

By the Committees on Comprehensive Planning, Local and Military Affairs; Commerce and Economic Opportunities; and Senator Latvala

316-2092-02

1                                   A bill to be entitled  
2           An act relating to brownfield redevelopment;  
3           amending s. 288.106, F.S.; redefining the term  
4           "local financial support exemption option" with  
5           respect to the tax refund program; amending s.  
6           288.107, F.S.; revising the criteria for  
7           participation in the bonus refund program;  
8           revising the formula for calculating the  
9           refund; amending s. 376.80, F.S.; providing for  
10          certain unencumbered funds to be used for  
11          grants related to certain brownfield sites;  
12          providing an effective date.

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

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16           Section 1. Paragraph (k) of subsection (1) of section  
17 288.106, Florida Statutes, is amended to read:

18           288.106 Tax refund program for qualified target  
19 industry businesses.--

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

21           (k) "Local financial support exemption option" means  
22 the option to exercise an exemption from the local financial  
23 support requirement available to any applicant whose project  
24 is located in a brownfield area or a county with a population  
25 of 75,000 or fewer or a county with a population of 100,000 or  
26 fewer which is contiguous to a county with a population of  
27 75,000 or fewer. Any applicant that exercises this option  
28 shall not be eligible for more than 80 percent of the total  
29 tax refunds allowed such applicant under this section.

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1           Section 2. Paragraph (e) of subsection (1), subsection  
2 (2), and paragraph (b) of subsection (3) of section 288.107,  
3 Florida Statutes, are amended to read:

4           288.107 Brownfield redevelopment bonus refunds.--

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

6           (e) "Eligible business" means a qualified target  
7 industry business as defined in s. 288.106(1)(o) or other  
8 business that can demonstrate a fixed capital investment of at  
9 least \$2 million in mixed-use business activities, including  
10 multiunit housing, commercial, retail, and industrial in  
11 brownfield areas and which provides benefits to its employees  
12 ~~pays wages that are at least 80 percent of the average of all~~  
13 ~~private sector wages in the county in which the business is~~  
14 ~~located.~~

15           (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.--Bonus  
16 refunds shall be allowed from the account as follows and  
17 approved by the office as specified in the final order issued  
18 by the director.

19           (a) A bonus refund of \$2,500 shall be allowed to any  
20 qualified target industry business as defined by s. 288.106  
21 for each new Florida job created in a brownfield area which is  
22 claimed on the qualified target industry business's annual  
23 refund claim authorized in s. 288.106(5).

24           (b) A bonus refund of up to \$2,500 shall be allowed to  
25 any other eligible business as defined in paragraph (1)(e) for  
26 each new Florida job created in a brownfield which is claimed  
27 under an annual claim procedure similar to the annual refund  
28 claim authorized in s. 288.106(5). The amount of the refund  
29 shall be equal to 20 percent of the average annual wage for  
30 the jobs created.~~There shall be allowed from the account a~~  
31 ~~bonus refund of \$2,500 to any qualified target industry~~

1 ~~business or other eligible business as defined in paragraph~~  
2 ~~(1)(e) for each new Florida job created in a brownfield which~~  
3 ~~is claimed on the qualified target industry business's annual~~  
4 ~~refund claim authorized in s. 288.106(5) or other similar~~  
5 ~~annual claim procedure for other eligible business as defined~~  
6 ~~in paragraph (1)(e) and approved by the office as specified in~~  
7 ~~the final order issued by the director.~~

8 (3) CRITERIA.--The minimum criteria for participation  
9 in the brownfield redevelopment bonus refund are:

10 (b) The completion of a fixed capital investment of at  
11 least \$2 million in mixed-use business activities, including  
12 multiunit housing, commercial, retail, and industrial in  
13 brownfield areas and which provides benefits to its employees  
14 ~~pay wages that are at least 80 percent of the average of all~~  
15 ~~private sector wages in the county in which the business is~~  
16 ~~located.~~

17 Section 3. Subsection (13) is added to section 376.80,  
18 Florida Statutes, to read:

19 376.80 Brownfield program administration process.--

20 (13) Annually, any unencumbered funds remaining  
21 undisbursed on or at the close of the fiscal year on June 30  
22 from the Quick-Response Training Program, from brownfield  
23 redevelopment bonus refunds, and from unencumbered,  
24 undisbursed funds appropriated in the General Appropriations  
25 Act for cleanup of state-owned lands shall be used for grants  
26 to fund expenses relating to the assessment and remediation of  
27 brownfield sites within areas designated pursuant to this  
28 section for those jurisdictions that have United-States  
29 Environmental-Protection-Agency brownfield pilot projects  
30 designated prior to July 1, 1997. Grants shall be distributed  
31 to eligible pilot projects under this section on a pro-rata

1 basis in an amount not to exceed \$500,000 per pilot project,  
2 provided that there is a total of at least \$100,000 to  
3 disburse.

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

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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
8 COMMITTEE SUBSTITUTE FOR  
9 CS/SB 2168

10 Changes the definition of "local financial support exemption"  
11 to include brownfield areas as applicants exempt from the  
12 local financial support requirement applicable to qualified  
13 target industry businesses seeking certain tax refunds.

14 Deletes the requirement that an "eligible business" for the  
15 purpose of brownfield redevelopment bonus refunds must pay  
16 wages that are at least 80 percent of the average of all  
17 private sector wages in the county in which the business is  
18 located and replaces it with a requirement that the business  
19 provide benefits to its employees.

20 Revises the method of calculating brownfield redevelopment  
21 bonus refunds.

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