

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Constantine offered the following:

13 **Amendment to Substitute Amendment (390539) (with title**
14 **amendment)**

15 On page 46, between lines 9 and 10

17 and insert in lieu thereof:

18 Section 17. Paragraph (j) of subsection (3) of section
19 163.2517, Florida Statutes, is amended to read:

20 163.2517 Designation of urban infill and redevelopment
21 area.--

22 (3) A local government seeking to designate a
23 geographic area within its jurisdiction as an urban infill and
24 redevelopment area shall prepare a plan that describes the
25 infill and redevelopment objectives of the local government
26 within the proposed area. In lieu of preparing a new plan, the
27 local government may demonstrate that an existing plan or
28 combination of plans associated with a community redevelopment
29 area, Florida Main Street program, Front Porch Florida
30 Community, sustainable community, enterprise zone, or
31 neighborhood improvement district includes the factors listed

Amendment No. ____ (for drafter's use only)

1 in paragraphs (a)-(n), including a collaborative and holistic
2 community participation process, or amend such existing plans
3 to include these factors. The plan shall demonstrate the local
4 government and community's commitment to comprehensively
5 address the urban problems within the urban infill and
6 redevelopment area and identify activities and programs to
7 accomplish locally identified goals such as code enforcement;
8 improved educational opportunities; reduction in crime;
9 neighborhood revitalization and preservation; provision of
10 infrastructure needs, including mass transit and multimodal
11 linkages; and mixed-use planning to promote multifunctional
12 redevelopment to improve both the residential and commercial
13 quality of life in the area. The plan shall also:

14 (j) Identify and adopt a package of financial and
15 local government incentives which the local government will
16 offer for new development, expansion of existing development,
17 and redevelopment within the urban infill and redevelopment
18 area. Examples of such incentives include:

- 19 1. Waiver of license and permit fees.
- 20 2. Exemption of sales made in the urban infill and
21 redevelopment area from ~~Waiver of~~ local option sales surtaxes
22 imposed pursuant to s. 212.054 ~~taxes~~.
- 23 3. Waiver of delinquent local taxes or fees to promote
24 the return of property to productive use.
- 25 4. Expedited permitting.
- 26 5. Lower transportation impact fees for development
27 which encourages more use of public transit, pedestrian, and
28 bicycle modes of transportation.
- 29 6. Prioritization of infrastructure spending within
30 the urban infill and redevelopment area.
- 31 7. Local government absorption of developers'

Amendment No. ____ (for drafter's use only)

1 concurrency costs.

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3 In order to be authorized to recognize the exemption from
4 local option sales surtaxes pursuant to subparagraph 2., the
5 owner, lessee, or lessor of the new development, expanding
6 existing development, or redevelopment within the urban infill
7 and redevelopment area must file an application under oath
8 with the governing body having jurisdiction over the urban
9 infill and redevelopment area where the business is located.
10 The application must include the name and address of the
11 business claiming the exclusion from collecting local option
12 surtaxes; an address and assessment roll parcel number of the
13 urban infill and redevelopment area for which the exemption is
14 being sought; a description of the improvements made to
15 accomplish the new development, expanding development, or
16 redevelopment of the real property; a copy of the building
17 permit application or the building permit issued for the
18 development of the real property; a new application for a
19 certificate of registration with the Department of Revenue
20 with the address of the new development, expanding
21 development, or redevelopment; and the location of the
22 property. The local government must review and approve the
23 application and submit the completed application and
24 documentation along with a copy of the ordinance adopted
25 pursuant to subsection (5) to the Department of Revenue in
26 order for the business to become eligible to make sales exempt
27 from local option sales surtaxes in the urban infill and
28 redevelopment area.

29 Section 18. Subsection (13) of section 212.08, Florida
30 Statutes, is amended to read:

31 212.08 Sales, rental, use, consumption, distribution,

Amendment No. ____ (for drafter's use only)

1 and storage tax; specified exemptions.--The sale at retail,
2 the rental, the use, the consumption, the distribution, and
3 the storage to be used or consumed in this state of the
4 following are hereby specifically exempt from the tax imposed
5 by this chapter.

6 (13) No transactions shall be exempt from the tax
7 imposed by this chapter except those expressly exempted
8 herein. All laws granting tax exemptions, to the extent they
9 may be inconsistent or in conflict with this chapter,
10 including, but not limited to, the following designated laws,
11 shall yield to and be superseded by the provisions of this
12 subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31,
13 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 258.14,
14 315.11, 348.65, 348.762, 349.13, 403.1834, 616.07, and 623.09,
15 and the following Laws of Florida, acts of the year indicated:
16 s. 31, chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12,
17 chapter 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter
18 31263, 1955; s. 13, chapter 31343, 1955; s. 16, chapter
19 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-2261; s.
20 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11, chapter
21 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446; and
22 s. 10, chapter 67-1681. This subsection does not supersede the
23 authority of a local government to adopt financial and local
24 government incentives pursuant to s. 163.2517.

25 Section 19. Section 163.2523, Florida Statutes, is
26 amended to read:

27 163.2523 Grant program.--An Urban Infill and
28 Redevelopment Assistance Grant Program is created for local
29 governments. A local government may allocate grant money to
30 special districts, including community redevelopment agencies,
31 and nonprofit community development organizations to implement

Amendment No. ____ (for drafter's use only)

1 projects consistent with an adopted urban infill and
2 redevelopment plan or plan employed in lieu thereof. Thirty
3 percent of the general revenue appropriated for this program
4 shall be available for planning grants to be used by local
5 governments for the development of an urban infill and
6 redevelopment plan, including community participation
7 processes for the plan. Sixty percent of the general revenue
8 appropriated for this program shall be available for
9 fifty/fifty matching grants for implementing urban infill and
10 redevelopment projects that further the objectives set forth
11 in the local government's adopted urban infill and
12 redevelopment plan or plan employed in lieu thereof. The
13 remaining 10 percent of the revenue must be used for outright
14 grants for implementing projects requiring an expenditure of
15 under \$50,000. If the volume of fundable applications under
16 any of the allocations specified in this section does not
17 fully obligate the amount of the allocation, the Department of
18 Community Affairs may transfer the unused balance to the
19 category having the highest dollar value of applications
20 eligible but unfunded. However, in no event may the percentage
21 of dollars allocated to outright grants for implementing
22 projects exceed 20 percent in any given fiscal year.Projects
23 that provide employment opportunities to clients of the WAGES
24 program and projects within urban infill and redevelopment
25 areas that include a community redevelopment area, Florida
26 Main Street program, Front Porch Florida Community,
27 sustainable community, enterprise zone, federal enterprise
28 zone, enterprise community, or neighborhood improvement
29 district must be given an elevated priority in the scoring of
30 competing grant applications. The Division of Housing and
31 Community Development of the Department of Community Affairs

Amendment No. ____ (for drafter's use only)

1 shall administer the grant program. The Department of
2 Community Affairs shall adopt rules establishing grant review
3 criteria consistent with this section.

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

7 And the title is amended as follows:

8 On page 49, line 5 of the amendment
9 remove: all of said line

10

11 and insert in lieu thereof:

12 Act; amending s. 163.2517, F.S.; revising the
13 financial incentives which a local government
14 may offer in an urban infill and redevelopment
15 area which relate to exemption from local
16 option sales surtaxes and waiver of delinquent
17 taxes or fees; providing that, in order to be
18 eligible for the exemption from collecting
19 local option sales surtaxes, a business must
20 submit an application under oath to the local
21 government, which must be approved and
22 submitted to the Department of Revenue;
23 amending s. 212.08, F.S.; specifying that the
24 authority of a local government to adopt
25 financial and local government incentives under
26 s. 163.2517, F.S., is not superseded by certain
27 provisions relating to sales tax exemptions;
28 amending s. 163.2523, F.S.; authorizing
29 transfer of unused funds between grant
30 categories under the Urban Infill and
31 Redevelopment Assistance Grant Program;

Amendment No. ____ (for drafter's use only)

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repealing s. 376.3195, F.S.; providing an