

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

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

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

27           290.0491 Florida Empowerment Zones.--

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

30           (2) DEFINITIONS.--As used in this section, the term:  
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1           (a) "Department" means the Department of Community  
2 Affairs.

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

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

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

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

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

30           (5) FUNDING.--For fiscal year 1999-2000, the sum of  
31 \$3,500,000 in nonrecurring general revenue is appropriated to

1 the Department of Community Affairs to implement this act. The  
2 funds must be distributed by the department to each sponsoring  
3 designee within the state which was announced in January 1999  
4 as having the Federal Empowerment Zone designation under 26  
5 U.S.C. s. 1391(g) or to each community that was awarded in  
6 January 1999 the Rural Enterprise Community designation. From  
7 those funds, at least \$3,210,000, but not more than  
8 \$3,275,000, must be distributed to an urban sponsoring  
9 designee and at least \$220,000, but not more than \$225,000,  
10 must be distributed to a rural sponsoring designee or rural  
11 enterprise community. The funds must be used for the benefit  
12 of the nominated area and are contingent upon the sponsoring  
13 designee or Rural Enterprise Community receiving Empowerment  
14 Zone or Enterprise Community funds under federal law and  
15 meeting the local-match requirements imposed by the Federal  
16 Empowerment or Enterprise Community regulations and this  
17 section.

18 Section 2. Paragraph (e) of subsection (2) of section  
19 212.097, Florida Statutes, 1998 Supplement, is amended to  
20 read:

21 212.097 Urban High-Crime Area Job Tax Credit  
22 Program.--

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

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

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

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

4           3. Highest percentage of reported index crimes that  
5 are violent in nature;

6           4. Highest overall index crime volume for the area;  
7 and

8           5. Highest overall index crime rate for the geographic  
9 area.

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

20           Section 3. Paragraph (c) of subsection (2) of section  
21 212.098, Florida Statutes, 1998 Supplement, is amended to  
22 read:

23           212.098 Rural Job Tax Credit Program.--

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

25           (c) "Qualified county" means a county that has a  
26 population of fewer than 75,000 persons, or any county that  
27 has a population of 100,000 or less and is contiguous to a  
28 county that has a population of less than 75,000, selected in  
29 the following manner: every third year, the Office of  
30 Tourism, Trade, and Economic Development shall rank and tier  
31 the state's counties according to the following four factors:

1           1. Highest unemployment rate for the most recent  
2 36-month period.

3           2. Lowest per capita income for the most recent  
4 36-month period.

5           3. Highest percentage of residents whose incomes are  
6 below the poverty level, based upon the most recent data  
7 available.

8           4. Average weekly manufacturing wage, based upon the  
9 most recent data available.

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

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

25           290.0065 State designation of enterprise zones.--

26           (5) Notwithstanding s. 290.0055, an area designated as  
27 a federal empowerment zone or enterprise community pursuant to  
28 Title XIII of the Omnibus Budget Reconciliation Act of 1993,  
29 the Taxpayer Relief Act of 1997, or the 1999 Agricultural  
30 Appropriations Act shall be designated a state enterprise zone  
31 as follows:

1           (a) An area designated as an urban empowerment zone or  
2 urban enterprise community pursuant to Title XIII of the  
3 Omnibus Budget Reconciliation Act of 1993 or the Taxpayer  
4 Relief Act of 1997 shall be designated a state enterprise zone  
5 by the department upon completion of the requirements set out  
6 in paragraph (d), except in the case of a county as defined in  
7 s. 125.011(1) which, notwithstanding s. 290.0055, may  
8 incorporate and include such designated urban empowerment zone  
9 or urban enterprise community areas within the boundaries of  
10 its state enterprise zones without any limitation as to size.

11           (b) An area designated as a rural empowerment zone or  
12 rural enterprise community pursuant to Title XIII of the  
13 Omnibus Budget Reconciliation Act of 1993 or the 1999  
14 Agricultural Appropriations Act shall be designated a state  
15 enterprise zone by the department upon completion of the  
16 requirements set out in paragraph (d).

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

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

27           (e) The department shall place any area designated as  
28 a state enterprise zone pursuant to this subsection in the  
29 appropriate category established in subsection (3), and  
30 include such designations within the limitations on state  
31 enterprise zone designations set out in subsection (1).

1           (12) Before December 31, 1999, any county as defined  
 2 in s. 125.011(1) may create a satellite enterprise zone not  
 3 exceeding 3 square miles in area outside of and,  
 4 notwithstanding anything contained in s. 290.0055(4) or  
 5 elsewhere, in addition to the previously designated 20 square  
 6 miles of enterprise zones. The Office of Tourism, Trade, and  
 7 Economic Development shall amend the boundaries of the areas  
 8 previously designated by any such county as enterprise zones  
 9 upon the receipt of a resolution adopted by such governing  
 10 body describing the satellite enterprise zone, as long as the  
 11 additional area is consistent with the categories, criteria,  
 12 and limitations imposed by s. 290.0055, provided that the  
 13 20-square-mile limitation and the requirements imposed by s.  
 14 290.0055(4)(d) do not apply to such satellite enterprise zone.

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

3           Section 6. This act shall take effect upon becoming a  
4 law.

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