

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. From  
29 those funds, at least \$3,210,000, but not more than  
30 \$3,275,000, must be distributed to an urban sponsoring  
31 designee and at least \$220,000, but not more than \$225,000,

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

9 Section 2. Paragraph (e) of subsection (2) of section  
 10 212.097, Florida Statutes, 1998 Supplement, is amended to  
 11 read:

12 212.097 Urban High-Crime Area Job Tax Credit  
 13 Program.--

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

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

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

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

26 3. Highest percentage of reported index crimes that  
 27 are violent in nature;

28 4. Highest overall index crime volume for the area;  
 29 and

30 5. Highest overall index crime rate for the geographic  
 31 area.

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

11 Section 3. Paragraph (c) of subsection (2) of section  
12 212.098, Florida Statutes, 1998 Supplement, is amended to  
13 read:

14 212.098 Rural Job Tax Credit Program.--

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

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

23 1. Highest unemployment rate for the most recent  
24 36-month period.

25 2. Lowest per capita income for the most recent  
26 36-month period.

27 3. Highest percentage of residents whose incomes are  
28 below the poverty level, based upon the most recent data  
29 available.

30 4. Average weekly manufacturing wage, based upon the  
31 most recent data available.

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

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

16 290.0065 State designation of enterprise zones.--

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

23 (a) An area designated as an urban empowerment zone or  
24 urban enterprise community pursuant to Title XIII of the  
25 Omnibus Budget Reconciliation Act of 1993 or the Taxpayer  
26 Relief Act of 1997 shall be designated a state enterprise zone  
27 by the department upon completion of the requirements set out  
28 in paragraph (d), except in the case of a county as defined in  
29 s. 125.011(1) which, notwithstanding s. 290.0055, may  
30 incorporate and include such designated urban empowerment zone  
31 or urban enterprise community areas within the boundaries of

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1 its state enterprise zones without any limitation as to size.

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

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

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

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

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

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1 body describing the satellite enterprise zone, as long as the  
2 additional area is consistent with the categories, criteria,  
3 and limitations imposed by s. 290.0055, provided that the  
4 20-square-mile limitation and the requirements imposed by s.  
5 290.0055(4)(d) do not apply to such satellite enterprise zone.

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

24 Section 6. This act shall take effect upon becoming a  
25 law.

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

29 And the title is amended as follows:

30 Delete everything before the enacting clause

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1 and insert:

2                                   A bill to be entitled

3           An act relating to special-purpose zones;

4           authorizing municipalities to designate

5           satellite enterprise zones; creating s.

6           290.0491, F.S.; creating the "Florida

7           Empowerment Zone Act"; defining terms;

8           providing legislative intent; providing for

9           administration by the Department of Community

10          Affairs; providing an appropriation; providing

11          requirements for eligibility; amending s.

12          212.097, F.S.; defining as a "qualified

13          high-crime area" areas receiving 1999 federal

14          empowerment zone designation; amending s.

15          212.098, F.S.; defining as a "qualified county"

16          a county that contains an area receiving 1999

17          enterprise community designation; amending s.

18          290.0065, F.S.; designating areas receiving

19          1999 federal empowerment zone or rural

20          enterprise community designations as state

21          enterprise zones and authorizing satellite

22          enterprise zones; providing an effective date.

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