

By Representatives Davis, Haridopolos, Allen and Needelman

1 A bill to be entitled
2 An act relating to the qualified defense
3 contractor tax refund program; amending s.
4 288.1045, F.S.; revising a definition; revising
5 a qualification criterion; providing an
6 effective date.

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

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10 Section 1. Paragraph (e) of subsection (1) and
11 paragraph (e) of subsection (3) of section 288.1045, Florida
12 Statutes, are amended to read:

13 288.1045 Qualified defense contractor tax refund
14 program.--

15 (1) DEFINITIONS.--As used in this section:

16 (e) "Department of Defense contract" means a
17 competitively bid Department of Defense contract or a
18 competitively bid federal agency contract issued on behalf of
19 the Department of Defense for manufacturing, assembling,
20 fabricating, research, development, or design with a duration
21 of 2 or more years, but excluding any contract to provide
22 goods, improvements to real or tangible property, or services
23 directly to or for any particular military base or
24 installation in this state. The term includes contracts
25 approved by the United States Department of Defense or the
26 United States Department of State for products for military
27 use.

28 (3) APPLICATION PROCESS; REQUIREMENTS; AGENCY
29 DETERMINATION.--

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1 (e) To qualify for review by the office, the
2 application of an applicant must, at a minimum, establish the
3 following to the satisfaction of the office:

4 1. The jobs proposed to be provided under the
5 application, pursuant to subparagraph (b)6. or subparagraph
6 (c)6., must pay an estimated annual average wage equaling at
7 least 115 percent of the average wage in the area where the
8 project is to be located.

9 2. The consolidation of a Department of Defense
10 contract must result in a net increase of at least 25 percent
11 in the number of jobs at the applicant's facilities in this
12 state or the addition of at least 80 jobs at the applicant's
13 facilities in this state.

14 3. The conversion of defense production jobs to
15 nondefense production jobs must result in net increases in
16 nondefense employment at the applicant's facilities in this
17 state.

18 4. The Department of Defense contract cannot allow the
19 business to include the costs of relocation or retooling in
20 its base as allowable costs under a cost-plus, or similar,
21 contract.

22 5. A business unit of the applicant must have derived
23 not less than 60 ~~70~~ percent of its gross receipts in this
24 state from Department of Defense contracts over the
25 applicant's last fiscal year, and must have derived not less
26 than an average of 60 ~~80~~ percent of its gross receipts in this
27 state from Department of Defense contracts over the 5 years
28 preceding the date an application is submitted pursuant to
29 this section. This subparagraph does not apply to any
30 application for certification based on a contract for reuse of
31 a defense-related facility.

