

1                   A bill to be entitled  
2           An act relating to empowerment zones; creating  
3           s. 290.0501, F.S.; creating the "Florida  
4           Empowerment Zone Act"; providing definitions  
5           and intent; providing for program  
6           administration by the Department of Community  
7           Affairs; providing for annual funding;  
8           providing requirements for eligibility;  
9           providing an appropriation; amending s.  
10          212.097, F.S.; defining as a "qualified  
11          high-crime area" areas receiving 1999 federal  
12          empowerment zone designation; amending 212.098,  
13          F.S.; defining as a "qualified county" a county  
14          that contains an area receiving 1999 enterprise  
15          community designation; amending s. 290.0065,  
16          F.S.; designating areas receiving 1999 federal  
17          empowerment zone or rural enterprise community  
18          designations as state enterprise zones and  
19          authorizing satellite enterprise zone;  
20          providing an effective date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

23  
24           Section 1. Section 290.0501, Florida Statutes, is  
25 created to read:

26           290.0501 Florida Empowerment Zone Program.--

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

29           (2) DEFINITIONS.--For purposes of this section:

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

1           (b) "Federal Empowerment Zone Program" means the  
2 empowerment zone program passed by the United States Congress  
3 and codified at 26 U.S.C. s. 1391 et seq.

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

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

10           (3) LEGISLATIVE INTENT.--The Legislature recognizes  
11 that it is in the best interest of the citizens of this state  
12 that the state create economic opportunity in poverty-stricken  
13 areas and rebuild such areas by empowering the people and  
14 communities within these areas to create jobs and  
15 opportunities. The United States Congress, in 1997, provided  
16 that an additional 20 areas may be designated as federal  
17 empowerment zones by January 1, 1999, and, as such, be  
18 eligible for federal funding under the Federal Empowerment  
19 Zone Program. The Legislature seeks to promote Florida local  
20 governments in submitting the strongest possible proposals  
21 under the Federal Empowerment Zone Program, by establishing a  
22 companion state empowerment zone program.

23           (4) ADMINISTRATION.--There is hereby created an  
24 economic development program to be known as the Florida  
25 Empowerment Zone Program. The program shall operate for 10  
26 years and, except as otherwise provided by law, shall be  
27 administered by the Department of Community Affairs in  
28 conjunction with the Federal Empowerment Zone Program.

29           (5) FUNDING--Beginning in fiscal year 1999-2000, the  
30 sum of \$5,250,000 is appropriated to the Department of  
31 Community Affairs from the General Revenue Fund each year

1 during the 10-year program. The funds must be distributed by  
2 the department to each sponsoring designee within the state  
3 which was announced in January 1999, the Federal Empowerment  
4 Zone designation under 26 U.S.C. s. 1391(g) or to each  
5 community that was awarded in January 1999 the Rural  
6 Enterprise Community designation, except that the Department  
7 of Community Affairs may retain up to 2 percent of the annual  
8 appropriation for state administrative costs associated with  
9 the program. From those funds, at least \$4.9 million but no  
10 more than \$5 million must be distributed to an urban  
11 sponsoring designee and at least \$245,000 but no more than  
12 \$250,000 must be distributed to a rural sponsoring designee or  
13 Rural Enterprise Community. The funds must be used for the  
14 benefit of the nominated area and are contingent upon the  
15 sponsoring designee or Rural Enterprise Community receiving  
16 Empowerment Zone or Enterprise Community funds under federal  
17 law and meeting the local-match requirements imposed by the  
18 Federal Empowerment or Enterprise Community regulations and  
19 this section.

20 The Department shall evaluate the performance of the  
21 Florida Empowerment Zone program recipients against the  
22 milestones, outcomes and performance measures contained in the  
23 application's strategic plan as submitted for designation as  
24 an empowerment zone.

25 Section 2. There is hereby appropriated from the  
26 General Revenue Fund to the Department of Community Affairs  
27 for fiscal year 1999-2000 the sum of \$5 million to carry out  
28 the purposes of s. 290.0501, Florida Statutes, as created by  
29 this act.

30 Section 3. Subsection (2)(e) of section 212.097,  
31 Florida Statutes, 1998 Supplement, is amended to read:

1           Section 212.097 Urban High-Crime Area Job Tax Credit  
2 Program.--

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

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

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

12           2. Highest reported crime volume and rate of specific  
13 property crimes such as business and residential burglary,  
14 motor vehicle theft, and vandalism;

15           3. Highest percentage of reported index crimes that  
16 are violent in nature;

17           4. Highest overall index crime volume for the area;  
18 and

19           5. Highest overall index crime rate for the geographic  
20 area.

21  
22 Tier-one areas are ranked 1 through 5 and represent the  
23 highest crime areas according to this ranking. Tier-two areas  
24 are ranked 6 through 10 according to this ranking. Tier-three  
25 areas are ranked 11 through 15. Notwithstanding this  
26 definition, "qualified high-crime area" also means an area  
27 that has been designated as a federal Empowerment Zone  
28 pursuant to the Taxpayer Relief Act of 1997. Such a  
29 designated area shall be ranked in tier-three until the areas  
30 are re-evaluated by Office of Tourism, Trade and Economic  
31 Development.

1 Section 4. Subsection (2)(c) of section 212.098,  
2 Florida Statutes, 1998 Supplement, is amended to read:

3 Section 212.098 Rural Job Tax Credit Program.--

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

5 (c) "Qualified county" means a county that has a  
6 population of fewer than 75,000 persons, or any county that  
7 has a population of 100,000 or less and is contiguous to a  
8 county that has a population of less than 75,000, selected in  
9 the following manner: every third year, the Office of  
10 Tourism, Trade, and Economic Development shall rank and tier  
11 the state's counties according to the following four factors:

12 1. Highest unemployment rate for the most recent  
13 36-month period.

14 2. Lowest per capita income for the most recent  
15 36-month period.

16 3. Highest percentage of residents whose incomes are  
17 below the poverty level, based upon the most recent data  
18 available.

19 4. Average weekly manufacturing wage, based upon the  
20 most recent data available.

21  
22 Tier-one qualified counties are those ranked 1 through 5 and  
23 represent the state's least-developed counties according to  
24 this ranking. Tier-two qualified counties are those ranked 6  
25 through 10, and tier-three counties are those ranked 11  
26 through ~~17~~<sup>15</sup>. Notwithstanding this definition "qualified  
27 county" also means a county that contains an area that has  
28 been designated as a federal Enterprise Community pursuant to  
29 the 1999 Agricultural Appropriations Act. Such a designated  
30 area shall be ranked in tier-three until the areas are  
31

1 re-evaluated by Office of Tourism, Trade and Economic  
2 Development.

3 Section 5. Subsection (5) of section 290.0065, Florida  
4 Statutes, 1998 Supplement, is amended, and subsection (12) of  
5 said section is created to read:

6 Section 290.0065 State Designation of Enterprise  
7 Zones.--

8 (5) Notwithstanding s. 290.0055, an area designated as  
9 a federal empowerment zone or enterprise community pursuant to  
10 Title XIII of the Omnibus Budget Reconciliation Act of  
11 1993, the Taxpayer Relief Act of 1997 or the 1999 Agricultural  
12 Appropriations Act shall be designated a state enterprise zone  
13 as follows:

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

24 (b) An area designated as a rural empowerment zone or  
25 rural enterprise community pursuant to Title XIII of the  
26 Omnibus Budget Reconciliation Act of 1993 or the 1999  
27 Agricultural Appropriations Act shall be designated a state  
28 enterprise zone by the department upon completion of the  
29 requirements set out in paragraph (d).

30 (c) Any county or municipality having jurisdiction  
31 over an area designated as a state enterprise zone pursuant to

1 this subsection, other than a county defined in s. 125.011(1),  
2 may not apply for designation of another area.

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

9 (e) The department shall place any area designated as  
10 a state enterprise zone pursuant to this subsection in the  
11 appropriate category established in subsection (3), and  
12 include such designations within the limitations on state  
13 enterprise zone designations set out in subsection (1).

14 (12) Before December 31, 1999, any county as defined  
15 in section 125.011(1) may create a satellite enterprise zone  
16 not exceeding three square miles in area outside of and  
17 notwithstanding anything contained in section 290.0055(4) or  
18 elsewhere, in addition to the previously-designated 20 square  
19 miles of enterprise zones. The Office of Tourism, Trade and  
20 Economic Development shall amend the boundaries of the areas  
21 previously designated by any such county as enterprise zones  
22 upon the receipt of a resolution adopted by such governing  
23 body describing the satellite enterprise zone so long as the  
24 additional area is consistent with the categories, criteria,  
25 and limitations imposed by section 290.0055, provided that the  
26 20 square mile limitation and the requirements imposed by  
27 section 290.0055(4)(d) shall not apply to such satellite  
28 enterprise zone.

29 Section 6. This act shall take effect July 1 of the  
30 year in which enacted.

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