

HB 1223

2009

1 A bill to be entitled
2 An act relating to corporate income tax credits for small
3 business corporations; requiring the Department of Revenue
4 to establish a corporate income tax credit program for
5 certain small businesses; providing a definition;
6 requiring the department to provide tax credit
7 applications on its website; providing for department
8 approval of tax credit applications; requiring the
9 department to file copies of approved applications and
10 send copies to applicants; providing criteria and
11 requirements for and limitations on the tax credit;
12 authorizing not-for-profit small business corporations to
13 auction eligible tax credits to certain entities;
14 specifying uses of proceeds of auctioned credits;
15 requiring the department to develop a plan to auction tax
16 credits; requiring the department to establish a workgroup
17 for certain purposes; authorizing the department to adopt
18 rules; requiring the Office of Program Policy Analysis and
19 Government Accountability to review the program and report
20 to the Legislature; providing an effective date.

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

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24 Section 1. (1) The Department of Revenue shall establish
25 a program to grant to small business corporations a credit
26 against the tax imposed under chapter 220, Florida Statutes, as
27 provided in this section.

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28 (2) For purposes of this section, the term "small business
29 corporation" means a for-profit or not-for-profit corporation
30 registered with the Department of State that employs fewer than
31 250 employees and is doing business in this state.

32 (3) The Department of Revenue shall make available on its
33 website to small business corporations an application for the
34 tax credit authorized by this section.

35 (4) Upon receipt of a completed application from an
36 eligible small business corporation that meets the requirements
37 of this section for a credit, the department shall approve the
38 application and shall place a copy of the approved application
39 on file with the corporation's tax file and send a copy of the
40 approved application to the corporation seeking the credit.

41 (5) Each small business corporation is eligible to receive
42 a credit against the tax imposed under chapter 220, Florida
43 Statutes, in an amount equal to 75 percent of each dollar the
44 applicant can demonstrate, through methods acceptable and
45 approved by the department, that the applicant invested in
46 employee training, expansion of employment of up to 15 new
47 positions, and investment in the purchase of new or used
48 business equipment for the year in which the investment
49 occurred.

50 (6) The total amount of the tax credit available to any
51 small business corporation is limited to \$100,000 for each such
52 corporation.

53 (7) (a) A not-for-profit small business corporation may
54 auction any tax credit the corporation is eligible to receive to
55 any private investor and the funds generated from the sale of

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56 the tax credit shall be used by such corporation as matching
57 funds for grants, Medicaid waivers, or investments in staff
58 training, construction of new buildings or renovation of current
59 buildings, purchase of new or used business equipment, or
60 expansions of its workforce.

61 (b) The purchase of a tax credit auctioned by a not-for-
62 profit small business corporation is limited to corporations
63 registered in this state or individuals that operate or live in
64 this state.

65 (c) The department shall develop a plan for auctioning tax
66 credits and shall make available on its website information as
67 to how individuals or corporations can participate in the
68 process.

69 (8) The department shall create a workgroup of advocates,
70 business leaders, and stakeholders to provide direction and
71 assistance with the development of rules required to implement
72 this program.

73 (9) The department may any adopt rules necessary to
74 implement the requirements of this section.

75 (10) The Office of Program Policy Analysis and Government
76 Accountability shall review the impact of the program on
77 stimulating economic expansion and investment in equipment, not-
78 for-profits, and workforce development and provide a report to
79 the President of the Senate and the Speaker of the House of
80 Representatives no later than January 1, 2012.

81 Section 2. This act shall take effect July 1, 2009.