

1 A bill to be entitled

2 An act relating to insurance premium and corporate income
3 tax credits; creating part XII of ch. 288, F.S.,
4 consisting of ss. 288.991 and 288.992, F.S.; providing
5 definitions; providing that taxpayers who hold a qualified
6 equity investment on a credit allowance date of the
7 investment are entitled to a nonrefundable,
8 nontransferable tax credit for the taxable year in which
9 the credit allowance date falls; providing for calculating
10 the amount of the tax credit; limiting the amount of the
11 tax credit that may be redeemed in a fiscal year;
12 authorizing a taxpayer to carryover any amount of the tax
13 credit that the taxpayer is prohibited from redeeming in a
14 taxable year to any subsequent taxable year; providing for
15 the redemption of tax credits earned by certain business
16 entities and by the partners, members, or shareholders of
17 those entities; authorizing the Office of Tourism, Trade,
18 and Economic Development to qualify equity investments as
19 eligible for tax credits; providing an application
20 process; requiring a fee; requiring the office to limit
21 the monetary amount of qualified equity investments to a
22 level necessary to limit the use of tax credits to a
23 specified amount in each fiscal year; providing a basis
24 for such limitation; authorizing the office to adjust tax
25 credits under certain circumstances; requiring
26 certifications to be accompanied by audited financial
27 statements and other information; requiring taxpayers to
28 make an election as to the taxes to which to apply the

29 credit; requiring the office to order and the Department
30 of Revenue to recapture tax credits from certain taxpayers
31 under certain circumstances; requiring the office to
32 administer the allocation of tax credits for certain
33 qualified investments in a specified manner; requiring
34 certain community development entities to report certain
35 information to the office; requiring the office to file
36 annual reports on certain community investments;
37 authorizing the office to conduct examinations and audits
38 to verify receipt and application of tax credits;
39 authorizing the department to pursue recovery of certain
40 funds; providing notice requirements; providing annual
41 reporting requirements for community development entities;
42 requiring the office to file annual reports on certain
43 investments; authorizing the office to conduct
44 examinations to verify receipt and application of tax
45 credits; authorizing the office to revoke or modify
46 certain decisions relating to eligibility for tax credits
47 under certain circumstances; providing for liability for
48 certain costs and fees relating to investigations of
49 fraudulent claims; providing for taxpayer liability for
50 reimbursement of fraudulently claimed tax credits;
51 providing a penalty; providing application; requiring the
52 office and department to adopt rules; providing for future
53 repeal; amending s. 213.053, F.S.; providing for
54 disclosure of certain tax credit information to the Office
55 of Tourism, Trade, and Economic Development for certain
56 purpose; amending s. 220.02, F.S.; revising legislative

57 | intent with respect to the order of tax credits to
 58 | conform; amending s. 220.13, F.S.; revising a definition
 59 | to conform; providing an effective date.
 60 |

61 | Be It Enacted by the Legislature of the State of Florida:
 62 |

63 | Section 1. Part XII of chapter 288, Florida Statutes,
 64 | consisting of sections 288.991 and 288.992, is created to read:

65 | 288.991 New Markets Tax Credit Act.--This part may be
 66 | cited as the "New Markets Tax Credit Act."

67 | 288.992 New markets tax credit.--

68 | (1) DEFINITIONS.--As used in this section, the term:

69 | (a) "Adjusted purchase price" means the product of the
 70 | amount paid at issuance for a qualified equity investment and a
 71 | fraction the numerator of which is the dollar amount of
 72 | qualified low-income community investments in this state made
 73 | with the proceeds of the issuance of the qualified equity
 74 | investment and held by the qualified community development
 75 | entity on the applicable credit allowance date and the
 76 | denominator of which is the total dollar amount of qualified
 77 | low-income community investments made with the proceeds of the
 78 | issuance of the qualified equity investment held by the
 79 | qualified community development entity on such date.

80 | (b) "Credit allowance date" means:

81 | 1. The first anniversary of the date on which any
 82 | qualified equity investment is initially made; and

83 | 2. Each of the five subsequent anniversaries of such date.

84 | (c) "Long-term debt security" means any debt instrument

85 issued by a qualified community development entity, at par value
86 or a premium, having an original maturity date of at least 7
87 years after the date of its issuance, with no acceleration of
88 repayment, amortization, or prepayment features before its
89 original maturity date, and having no distribution, payment, or
90 interest features related to the profitability of the qualified
91 community development entity or the performance of the qualified
92 community development entity's investment portfolio. This
93 paragraph does not limit the holder's ability to accelerate
94 payments on the debt instrument in situations in which the
95 qualified community development entity has defaulted on
96 covenants designed to ensure compliance with this section or s.
97 45D of the Internal Revenue Code of 1986, as amended.

98 (d) "Low-income community" means any population census
99 tract within this state for which:

100 1. The federal individual poverty rate of such tract is at
101 least 20 percent; or

102 2.a. In the case of a tract not located within a
103 metropolitan area, the median family income for such tract does
104 not exceed 80 percent of statewide median family income; or

105 b. In the case of a tract located within a metropolitan
106 area, the median family income for such a tract does not exceed
107 80 percent of the greater of statewide median family income or
108 the metropolitan area median income.

109 (e) "Qualified active low-income community business" has
110 the same meaning as in s. 45D of the Internal Revenue Code of
111 1986, as amended, provided the term "qualified active low-income
112 community business" does not include any trade or business:

113 1. That derives or projects to derive 15 percent or more
 114 of its annual revenue from the rental or sale of real estate;

115 2. That consists predominantly of the development or
 116 holding of intangibles for sale or license;

117 3. That consists of the operation of any private or
 118 commercial golf course, country club, massage parlor, hot tub
 119 facility, tanning facility, racetrack or other facility used for
 120 gambling, or any store the principal business of which is the
 121 sale of alcoholic beverages for consumption off premises; or

122 4. The principal activity of which is farming if the sum
 123 of the aggregate unadjusted bases or, if greater, the fair
 124 market value of the assets owned by the business that are used
 125 in such trade or business and the aggregate value of the assets
 126 leased by the business used in such trade or business exceeds
 127 \$500,000. For the purposes of this paragraph, two or more trades
 128 or businesses will be treated as a single trade or business.

129 (f) "Qualified community development entity" means any
 130 entity that has been certified as a qualified community
 131 development entity by the Community Development Financial
 132 Institutions Fund of the United States Treasury Department
 133 pursuant to s. 45D of the Internal Revenue Code of 1986, as
 134 amended, whose certification has not been revoked and who has
 135 entered into an allocation agreement with the Community
 136 Development Financial Institutions Fund with respect to tax
 137 credits authorized by s. 45D of the Internal Revenue Code of
 138 1986, as amended.

139 (g) "Qualified equity investment" means any equity
 140 investment or long-term debt security issued by a qualified

141 community development entity that:

142 1. Is acquired on or after July 1, 2007, at its original
 143 issuance solely in exchange for cash;

144 2. Has at least 85 percent of its cash purchase price used
 145 by the qualified community development entity to make qualified
 146 low-income community investments within the 12-month period
 147 beginning on the date the cash is paid by the taxpayer to the
 148 community development entity; and

149 3. Is certified by the Office of Tourism, Trade, and
 150 Economic Development as a qualified equity investment pursuant
 151 to this section.

152 (h) "Qualified low-income community investment" means any
 153 capital or equity investment in or loan to any qualified active
 154 low-income community business made after July 1, 2007. With
 155 respect to any one qualified active low-income community
 156 business, the maximum amount of debt or equity issued by it, on
 157 a collective basis with all of its affiliates, that may be
 158 included in the calculation of any numerator described in
 159 paragraph (1) (a) shall be \$10 million, whether such investments
 160 are issued to one or more qualified community development
 161 entities.

162 (i) "Office" means the Office of Tourism, Trade, and
 163 Economic Development.

164 (2) AUTHORIZATION OF TAX CREDITS.--

165 (a) A taxpayer holding a qualified equity investment on a
 166 credit allowance date of such qualified equity investment shall
 167 be entitled to a tax credit against the taxes imposed by s.
 168 220.11 or s. 624.509 during the tax year that includes the

169 credit allowance date. The tax credit amount is equal to 8.33
 170 percent of the adjusted purchase price of the qualified equity
 171 investment.

172 (b) A taxpayer may not redeem any portion of such tax
 173 credit in any tax year that exceeds the taxpayer's state tax
 174 liability for such tax year. Any amount of the tax credit that
 175 the taxpayer is so prohibited from redeeming in a tax year may
 176 be carried forward for use in any subsequent tax year; however,
 177 all unused tax credits shall expire on December 31, 2028.

178 (c) The taxpayer's cash investment received by the
 179 community development entity is treated as invested in a
 180 qualified low-income community investment only to the extent
 181 that the cash is so invested within the 12-month period
 182 beginning on the date the cash is paid by the taxpayer to the
 183 community development entity.

184 (d) A tax credit authorized under this section is not
 185 refundable or transferable. However, if a qualified equity
 186 investment is transferred, the tax credits for future credit
 187 allowance dates, if any, shall transfer with the qualified
 188 equity investment. Credit amounts, including any carryover
 189 amounts, from credit allowance dates prior to the date of
 190 transfer do not transfer with the qualified equity investment.
 191 Tax credits earned by a partnership, limited liability company,
 192 S corporation, or other pass-through entity may be allocated to
 193 the partners, members, or shareholders of such entity for their
 194 direct redemption in accordance with the provisions of any
 195 agreement among the partners, members, or shareholders.

196 (3) DESIGNATION OF QUALIFIED EQUITY INVESTMENTS.--

197 (a) Any qualified community development entity that
198 desires to have an equity investment or long-term debt security
199 designated as a qualified equity investment and eligible for tax
200 credits under this section shall apply to the office. The
201 qualified community development entity shall file an application
202 on a form which the office may prescribe by rule, which shall
203 include, but not be limited to, the following:

204 1. The name, address, tax identification number of the
205 entity, and evidence of the entity's certification as a
206 qualified community development entity by the Community
207 Development Financial Institutions Fund of the United States
208 Department of Treasury.

209 2. A copy of an allocation agreement executed by the
210 qualified community development entity and the Community
211 Development Financial Institutions Fund with respect to an
212 allocation of tax credits under s. 45D of the Internal Revenue
213 Code of 1986, as amended.

214 3. A certificate, executed by an executive of the
215 qualified community development entity, attesting that such
216 allocation agreement remains in effect and has not been revoked
217 or cancelled by the Community Development Financial Institutions
218 Fund.

219 4. A description of the proposed amount, structure, and
220 purchaser of the equity investment or long-term debt security.

221 5. The name and tax identification number of any person or
222 entity that will be eligible to redeem tax credits earned as a
223 result of the issuance of the qualified equity investment.

224 6. Information regarding the proposed use of proceeds from

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225 the issuance of the qualified equity investment, which shall
226 include the types of qualified active low-income community
227 businesses that will be funded and an estimate of the percentage
228 of qualified low-income community investments that will be made
229 in the state with the proceeds of the qualified equity
230 investment. In addition, the entity shall submit a nonrefundable
231 application fee of \$1,000 to the office in connection with each
232 application filed with the office.

233 7. A statement setting forth the applicant's plans for the
234 development of relationships with community-based organizations,
235 local community development offices and organizations, and
236 economic development organizations, as well as any steps the
237 community development entity has taken to implement these
238 relationships.

239 (b) Within 30 days after receipt of a completed
240 application containing all information necessary for the office
241 to certify a potential qualified equity investment, including
242 payment of the application fee, the office shall grant or deny
243 the application in full or in part. If the office denies any
244 part of the application, it shall inform the qualified community
245 development entity of the grounds for the denial. If the
246 qualified community development entity provides any additional
247 information required by the office or otherwise completes its
248 application within 15 days' notice of denial, the application
249 shall be considered completed as of its original date of
250 submission. If the qualified community development entity fails
251 to provide such information or complete its application within
252 this 15-day period, the application will remain denied and will

253 be required to be resubmitted in full with a new submission
254 date.

255 (c) If an application is deemed complete by the office, it
256 shall certify the proposed equity investment or long-term debt
257 security as a qualified equity investment and eligible for tax
258 credits under this section. The office shall provide written
259 notice of that certification to the qualified community
260 development entity and the Department of Revenue. The written
261 notice shall include the maximum amount of tax credits that may
262 be earned as a result of the issuance of the qualified equity
263 investment, which shall be calculated with reference to the
264 percentage of qualified low-income community investments
265 estimated to be made in this state by the qualified community
266 development entity in its application, and the names of those
267 taxpayers who are eligible to redeem the credits and their
268 respective credit amounts. The office shall certify qualified
269 equity investments in the order which applications for their
270 certification are received. Any applications received on the
271 same day shall be deemed to have been received simultaneously.

272 (d) Once the office has certified qualified equity
273 investments on a cumulative basis that are eligible for \$105
274 million in tax credits, of which no more than \$15 million may be
275 claimed per state fiscal year, exclusive of tax credits carried
276 forward, and on or after June 30, 2014, the office may not
277 certify any more qualified equity investments. Tax credits
278 subject to appropriations in any year must be approved and
279 enacted by the Legislature. If a pending request for
280 certification of a qualified equity investment can be partially

281 certified but not fully certified because of the application of
282 this section, the office shall certify that portion of the
283 qualified equity investment that may be certified unless the
284 qualified community development entity elects to withdraw its
285 request rather than receive partial credits.

286 (e) Within 30 days' notice of certification from the
287 office, the qualified community development entity must issue
288 the qualified equity investment and receive cash in the amount
289 of the certified amount. The qualified community development
290 entity shall provide the office with evidence of the receipt of
291 the investment within 10 business days after its receipt. If the
292 qualified community development entity does not issue the
293 qualified equity investment and receive the cash investment
294 within the 30 days after receipt of the certification notice,
295 the certification shall lapse and the qualified community
296 development entity shall no longer be entitled to issue such
297 qualified equity investment without reapplying to the office for
298 certification. Any certifications that lapse pursuant to the
299 preceding sentence shall revert back to the office and may be
300 reissued in accordance with the application process outlined in
301 this section.

302 (f) On the date on which a qualified equity investment is
303 initially made, the purchaser thereof shall make an election to
304 apply the credit against taxes due under chapter 220 or chapter
305 624 or against a stated combination of the two taxes and shall
306 provide notice of such election to the office and Department of
307 Revenue. A purchaser, subsequent holder of the qualified equity
308 investment, or member, partner, or shareholder of the holder who

309 is eligible to take the credit may not alter this election
 310 without prior notice to and approval by the Department of
 311 Revenue.

312 (4) ANNUAL CALCULATION OF CREDIT.--

313 (a) Within 30 days after each credit allowance date, each
 314 qualified community development entity shall submit to the
 315 office the following with respect to each qualified equity
 316 investment issued by it, including, but not limited to:

317 1. A listing, certified by an executive officer of the
 318 qualified community development entity, of all qualified low-
 319 income community investments made by the qualified community
 320 development entity with the proceeds of a qualified equity
 321 investment and held as of the credit allowance date, which shall
 322 include the name of each qualified active low-income business
 323 funded, the location of the principal office of each such
 324 business, the type of business and the amount of the qualified
 325 low-income community investment in each such business, and the
 326 total of qualified low-income community investments by all
 327 community development entities in each such business.

328 2. Bank records, wire transfer records, or other similar
 329 documents that reflect the investments listed in subparagraph 1.

330 3. A calculation certified by the chief financial officer
 331 or accounting officer of the qualified community development
 332 entity of the amount of qualified low-income community
 333 investments in this state made with the proceeds of the issuance
 334 of the qualified equity investment held by the qualified
 335 community development entity as of the credit allowance date and
 336 the total qualified low-income community investments made with

337 the proceeds of the issuance of the qualified equity investment
338 held by the qualified community development entity on the credit
339 allowance date. In making this calculation, an investment in
340 this state shall be deemed to be held by a qualified community
341 development entity, even if the investment has been sold or
342 repaid, if the qualified community development entity reinvests
343 an amount equal to the capital returned to or recovered from the
344 original investment, exclusive of any profits realized, in
345 another qualified low-income community investment in this state
346 within 12 months after receipt of such capital. A qualified
347 community development entity is not required to reinvest capital
348 returned from qualified low-income community investments after
349 the sixth anniversary of the issuance of the qualified equity
350 investment for which the proceeds were used to make the
351 qualified low-income community investment. The qualified low-
352 income community investment shall be deemed to be held by the
353 qualified community development entity through the seventh
354 anniversary of the qualified equity investment's issuance.

355 4. An attestation from the qualified community development
356 entity's chief financial or accounting officer that no
357 redemption or principal payment was made with respect to the
358 qualified equity investment since the previous credit allowance
359 date.

360 5. Any information with respect to a recapture of the
361 federal tax credits available with respect to a qualified equity
362 investment that the qualified community development entity has
363 received since the prior credit allowance date.

364 (b) Within 20 days after receipt of the information listed

365 in paragraph (a), the office shall certify in writing to the
 366 qualified community development entity and to the Department of
 367 Revenue the amount of credit that is eligible for use for such
 368 credit allowance date. The notice shall include a listing of
 369 those taxpayers that are eligible to redeem the tax credit for
 370 such credit allowance date.

371 (5) AUDIT AND RECAPTURE.--

372 (a) A qualified community development entity that receives
 373 an annual allocation of tax credits in an amount equal to or in
 374 excess of \$500,000 shall be treated as a recipient pursuant to
 375 s. 215.97(2) and required to participate in a state single audit
 376 pursuant to the provisions of s. 215.97. In addition to the
 377 financial reporting package required therein, the audit shall
 378 attest to the qualified community development entity's adherence
 379 to the performance conditions enumerated in this section as they
 380 relate to the potential for recapture of the tax credit required
 381 by paragraph (b). The office shall be deemed the state awarding
 382 agency and state coordinating agency pursuant to s. 215.97(2).
 383 Taxpayers that are not qualified community development entities
 384 shall not be treated as subrecipients pursuant to s. 215.97(2)
 385 or otherwise required to participate in the state single audit
 386 program as a result of their receipt of tax credits that were
 387 allocated to the qualified community development entity since
 388 such persons do not control adherence to the performance
 389 standards of this program.

390 (b) The office shall order recapture of any tax credit
 391 allowed under this section with respect to a qualified equity
 392 investment if:

393 1. Any amount of the federal tax credit available with
394 respect to a qualified equity investment that is eligible for a
395 tax credit under this section is recaptured under s. 45D of the
396 Internal Revenue Code of 1986, as amended;

397 2. The qualified community development entity redeems or
398 makes any principal repayment with respect to a qualified equity
399 investment before the seventh anniversary of the issuance of the
400 qualified equity investment;

401 3. The qualified community development entity fails to
402 maintain at least 85 percent of the proceeds of the qualified
403 equity investment in qualified low-income community investments
404 at any time before the seventh anniversary of the issuance of
405 the qualified equity investment and remains in compliance with
406 subparagraph (1)(g)2.;

407 4. The qualified community development entity fails to
408 provide to the office and the Department of Revenue any of the
409 information or reports required by this section; or

410 5. The office determines, as a result of a state single
411 audit or an examination by the office, that a taxpayer received
412 tax credits pursuant to this section to which the taxpayer was
413 not entitled.

414 (c) The office shall provide notice to the qualified
415 community development entity and to the Department of Revenue of
416 any proposed recapture of tax credits pursuant to this section.
417 The qualified community development entity shall have 90 days to
418 cure any deficiency indicated in the office's original recapture
419 notice and avoid such recapture. If the qualified community
420 development entity fails or is unable to cure such deficiency

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421 within such 90-day period, the office shall provide the
422 qualified community development entity and the Department of
423 Revenue with a final order of recapture. The qualified community
424 development entity shall be responsible for providing copies of
425 such final order of recapture to persons owning the tax credits
426 at issue.

427 (d) Any tax credit for which a final recapture order has
428 been issued shall be recaptured by the Department of Revenue
429 from the taxpayer who claimed the tax credit on a tax return, or
430 in the case of multiple succeeding entities, in the order of tax
431 credit succession, and such funds shall be paid into the General
432 Revenue Fund. Such action by the Department of Revenue shall not
433 constitute an audit or otherwise alter the Department of
434 Revenue's ability to audit the taxpayer.

435 (6) ANNUAL REPORTING.--Within 120 days after the end of a
436 calendar year which includes a credit allowance date, each
437 community development entity that has an equity investment or
438 long-term debt security certified as a qualified equity
439 investment under this section shall provide the office, but
440 shall not be limited to:

441 (a)1. Annual financial statements of the qualified
442 community development entity for the immediately preceding
443 calendar year, audited by an firm of independent certified
444 public accountants.

445 2. Using the North American Industry Classification System
446 Code, the types of businesses funded, the counties where the
447 qualified active low-income community businesses are located,
448 the dollars invested, and the number of jobs created and

449 retained by qualified active low-income businesses funded, in a
450 form satisfactory to the office.

451 3. A statement detailing a description of the
452 relationships the community development entity has established
453 with community-based organizations, local community development
454 offices and organizations, and economic development
455 organizations and a summary of the outcomes resulting from those
456 relationships.

457 (b) The office shall file an annual report on all
458 qualified low-income community investments made in this state
459 with the proceeds of qualified equity investments that includes
460 relevant statistics from the North American Industry
461 Classification System Code, the county or counties where the
462 qualified low-income community investments are located, the
463 dollars invested, the number of jobs created and retained by
464 business in which qualified low-income community investments
465 have been made, and the value of applicable state tax credits
466 claimed the latest year for which such information is available.
467 The office shall submit a copy to the Governor, the President of
468 the Senate, and the Speaker of the House of Representatives each
469 July 1, beginning in 2009, and also may post the annual report
470 on the office's website.

471 (7) EXAMINATION.--

472 (a) The office may conduct examinations to verify that tax
473 credits under this section have been received and applied
474 according to the requirements of this section and to verify
475 information provided by qualified community development entities
476 to the office.

477 (b) The office may revoke or modify any written decision
478 qualifying, certifying, or otherwise granting eligibility for
479 tax credits under this section if it is discovered that the
480 qualified community development entity submitted any false
481 statement, representation, or certification in any application,
482 record, report, plan, or other document filed in an attempt to
483 receive tax credits under this section.

484 (c) Any qualified community development entity that
485 submits information under this section that includes fraudulent
486 information is liable for reimbursement of the reasonable costs
487 and fees associated with the review, processing, investigation,
488 and prosecution of the fraudulent claim plus a penalty in an
489 amount double the credit amount certified and claimed by the
490 holders of its qualified equity investments, which penalty is in
491 addition to any criminal penalty to which the taxpayer is liable
492 for the same acts.

493 (8) APPLICATION.--This section does not apply for any
494 fiscal year unless funds sufficient to offset the tax credits to
495 be allocated by the Department of Revenue have been appropriated
496 from the General Revenue Fund for that fiscal year.

497 (9) RULEMAKING AUTHORITY.--

498 (a) The office may adopt rules pursuant to ss. 120.536(1)
499 and 120.54 to implement the provisions of this section.

500 (b) The Department of Revenue may adopt rules pursuant to
501 ss. 120.536(1) and 120.54 to implement the provisions of this
502 section.

503 (10) REPEAL.--This section is repealed December 31, 2028.
504 Section 2. Subsection (19) is added to section 213.053,

505 Florida Statutes, to read:

506 213.053 Confidentiality and information sharing.--

507 (19) Information relative to tax credits taken by a
 508 taxpayer under s. 288.992 may be disclosed to the Office of
 509 Tourism, Trade, and Economic Development, or its employees or
 510 agents that are identified in writing by the office to the
 511 department, for use in performance of their official duties. The
 512 office shall be bound by the same requirements of
 513 confidentiality as the department.

514 Section 3. Subsection (8) of section 220.02, Florida
 515 Statutes, is amended to read:

516 220.02 Legislative intent.--

517 (8) It is the intent of the Legislature that credits
 518 against either the corporate income tax or the franchise tax be
 519 applied in the following order: those enumerated in s. 631.828,
 520 those enumerated in s. 220.191, those enumerated in s. 220.181,
 521 those enumerated in s. 220.183, those enumerated in s. 220.182,
 522 those enumerated in s. 220.1895, those enumerated in s. 221.02,
 523 those enumerated in s. 220.184, those enumerated in s. 220.186,
 524 those enumerated in s. 220.1845, those enumerated in s. 220.19,
 525 those enumerated in s. 220.185, those enumerated in s. 220.187,
 526 those enumerated in s. 220.192, ~~and~~ those enumerated in s.
 527 220.193, and those enumerated in s. 288.992.

528 Section 4. Paragraph (a) of subsection (1) of section
 529 220.13, Florida Statutes, is amended to read:

530 220.13 "Adjusted federal income" defined.--

531 (1) The term "adjusted federal income" means an amount
 532 equal to the taxpayer's taxable income as defined in subsection

533 (2), or such taxable income of more than one taxpayer as
534 provided in s. 220.131, for the taxable year, adjusted as
535 follows:

536 (a) Additions.--There shall be added to such taxable
537 income:

538 1. The amount of any tax upon or measured by income,
539 excluding taxes based on gross receipts or revenues, paid or
540 accrued as a liability to the District of Columbia or any state
541 of the United States which is deductible from gross income in
542 the computation of taxable income for the taxable year.

543 2. The amount of interest which is excluded from taxable
544 income under s. 103(a) of the Internal Revenue Code or any other
545 federal law, less the associated expenses disallowed in the
546 computation of taxable income under s. 265 of the Internal
547 Revenue Code or any other law, excluding 60 percent of any
548 amounts included in alternative minimum taxable income, as
549 defined in s. 55(b)(2) of the Internal Revenue Code, if the
550 taxpayer pays tax under s. 220.11(3).

551 3. In the case of a regulated investment company or real
552 estate investment trust, an amount equal to the excess of the
553 net long-term capital gain for the taxable year over the amount
554 of the capital gain dividends attributable to the taxable year.

555 4. That portion of the wages or salaries paid or incurred
556 for the taxable year which is equal to the amount of the credit
557 allowable for the taxable year under s. 220.181. This
558 subparagraph shall expire on the date specified in s. 290.016
559 for the expiration of the Florida Enterprise Zone Act.

560 5. That portion of the ad valorem school taxes paid or

561 incurred for the taxable year which is equal to the amount of
 562 the credit allowable for the taxable year under s. 220.182. This
 563 subparagraph shall expire on the date specified in s. 290.016
 564 for the expiration of the Florida Enterprise Zone Act.

565 6. The amount of emergency excise tax paid or accrued as a
 566 liability to this state under chapter 221 which tax is
 567 deductible from gross income in the computation of taxable
 568 income for the taxable year.

569 7. That portion of assessments to fund a guaranty
 570 association incurred for the taxable year which is equal to the
 571 amount of the credit allowable for the taxable year.

572 8. In the case of a nonprofit corporation which holds a
 573 pari-mutuel permit and which is exempt from federal income tax
 574 as a farmers' cooperative, an amount equal to the excess of the
 575 gross income attributable to the pari-mutuel operations over the
 576 attributable expenses for the taxable year.

577 9. The amount taken as a credit for the taxable year under
 578 s. 220.1895.

579 10. Up to nine percent of the eligible basis of any
 580 designated project which is equal to the credit allowable for
 581 the taxable year under s. 220.185.

582 11. The amount taken as a credit for the taxable year
 583 under s. 220.187.

584 12. The amount taken as a credit for the taxable year
 585 under s. 220.192.

586 13. The amount taken as a credit for the taxable year
 587 under s. 220.193.

588 14. Any portion of a qualified equity investment, as

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589 defined in s. 288.992(1)(g), that has been claimed as a
590 deduction by the taxpayer for purposes of computing the
591 taxpayer's net income.

592 Section 5. This act shall take effect July 1, 2007, and
593 shall apply to tax years ending after December 31, 2007.