

By the Committee on Commerce, Economic Opportunities, and
Consumer Services; and Senator Garcia

310-2427-04

1 A bill to be entitled
2 An act relating to enterprise zones; amending
3 s. 290.0065, F.S.; authorizing certain counties
4 or municipalities to apply to the Office of
5 Tourism, Trade, and Economic Development to
6 change enterprise zone boundaries; prescribing
7 conditions and deadlines related to the
8 boundary changes; amending s. 290.00675, F.S.;
9 authorizing the office to approve requests to
10 amend the boundaries of an enterprise zone in a
11 community with a specified population; limiting
12 the number of acres by which the size of the
13 enterprise zone may increase; amending s.
14 290.00688, F.S.; deleting census tract
15 provisions relating to the boundaries of an
16 enterprise zone in Leon County; creating ss.
17 290.00702, 290.00703, and 290.00704, F.S.;
18 authorizing Osceola County or Osceola County
19 and the City of Kissimmee jointly, the City of
20 South Daytona, and the City of Lake Wales to
21 apply to the office for designation of
22 enterprise zones; providing requirements and
23 conditions with respect thereto; authorizing
24 Walton County, Miami-Dade County or Miami-Dade
25 County and the City of West Miami jointly, and
26 Miami-Dade County and the City of Hialeah
27 jointly to apply to the office for designation
28 of enterprise zones; providing requirements and
29 conditions with respect thereto; authorizing
30 the governing bodies of certain counties to
31 apply to the office to change the boundaries of

1 enterprise zones; prescribing conditions and
2 deadlines related to the boundary changes;
3 providing for severability of provisions in the
4 act; providing effective dates.

5
6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. Subsection (11) of section 290.0065,
9 Florida Statutes, is amended, and subsections (12) and (13)
10 are added to that section, to read:

11 290.0065 State designation of enterprise zones.--

12 (11) Before December 31, 2004 ~~June 1, 2002~~, the
13 governing body or governing bodies of a county or a
14 municipality in that is located within a county having a
15 population of more than 235,000 but less than 260,000 ~~225,000~~
16 and in which an enterprise zone is designated ~~under~~
17 ~~subparagraph (3)(a)2. is located~~ may apply to the Office of
18 Tourism, Trade, and Economic Development to change the
19 boundaries of the enterprise zone for the purpose of replacing
20 areas not suitable for development. The Office of Tourism,
21 Trade, and Economic Development shall approve the application
22 made pursuant to this subsection if the boundary change is
23 consistent with the categories, criteria, and limitations
24 imposed upon the establishment of such ~~does not increase the~~
25 ~~overall size of the enterprise zone and if any territory added~~
26 ~~to the enterprise zone as a result of the boundary change is~~
27 ~~contiguous to the remaining area of the existing~~ enterprise
28 zone.

29 (12) Notwithstanding any provisions in s. 290.0055
30 regarding the size of an enterprise zone, any county defined
31 by s. 125.011(1) may apply to the Office of Tourism, Trade,

1 and Economic Development by October 1, 2004, to expand the
2 boundary of an existing enterprise zone to include an
3 additional 8.7 square miles. The area must also include areas
4 to the north or east of the northeasternmost section of an
5 existing enterprise zone. The expanded area may not include
6 any area not described in this subsection. The Office of
7 Tourism, Trade, and Economic Development shall approve an
8 amendment to the boundary of an enterprise zone under this
9 subsection by January 1, 2005, if the area proposed for
10 addition to the enterprise zone is consistent with the
11 criteria and conditions imposed by s. 290.0055 upon the
12 establishment of enterprise zones, including the requirement
13 that the area suffer from pervasive poverty, unemployment, and
14 general distress.

15 (13) Before November 30, 2004, any county as defined
16 in s. 125.011 may apply to the Office of Tourism, Trade, and
17 Economic Development to change the boundaries of an existing
18 enterprise zone for the purpose of replacing an area of not
19 more than 75 acres within the enterprise zone as of January 1,
20 2004, with an area of the same number of acres outside the
21 enterprise zone as of January 1, 2004. The replacement area
22 must be contiguous to the existing enterprise zone and must be
23 a part of a revitalization area that has been targeted for
24 assistance by the county. The replacement area also must be
25 contiguous to a zoo and the county must have previously
26 completed a master plan for development of the area. The
27 Office of Tourism, Trade, and Economic Development shall
28 approve the amendment effective January 1, 2005, if the
29 enterprise zone remains consistent with the criteria and
30 conditions imposed by s. 290.0055 upon the establishment of
31 enterprise zones, including the requirement that the area

1 suffer from pervasive poverty, unemployment, and general
2 distress.

3 Section 2. Section 290.00675, Florida Statutes, is
4 amended to read:

5 290.00675 Amendment of certain enterprise zone
6 boundaries.--

7 (1) Notwithstanding any other provisions of law, the
8 Office of Tourism, Trade, and Economic Development may amend
9 the boundaries of an area designated as an enterprise zone in
10 a community having a population of 235,000 persons but less
11 than 260,000, so long as the area does not increase the
12 overall size of the zone by greater than 25 acres and the
13 increased area is contiguous to the existing enterprise zone.
14 The amendment must also be consistent with the limitations
15 imposed by s. 290.0055 upon establishment of the enterprise
16 zone.

17 (2) Notwithstanding any other provisions of law, the
18 Office of Tourism, Trade, and Economic Development may approve
19 requests to amend the boundaries of an area designated as an
20 enterprise zone in a community having a population of 50,000
21 persons but fewer than 60,000, so long as the area does not
22 increase the overall size of the zone by greater than 400
23 acres and the increased area is contiguous to the existing
24 enterprise zone. The amendment must also be consistent with
25 the limitations imposed by s. 290.0055 upon establishment of
26 the enterprise zone. Such request must be submitted to the
27 Office of Tourism, Trade, and Economic Development prior to
28 December 31, 2004.

29 Section 3. Section 290.00688, Florida Statutes, is
30 amended to read:

31

1 290.00688 Enterprise zone designation for Leon
2 County.--Leon County, or Leon County and the City of
3 Tallahassee jointly, may apply to the Office of Tourism,
4 Trade, and Economic Development for designation of one
5 enterprise zone, the selected area of which shall not exceed
6 20 square miles and shall have a continuous boundary, or
7 consist of not more than three noncontiguous areas per s.
8 290.0055(4)(a). ~~The enterprise zone shall encompass an area or~~
9 ~~areas within the following census tracts for Leon County~~
10 ~~pursuant to the 1990 Census:~~
11
12 ~~Census tract 1, block group 1; census tract 2, block group 1;~~
13 ~~census tract 2, block group 3; census tract 2, block group 4;~~
14 ~~census tract 3, block group 1; census tract 4, block group 1;~~
15 ~~census tract 4, block group 2; census tract 5, block group 1;~~
16 ~~census tract 5, block group 2; census tract 6, block group 1;~~
17 ~~census tract 6, block group 2; census tract 6, block group 3;~~
18 ~~census tract 6, block group 4; census tract 7, block group 1;~~
19 ~~census tract 7, block group 2; census tract 7, block group 3;~~
20 ~~census tract 10.01, block group 1; census tract 10.01, block~~
21 ~~group 2; census tract 10.01, block group 3; census tract~~
22 ~~11.01, block group 1; census tract 11.01, block group 2;~~
23 ~~census tract 11.01, block group 3; census tract 11.02, block~~
24 ~~group 1; census tract 11.02, block group 3; census tract 12,~~
25 ~~block group 1; census tract 13, block group 1; census tract~~
26 ~~13, block group 2; census tract 14, block group 1; census~~
27 ~~tract 14, block group 2; census tract 14, block group 3;~~
28 ~~census tract 14, block group 4; census tract 14, block group~~
29 ~~5; census tract 15, block group 1; census tract 16.01, block~~
30 ~~group 1; census tract 18, block group 3; census tract 18,~~
31 ~~block group 4; census tract 19, block group 1; census tract~~

1 ~~19, block group 3; census tract 19, block group 4; census~~
2 ~~tract 20.01, block group 1; census tract 20.01, block group 2;~~
3 ~~census tract 20.01, block group 3; census tract 20.01, block~~
4 ~~group 4; census tract 20.01, block group 5; census tract~~
5 ~~20.02, block group 1; census tract 20.02, block group 2;~~
6 ~~census tract 20.02, block group 3; census tract 20.02, block~~
7 ~~group 5; census tract 21, block group 1; census tract 21,~~
8 ~~block group 3; census tract 21, block group 4; census tract~~
9 ~~21, block group 5; census tract 21, block group 7; census~~
10 ~~tract 22.01, block group 1; census tract 23.01, block group 3;~~
11 ~~census tract 23.01, block group 5; census tract 26.02, block~~
12 ~~group 4.~~

13

14 The application must be submitted by December 31, 2002, and
15 must comply with the requirements of s. 290.0055.

16 Notwithstanding the provisions of s. 290.0065 limiting the
17 total number of enterprise zones designated and the number of
18 enterprise zones within a population category, the Office of
19 Tourism, Trade, and Economic Development may designate one
20 enterprise zone under this section. The Office of Tourism,
21 Trade, and Economic Development shall establish the initial
22 effective date of the enterprise zone designated pursuant to
23 this section.

24 Section 4. Section 290.00702, Florida Statutes, is
25 created to read:

26 290.00702 Enterprise zone designation for Osceola
27 County or Osceola County and Kissimmee.--Osceola County, or
28 Osceola County and the City of Kissimmee jointly, may apply to
29 the Office of Tourism, Trade, and Economic Development for
30 designation of one enterprise zone within the county, or
31 within both the county and the city. The application must be

1 submitted by December 31, 2004, and must comply with the
2 requirements of s. 290.0055. Notwithstanding the provisions of
3 s. 290.0065 limiting the total number of enterprise zones
4 designated and the number of enterprise zones within a
5 population category, the Office of Tourism, Trade, and
6 Economic Development may designate one enterprise zone under
7 this section. The Office of Tourism, Trade, and Economic
8 Development shall establish the initial effective date of the
9 enterprise zone designated under this section.

10 Section 5. Section 290.00703, Florida Statutes, is
11 created to read:

12 290.00703 Enterprise zone designation for the City of
13 South Daytona.--The City of South Daytona may apply to the
14 Office of Tourism, Trade, and Economic Development for
15 designation of one enterprise zone within the city. The
16 application must be submitted by December 31, 2004, and must
17 comply with the requirements of s. 290.0055. Notwithstanding
18 the provisions of s. 290.0065 limiting the total number of
19 enterprise zones designated and the number of enterprise zones
20 within a population category, the Office of Tourism, Trade,
21 and Economic Development may designate one enterprise zone
22 under this section. The Office of Tourism, Trade, and Economic
23 Development shall establish the initial effective date of the
24 enterprise zone designated under this section.

25 Section 6. Section 290.00704, Florida Statutes, is
26 created to read:

27 290.00704 Enterprise zone designation for the City of
28 Lake Wales.--The City of Lake Wales may apply to the Office of
29 Tourism, Trade, and Economic Development for designation of
30 one enterprise zone for an area within the City of Lake Wales,
31 which zone shall encompass an area up to 3 contiguous square

1 miles. The application must be submitted by December 31, 2004,
2 and must comply with the requirements of s. 290.0055.

3 Notwithstanding the provisions of s. 290.0065, limiting the
4 total number of enterprise zones designated and the number of
5 enterprise zones within a population category, the Office of
6 Tourism, Trade, and Economic Development may designate one
7 enterprise zone under this section. The Office of Tourism,
8 Trade, and Economic Development shall establish the initial
9 effective date of the enterprise zone designated pursuant to
10 this section.

11 Section 7. Enterprise zone designation for Walton
12 County.--Walton County may apply to the Office of Tourism,
13 Trade, and Economic Development for designation of one
14 enterprise zone within an area in Walton County which
15 encompasses up to 6 square miles. The application must be
16 submitted by December 31, 2004, and must comply with the
17 requirements of section 290.0055, Florida Statutes, except
18 subsection (3) thereof. Notwithstanding section 290.0065,
19 Florida Statutes, limiting the total number of enterprise
20 zones designated and the number of enterprise zones within a
21 population category, the Office of Tourism, Trade, and
22 Economic Development may designate one enterprise zone under
23 this section. The Office of Tourism, Trade, and Economic
24 Development shall establish the initial effective date of the
25 enterprise zone designated pursuant to this section.

26 Section 8. Enterprise zone designation for the City of
27 West Miami.--Miami-Dade County or Miami-Dade County, jointly
28 with the City of West Miami, may apply to the Office of
29 Tourism, Trade, and Economic Development for designation of
30 one enterprise zone within the City of West Miami. The
31 application must be submitted by December 31, 2004, and must

1 comply with the requirements of section 290.0055, Florida
2 Statutes. Notwithstanding the provisions of section 290.0065,
3 Florida Statutes, limiting the total number of enterprise
4 zones designated and the number of enterprise zones within a
5 population category, the Office of Tourism, Trade, and
6 Economic Development may designate one enterprise zone under
7 this section. The Office of Tourism, Trade, and Economic
8 Development shall establish the initial effective date of the
9 enterprise zone designated under this section.

10 Section 9. (1) Notwithstanding the limitation in
11 section 290.0065, Florida Statutes, on the number of
12 enterprise zones within a population category, the Office of
13 Tourism, Trade, and Economic Development shall designate, upon
14 joint application by Miami-Dade County and the City of
15 Hialeah, an area within the municipality of the City of
16 Hialeah in an area bounded by 32nd Street, 21st Street, Palm
17 Avenue, and East 4th Avenue as an enterprise zone. The
18 application must be submitted by June 1, 2004, and must comply
19 with the requirements of section 290.0055, Florida Statutes,
20 except for paragraph (4)(d). The effective date of the
21 enterprise zone is July 1, 2004.

22 (2) This section shall take effect upon becoming a
23 law.

24 Section 10. Notwithstanding any other provision of
25 law, a governing body located wholly within the boundaries of
26 a consolidated government may apply to the Office of Tourism,
27 Trade, and Economic Development to amend the boundary of its
28 existing enterprise zone. The area proposed for addition to
29 the enterprise zone must include the three noncontiguous areas
30 designated as a federal empowerment zone under the 2000
31 Community Renewal Tax Relief Act without any limitations as to

1 size. The Office of Tourism, Trade, and Economic Development
2 may approve an amendment to the enterprise zone boundary lines
3 if the application is submitted before December 31, 2004, and
4 meets the requirements of this section.

5 Section 11. Notwithstanding any provision of law to
6 the contrary, the governing body of an inland county with a
7 state-designated enterprise zone and a population greater than
8 500,000 may apply to the Office of Tourism, Trade, and
9 Economic Development to amend the boundaries of one
10 noncontiguous area of an enterprise zone. The office shall
11 approve the application if the amended area does not exceed 5
12 square miles and is consistent with the categories, criteria,
13 and limitations imposed by section 290.0055, Florida Statutes,
14 upon the establishment of such enterprise zone. The
15 application for the amendment to the enterprise zone boundary
16 must be received by December 31, 2004.

17 Section 12. If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 invalidity does not affect other provisions or applications of
20 the act which can be given effect without the invalid
21 provision or application, and to this end the provisions of
22 this act are severable.

23 Section 13. Except as otherwise expressly provided in
24 this act, this act shall take effect July 1, 2004.

25
26 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
27 COMMITTEE SUBSTITUTE FOR
28 Senate Bill 1358

29 The committee substitute authorizes multiple communities to
30 apply to the Office of Tourism, Trade, and Economic
31 Development for the designation of new enterprise zones and
authorizes multiple communities to apply to the office to
amend the boundaries of existing enterprise zones.