

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Henriquez, Greenstein, Seiler, Smith, Gelber, and Ausley offered the following:

Amendment to Amendment (042761) (with title amendment)

On page 122, between lines 12 and 13,

insert:

Section 61. Section 212.0801, Florida Statutes, is created to read:

212.0801 Mandatory Review of Tax Exemptions.--

(1) The Legislature shall create a standing Joint Legislative Tax Exemption Review Committee, consisting of seven members of the Senate and seven members of the House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives respectively. The President of the Senate shall appoint the chairman of the committee for the 2003 legislative session and said chairmanship shall alternate every year. The committee shall convene its first meeting no later than December 1, 2002, and shall meet as often as is necessary to meet the timeframes established within this section, but not less than once per

1 quarter year.

2 (2) The Joint committee shall conduct a comprehensive
3 review of all current exemptions to assess the public benefit
4 of each exemption. The committee shall establish criteria by
5 which each current and future sales tax exemption shall be
6 evaluated, which shall include, at a minimum, factual
7 determination that:

8 (a) The exemption is required by the United States
9 Constitution, federal law, or the state constitution.

10 (b) The exemption supports an agreed upon public good
11 or socially desirable charitable, educational, or religious
12 goal.

13 (c) The exemption meets the premise that basic life
14 necessities not be taxed, to include groceries, health
15 services, prescription medications, and residential rent.

16 (d) The exemption provides an incentive for
17 documentable creation and retention of sustained, quality
18 jobs. The committee is authorized to require specific
19 economic models, such as the Regional Economic Model or
20 similar, at their discretion.

21 (e) The exemption does not place one business at a
22 competitive disadvantage to another.

23 (f) The exemption does not materially contribute to
24 increasing the regressivity of the tax.

25 (g) The exemption enhances the delivery of public
26 goods and services.

27 (h) The benefit of the exemption outweighs the benefit
28 obtained by collecting the tax revenue.

29 (3) The committee shall vote to recommend retention or
30 repeal of an exemption upon completing its evaluation of that
31 exemption in a report that shall be delivered to the President

1 of the Senate and the Speaker of the House according to the
2 timelines included herein.

3 (a) To be recommended for retention, an exemption must
4 be approved by no less than five of the seven members of both
5 the Senate and the House.

6 (b) Upon recommendation by the joint committee, the
7 exemptions shall be taken up in the most immediate legislative
8 session. Each exemption shall be brought to a vote in each
9 chamber and shall be considered repealed unless approved by at
10 least two-thirds of each house.

11 (c) A currently authorized exemption which is not
12 approved for retention may be proposed during a subsequent
13 legislative session.

14 (4) TIMEFRAMES.--To the extent possible,
15 recommendations related exemptions categorized as business,
16 organizational, and miscellaneous exemptions shall be made for
17 consideration by the Legislature during the 2003 Legislative
18 session. Upon completion of recommendations related to these
19 three categories of exemptions, the joint committee shall
20 begin evaluation of exemptions categorized as household and
21 service exemptions. Recommendations shall be made for
22 consideration during the 2004 session or earlier if the
23 committee is able to finish its evaluations for the 2003
24 session.

25 (5) Additionally, the committee is charged with
26 evaluation all proposals for future exemptions according to
27 the criteria established by them pursuant to subsection (2) of
28 this section. All bills containing sales tax exemptions,
29 credits, or rebates shall be first referred to the joint
30 committee. To make the determination required by subsection
31 (2) of this section, the committee is authorized to require

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1 specific economic models, such as the Regional Economic Model
2 or similar, at their discretion.

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

6 And the title is amended as follows:

7 On page 130, line 10, after the semicolon,

8

9 insert:

10 creating s.212.0801, F.S.; providing for the
11 mandatory review of tax exemptions;

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