



116894

CHAMBER ACTION

Senate

House

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Floor: 2/AD/2R
4/16/2008 1:24 PM

1 Senator Fasano moved the following **amendment**:

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3 **Senate Amendment (with directory and title amendments)**

4 Between line(s) 384 & 385

5 insert:

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

7 (r) "Rural county" means a county with a population of
8 75,000 or fewer or a county with a population of 120,000 ~~100,000~~
9 of fewer which is contiguous to a county with a population of
10 75,000 or fewer.

11 (4) TAX REFUND AGREEMENT.--

12 (b) Compliance with the terms and conditions of the
13 agreement is a condition precedent for the receipt of a tax
14 refund each year. The failure to comply with the terms and
15 conditions of the tax refund agreement results in the loss of
16 eligibility for receipt of all tax refunds previously authorized
17 under this section and the revocation by the director of the



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18 certification of the business entity as a qualified target
19 industry business, unless the business is eligible to receive and
20 elects to accept a prorated refund under paragraph (5) (d) or the
21 office grants the business an economic-stimulus exemption.

22 1. A qualified target industry business may submit, in
23 writing, a request to the office for an economic-stimulus
24 exemption. The request must provide quantitative evidence
25 demonstrating how negative economic conditions in the business's
26 industry, ~~the effects of the impact of a named hurricane or~~
27 ~~tropical storm, or specific acts of terrorism affecting the~~
28 ~~qualified target industry business~~ have prevented the business
29 from complying with the terms and conditions of its tax refund
30 agreement.

31 2. Upon receipt of a request under subparagraph 1., the
32 director shall have 45 days to notify the requesting business, in
33 writing, if its exemption has been granted or denied. In
34 determining if an exemption should be granted, the director shall
35 consider the extent to which negative economic conditions in the
36 requesting business's industry, ~~the effects of the impact of a~~
37 ~~named hurricane or tropical storm, or specific acts of terrorism~~
38 ~~affecting the qualified target industry business~~ have prevented
39 the business from complying with the terms and conditions of its
40 tax refund agreement. The office shall consider current Florida
41 employment statistics by industry, including whether the
42 business's industry had substantial job loss during the prior
43 year, when determining whether an economic stimulus exemption
44 shall be granted.

45 3. As a condition for receiving a prorated refund under
46 paragraph (5) (d) or an economic-stimulus exemption under this
47 paragraph, a qualified target industry business must agree to



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48 renegotiate its tax refund agreement with the office to, at a
49 minimum, ensure that the terms of the agreement comply with
50 current law and office procedures governing application for and
51 award of tax refunds. Upon approving the award of a prorated
52 refund or granting an economic-stimulus exemption, the office
53 shall renegotiate the tax refund agreement with the business as
54 required by this subparagraph. When amending the agreement of a
55 business receiving an economic-stimulus exemption, the office may
56 extend the duration of the agreement for a period not to exceed 2
57 years.

58 4. A qualified target industry business may submit a
59 request for an economic-stimulus exemption to the office in lieu
60 of any tax refund claim scheduled to be submitted after January
61 1, 2008 ~~2005~~, but before July 1, 2009 ~~2006~~.

62 5. A qualified target industry business that receives an
63 economic-stimulus exemption may not receive a tax refund for the
64 period covered by the exemption.

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67 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

68 And the directory clause is amended as follows:

69 Delete line(s) 381-382

70 and insert:

71 Section 1. Paragraph (r) of subsection (1), subsection (3),
72 and paragraph (b) of subsection (4) of section 288.106, Florida
73 Statutes, are amended to read:

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

77 And the title is amended as follows:



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78 | Delete line(s) 19
79 | and insert:
80 | modifying the definition of rural county; application
81 | process to changes made by the act; modifying the criteria
82 | for businesses to be eligible for a an economic stimulus
83 | exemption; extending the application period; amending