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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.

22
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.

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

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212.098 Rural Job Tax Credit Program.--

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

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