any county that
 16 has a population of 100,000 or less and is contiguous to a
 17 county that has a population of less than 75,000, selected in
 18 the following manner: every third year, the Office of
 19 Tourism, Trade, and Economic Development shall rank and tier
 20 the state's counties according to the following four factors:

- 21 1. Highest unemployment rate for the most recent
- 22 36-month period.
- 23 2. Lowest per capita income for the most recent
- 24 36-month period.
- 25 3. Highest percentage of residents whose incomes are
- 26 below the poverty level, based upon the most recent data
- 27 available.
- 28 4. Average weekly manufacturing wage, based upon the
- 29 most recent data available.

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 31 Tier-one qualified counties are those ranked 1 through 5 and

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1 represent the state's least-developed counties according to
2 this ranking. Tier-two qualified counties are those ranked 6
3 through 10, and tier-three counties are those ranked 11
4 through 17 15. Notwithstanding this definition, "qualified
5 county" also means a county that contains an area that has
6 been designated as a federal Enterprise Community pursuant to
7 the 1999 Agricultural Appropriations Act. Such a designated
8 area shall be ranked in Tier Three until the areas are
9 reevaluated by the Office of Tourism, Trade, and Economic
10 Development.

11 Section 4. Subsection (5) of section 290.0065, Florida
12 Statutes, 1998 Supplement, is amended, and subsection (12) is
13 added to that section, to read:

14 290.0065 State designation of enterprise zones.--

15 (5) Notwithstanding s. 290.0055, an area designated as
16 a federal empowerment zone or enterprise community pursuant to
17 Title XIII of the Omnibus Budget Reconciliation Act of 1993,
18 the Taxpayer Relief Act of 1997, or the 1999 Agricultural
19 Appropriations Act shall be designated a state enterprise zone
20 as follows:

21 (a) An area designated as an urban empowerment zone or
22 urban enterprise community pursuant to Title XIII of the
23 Omnibus Budget Reconciliation Act of 1993 or the Taxpayer
24 Relief Act of 1997 shall be designated a state enterprise zone
25 by the department upon completion of the requirements set out
26 in paragraph (d), except in the case of a county as defined in
27 s. 125.011(1) which, notwithstanding s. 290.0055, may
28 incorporate and include such designated urban empowerment zone
29 or urban enterprise community areas within the boundaries of
30 its state enterprise zones without any limitation as to size.

31 (b) An area designated as a rural empowerment zone or

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1 rural enterprise community pursuant to Title XIII of the
2 Omnibus Budget Reconciliation Act of 1993 or the 1999
3 Agricultural Appropriations Act shall be designated a state
4 enterprise zone by the department upon completion of the
5 requirements set out in paragraph (d).

6 (c) Any county or municipality having jurisdiction
7 over an area designated as a state enterprise zone pursuant to
8 this subsection, other than a county defined in s. 125.011(1),
9 may not apply for designation of another area.

10 (d) Prior to designating such areas as state
11 enterprise zones, the department shall ensure that the
12 governing body having jurisdiction over the zone submits the
13 strategic plan required pursuant to 7 C.F.R. part 25 or 24
14 C.F.R. part 597 to the department, and creates an enterprise
15 zone development agency pursuant to s. 290.0056.

16 (e) The department shall place any area designated as
17 a state enterprise zone pursuant to this subsection in the
18 appropriate category established in subsection (3), and
19 include such designations within the limitations on state
20 enterprise zone designations set out in subsection (1).

21 (12) Before December 31, 1999, any county as defined
22 in s. 125.011(1) may create a satellite enterprise zone not
23 exceeding 3 square miles in area outside of and,
24 notwithstanding anything contained in s. 290.0055(4) or
25 elsewhere, in addition to the previously designated 20 square
26 miles of enterprise zones. The Office of Tourism, Trade, and
27 Economic Development shall amend the boundaries of the areas
28 previously designated by any such county as enterprise zones
29 upon the receipt of a resolution adopted by such governing
30 body describing the satellite enterprise zone, as long as the
31 additional area is consistent with the categories, criteria,

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1 and limitations imposed by s. 290.0055, provided that the
2 20-square-mile limitation and the requirements imposed by s.
3 290.0055(4)(d) do not apply to such satellite enterprise zone.

4 Section 5. Before December 31, 1999, any municipality
5 an area of which has previously received designation as an
6 Enterprise Zone in the population category described in
7 section 290.0065(3)(a)3., Florida Statutes, may create a
8 satellite enterprise zone not exceeding 1.5 square miles in
9 area outside of and, notwithstanding anything contained in
10 section 290.0055(4), Florida Statutes, or any other law, in
11 addition to the previously designated enterprise zone
12 boundaries. The Office of Tourism, Trade, and Economic
13 Development shall amend the boundaries of the areas previously
14 designated by any such municipality as enterprise zones upon
15 receipt of a resolution adopted by the municipality describing
16 the satellite enterprise zone areas, as long as the additional
17 areas are consistent with the categories, criteria, and
18 limitations imposed by section 290.0055, Florida Statutes.
19 However, the requirements imposed by section 290.0055(4)(d),
20 Florida Statutes, do not apply to such satellite enterprise
21 zone areas.

22 Section 6. This act shall take effect upon becoming a
23 law.

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

27 And the title is amended as follows:

28 Delete everything before the enacting clause

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30 and insert:

31 A bill to be entitled

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1 An act relating to special-purpose zones;
2 authorizing municipalities to designate
3 satellite enterprise zones; creating s.
4 290.0491, F.S.; creating the "Florida
5 Empowerment Zone Act"; defining terms;
6 providing legislative intent; providing for
7 administration by the Department of Community
8 Affairs; providing an appropriation; providing
9 requirements for eligibility; amending s.
10 212.097, F.S.; defining as a "qualified
11 high-crime area" areas receiving 1999 federal
12 empowerment zone designation; amending s.
13 212.098, F.S.; defining as a "qualified county"
14 a county that contains an area receiving 1999
15 enterprise community designation; amending s.
16 290.0065, F.S.; designating areas receiving
17 1999 federal empowerment zone or rural
18 enterprise community designations as state
19 enterprise zones and authorizing satellite
20 enterprise zones; providing an effective date.

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