

By Senator Ring

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1                   A bill to be entitled  
2           An act relating to the tax refund program for  
3           qualified target industry businesses; amending s.  
4           288.106, F.S.; defining and revising terms; revising  
5           eligibility of qualified target industry businesses  
6           for tax refunds; authorizing tax refunds for certain  
7           businesses that make capital investments in a project;  
8           revising application requirements and qualifications  
9           for review of applications by the Office of Tourism,  
10          Trade, and Economic Development; reenacting ss.  
11          159.803(11), 212.098(1)(a), and 220.1896(1)(a), F.S.,  
12          relating to definitions with respect to eligible  
13          projects for private activity bonds in the Florida  
14          First Business allocation pool and eligible businesses  
15          for the Rural Job Tax Credit Program and Jobs for the  
16          Unemployed Tax Credit Program, to incorporate changes  
17          made by the act in references thereto; amending s.  
18          220.191, F.S.; conforming a cross-reference;  
19          reenacting ss. 288.107(1)(e) and (h), 288.1089(4)(c),  
20          and 380.0657(1) and (5), F.S., relating to definitions  
21          with respect to eligible businesses and projects for  
22          brownfield redevelopment bonus refunds, qualifications  
23          for review of applications for the Innovation  
24          Incentive Program, and economic development projects  
25          eligible for an expedited permitting process, to  
26          incorporate changes made by the act in references  
27          thereto; providing an effective date.

28  
29   Be It Enacted by the Legislature of the State of Florida:

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31 Section 1. Subsection (2), paragraph (b) of subsection (3),  
32 and paragraphs (a) and (b) of subsection (4) of section 288.106,  
33 Florida Statutes, are amended to read:

34 288.106 Tax refund program for qualified target industry  
35 businesses.—

36 (2) DEFINITIONS.—As used in this section, the term:

37 (a) "Account" means the Economic Development Incentives  
38 Account within the Economic Development Trust Fund established  
39 under s. 288.095.

40 (b) "Authorized local economic development agency" means a  
41 public or private entity, including an entity defined in s.  
42 288.075, authorized by a county or municipality to promote the  
43 general business or industrial interests of that county or  
44 municipality.

45 (c) "Average private sector wage in the area" means the  
46 statewide private sector average wage or the average of all  
47 private sector wages and salaries in the county or in the  
48 standard metropolitan area in which the business is located.

49 (d) "Business" means an employing unit, as defined in s.  
50 443.036, that is registered for unemployment compensation  
51 purposes with the state agency providing unemployment tax  
52 collection services under contract with the Agency for Workforce  
53 Innovation through an interagency agreement pursuant to s.  
54 443.1316, or a subcategory or division of an employing unit that  
55 is accepted by the state agency providing unemployment tax  
56 collection services as a reporting unit.

57 (e) "Capital investment" includes real or personal  
58 property.

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59        (f)~~(e)~~ "Corporate headquarters business" means an  
60 international, national, or regional headquarters office of a  
61 multinational or multistate business enterprise or national  
62 trade association, whether separate from or connected with other  
63 facilities used by such business.

64        (g)~~(f)~~ "Director" means the Director of the Office of  
65 Tourism, Trade, and Economic Development.

66        (h)~~(g)~~ "Enterprise zone" means an area designated as an  
67 enterprise zone pursuant to s. 290.0065.

68        (i)~~(h)~~ "Expansion of an existing business" means the  
69 expansion of an existing Florida business by or through  
70 additions to real and personal property, resulting in a net  
71 increase in employment of not less than 10 percent at such  
72 business or a net increase of capital investment in the business  
73 of not less than 10 percent.

74        (j)~~(i)~~ "Fiscal year" means the fiscal year of the state.

75        (k)~~(j)~~ "Jobs" means full-time equivalent positions,  
76 including, but not limited to, positions obtained from a  
77 temporary employment agency or employee leasing company or  
78 through a union agreement or coemployment under a professional  
79 employer organization agreement, that result directly from a  
80 project in this state. The term does not include temporary  
81 construction jobs involved with the construction of facilities  
82 for the project or any jobs previously included in any  
83 application for tax refunds under s. 288.1045 or this section.

84        (l)~~(k)~~ "Local financial support" means funding from local  
85 sources, public or private, that is paid to the Economic  
86 Development Trust Fund and that is equal to 20 percent of the  
87 annual tax refund for a qualified target industry business. A

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88 qualified target industry business may not provide, directly or  
89 indirectly, more than 5 percent of such funding in any fiscal  
90 year. The sources of such funding may not include, directly or  
91 indirectly, state funds appropriated from the General Revenue  
92 Fund or any state trust fund, excluding tax revenues shared with  
93 local governments pursuant to law.

94 (m)~~(l)~~ "Local financial support exemption option" means the  
95 option to exercise an exemption from the local financial support  
96 requirement available to any applicant whose project is located  
97 in a brownfield area, a rural city, or a rural community. Any  
98 applicant that exercises this option is not eligible for more  
99 than 80 percent of the total tax refunds allowed such applicant  
100 under this section.

101 (n) "NAICS code" means the corresponding industry code of  
102 the North American Industry Classification System published by  
103 the United States Office of Management and Budget, Executive  
104 Office of the President.

105 (o)~~(m)~~ "New business" means a business that applies for a  
106 tax refund under this section before beginning operations in  
107 this state and that is a legal entity separate from any other  
108 commercial or industrial operations owned by the same business.

109 (p)~~(n)~~ "Office" means the Office of Tourism, Trade, and  
110 Economic Development.

111 (q)~~(o)~~ "Project" means the creation of a new business or  
112 expansion of an existing business.

113 (r)~~(p)~~ "Qualified target industry business" means a target  
114 industry business approved by the office to be eligible for tax  
115 refunds under this section.

116 (s)~~(q)~~ "Return on investment" means the gain in state

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117 revenues as a percentage of the state's investment. The state's  
118 investment includes state grants, tax exemptions, tax refunds,  
119 tax credits, and other state incentives.

120 (t)~~(r)~~ "Rural city" means a city having a population of  
121 10,000 or fewer, or a city having a population of greater than  
122 10,000 but fewer than 20,000 that has been determined by the  
123 office to have economic characteristics such as, but not limited  
124 to, a significant percentage of residents on public assistance,  
125 a significant percentage of residents with income below the  
126 poverty level, or a significant percentage of the city's  
127 employment base in agriculture-related industries.

128 (u)~~(s)~~ "Rural community" means:

- 129 1. A county having a population of 75,000 or fewer.
- 130 2. A county having a population of 125,000 or fewer that is  
131 contiguous to a county having a population of 75,000 or fewer.
- 132 3. A municipality within a county described in subparagraph  
133 1. or subparagraph 2.

134

135 For purposes of this paragraph, population shall be determined  
136 in accordance with the most recent official estimate pursuant to  
137 s. 186.901.

138 (v)~~(t)~~ "Target industry business" means a corporate  
139 headquarters business or any business that is engaged in one of  
140 the target industries identified pursuant to the following  
141 criteria developed by the office in consultation with Enterprise  
142 Florida, Inc.:

- 143 1. Future growth.—Industry forecasts should indicate strong  
144 expectation for future growth in both employment and output,  
145 according to the most recent available data. Special

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146 consideration should be given to businesses that export goods  
147 to, or provide services in, international markets, ~~and~~  
148 businesses that replace domestic and international imports of  
149 goods or services, and businesses within NAICS code 31, 32, or  
150 33.

151 2. Stability.—The industry should not be subject to  
152 periodic layoffs, whether due to seasonality or sensitivity to  
153 volatile economic variables such as weather. The industry should  
154 also be relatively resistant to recession, so that the demand  
155 for products of this industry is not typically subject to  
156 decline during an economic downturn.

157 3. High wage.—The industry should pay relatively high wages  
158 compared to statewide or area averages.

159 4. Market and resource independent.—The location of  
160 industry businesses should not be dependent on Florida markets  
161 or resources as indicated by industry analysis, except for  
162 businesses in the renewable energy industry.

163 5. Industrial base diversification and strengthening.—The  
164 industry should contribute toward expanding or diversifying the  
165 state's or area's economic base, as indicated by analysis of  
166 employment and output shares compared to national and regional  
167 trends. Special consideration should be given to industries that  
168 strengthen regional economies by adding value to basic products  
169 or building regional industrial clusters as indicated by  
170 industry analysis. Special consideration should also be given to  
171 the development of strong industrial clusters that include  
172 defense and homeland security businesses.

173 6. Economic benefits.—The industry is expected to have  
174 strong positive impacts on or benefits to the state or regional

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175 economies.

176

177 The term does not include any business engaged in retail  
178 industry activities; any electrical utility company; any  
179 phosphate or other solid minerals severance, mining, or  
180 processing operation; any oil or gas exploration or production  
181 operation; or any business subject to regulation by the Division  
182 of Hotels and Restaurants of the Department of Business and  
183 Professional Regulation. Any business within NAICS code 5611 or  
184 5614, office administrative services and business support  
185 services, respectively, may be considered a target industry  
186 business only after the local governing body and Enterprise  
187 Florida, Inc., make a determination that the community where the  
188 business may locate has conditions affecting the fiscal and  
189 economic viability of the local community or area, including but  
190 not limited to, factors such as low per capita income, high  
191 unemployment, high underemployment, and a lack of year-round  
192 stable employment opportunities, and such conditions may be  
193 improved by the location of such a business to the community. By  
194 January 1 of every 3rd year, beginning January 1, 2011, the  
195 office, in consultation with Enterprise Florida, Inc., economic  
196 development organizations, the State University System, local  
197 governments, employee and employer organizations, market  
198 analysts, and economists, shall review and, as appropriate,  
199 revise the list of such target industries and submit the list to  
200 the Governor, the President of the Senate, and the Speaker of  
201 the House of Representatives.

202 (w)~~(u)~~ "Taxable year" means taxable year as defined in s.  
203 220.03(1)(y).

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204 (3) TAX REFUND; ELIGIBLE AMOUNTS.—

205 (b)1. Upon approval by the office, a qualified target  
206 industry business shall be allowed tax refund payments equal to  
207 \$3,000 multiplied by the number of jobs specified in the tax  
208 refund agreement under subparagraph (5) (a)1., or equal to \$6,000  
209 multiplied by the number of jobs if the project is located in a  
210 rural community or an enterprise zone.

211 2. A qualified target industry business shall be allowed  
212 additional tax refund payments equal to \$1,000 multiplied by the  
213 number of jobs specified in the tax refund agreement under  
214 subparagraph (5) (a)1. if such jobs pay an annual average wage of  
215 at least 150 percent of the average private sector wage in the  
216 area, or equal to \$2,000 multiplied by the number of jobs if  
217 such jobs pay an annual average wage of at least 200 percent of  
218 the average private sector wage in the area.

219 3. A qualified target industry business shall be allowed  
220 tax refund payments in addition to the other payments authorized  
221 in this paragraph equal to \$1,000 multiplied by the number of  
222 jobs specified in the tax refund agreement under subparagraph  
223 (5) (a)1. if the local financial support is equal to that of the  
224 state's incentive award under subparagraph 1.

225 4. A qualified target industry business within NAICS code  
226 31, 32, or 33 shall be allowed tax refund payments equal to  
227 \$3,000 for every \$30,000 of capital investment made in a  
228 project, not to exceed an aggregate total of \$500,000 of such  
229 payments for the project under this subparagraph.

230 ~~5.4.~~ In addition to the other tax refund payments  
231 authorized in this paragraph, a qualified target industry  
232 business shall be allowed a tax refund payment equal to \$2,000



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233 multiplied by the number of jobs specified in the tax refund  
234 agreement under subparagraph (5)(a)1. if the business:

235 a. Falls within one of the high-impact sectors designated  
236 under s. 288.108; or

237 b. Increases exports of its goods through a seaport or  
238 airport in the state by at least 10 percent in value or tonnage  
239 in each of the years that the business receives a tax refund  
240 under this section. For purposes of this sub-subparagraph,  
241 seaports in the state are limited to the ports of Jacksonville,  
242 Tampa, Port Everglades, Miami, Port Canaveral, Ft. Pierce, Palm  
243 Beach, Port Manatee, Port St. Joe, Panama City, St. Petersburg,  
244 Pensacola, Fernandina, and Key West.

245 (4) APPLICATION AND APPROVAL PROCESS.—

246 (a) To apply for certification as a qualified target  
247 industry business under this section, the business must file an  
248 application with the office before the business decides to  
249 locate in this state or before the business decides to expand  
250 its existing operations in this state. The application must  
251 include, but need not be limited to, the following information:

252 1. The applicant's federal employer identification number  
253 and, if applicable, state sales tax registration number.

254 2. The proposed permanent location of the applicant's  
255 facility in this state at which the project is to be located.

256 3. A description of the type of business activity or  
257 product covered by the project, including a minimum of a five-  
258 digit NAICS code for all activities included in the project. ~~As~~  
259 ~~used in this paragraph, "NAICS" means those classifications~~  
260 ~~contained in the North American Industry Classification System,~~  
261 ~~as published in 2007 by the Office of Management and Budget,~~

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262 ~~Executive Office of the President, and updated periodically.~~

263 4. The proposed number of net new full-time equivalent  
264 Florida jobs at the qualified target industry business as of  
265 December 31 of each year included in the project and the average  
266 wage of those jobs. If more than one type of business activity  
267 or product is included in the project, the number of jobs and  
268 average wage for those jobs must be separately stated for each  
269 type of business activity or product.

270 5. The total number of full-time equivalent employees  
271 employed by the applicant in this state, if applicable.

272 6. The proposed amount of capital investment to be made  
273 each year until the project's completion.

274 ~~7.6.~~ The anticipated commencement date of the project.

275 ~~8.7.~~ A brief statement explaining the role that the  
276 estimated tax refunds to be requested will play in the decision  
277 of the applicant to locate or expand in this state.

278 ~~9.8.~~ An estimate of the proportion of the sales resulting  
279 from the project that will be made outside this state.

280 ~~10.9.~~ An estimate of the proportion of the cost of the  
281 machinery and equipment, and any other resources necessary in  
282 the development of its product or service, to be used by the  
283 business in its Florida operations which will be purchased  
284 outside this state.

285 ~~11.10.~~ A resolution adopted by the governing board of the  
286 county or municipality in which the project will be located,  
287 which resolution recommends that the project be approved as a  
288 qualified target industry business and specifies that the  
289 commitments of local financial support necessary for the target  
290 industry business exist. Before the passage of such resolution,

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291 the office may also accept an official letter from an authorized  
292 local economic development agency that endorses the proposed  
293 target industry project and pledges that sources of local  
294 financial support for such project exist. For the purposes of  
295 making pledges of local financial support under this  
296 subparagraph, the authorized local economic development agency  
297 shall be officially designated by the passage of a one-time  
298 resolution by the local governing board.

299 ~~12.11.~~ Any additional information requested by the office.

300 (b) To qualify for review by the office, the application of  
301 a target industry business must propose a capital investment in  
302 the project of at least \$500,000 or, at a minimum, establish the  
303 following to the satisfaction of the office:

304 1.a. The jobs proposed to be created under the application,  
305 pursuant to subparagraph (a)4., must pay an estimated annual  
306 average wage equaling at least 115 percent of the average  
307 private sector wage in the area where the business is to be  
308 located or the statewide private sector average wage. The  
309 governing board of the county where the qualified target  
310 industry business is to be located shall notify the office and  
311 Enterprise Florida, Inc., which calculation of the average  
312 private sector wage in the area must be used as the basis for  
313 the business's wage commitment. In determining the average  
314 annual wage, the office shall include only new proposed jobs,  
315 and wages for existing jobs shall be excluded from this  
316 calculation.

317 b. The office may waive the average wage requirement at the  
318 request of the local governing body recommending the project and  
319 Enterprise Florida, Inc. The office may waive the wage

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320 requirement for a project located in a brownfield area  
321 designated under s. 376.80, in a rural city, in a rural  
322 community, in an enterprise zone, or for a manufacturing project  
323 at any location in the state if the jobs proposed to be created  
324 pay an estimated annual average wage equaling at least 100  
325 percent of the average private sector wage in the area where the  
326 business is to be located, only if the merits of the individual  
327 project or the specific circumstances in the community in  
328 relationship to the project warrant such action. If the local  
329 governing body and Enterprise Florida, Inc., make such a  
330 recommendation, it must be transmitted in writing, and the  
331 specific justification for the waiver recommendation must be  
332 explained. If the office elects to waive the wage requirement,  
333 the waiver must be stated in writing, and the reasons for  
334 granting the waiver must be explained.

335 2. The target industry business's project must result in  
336 the creation of at least 10 jobs at the project and, in the case  
337 of an expansion of an existing business, must result in a net  
338 increase in employment of at least 10 percent at the business.  
339 At the request of the local governing body recommending the  
340 project and Enterprise Florida, Inc., the office may waive this  
341 requirement for a business in a rural community or enterprise  
342 zone if the merits of the individual project or the specific  
343 circumstances in the community in relationship to the project  
344 warrant such action. If the local governing body and Enterprise  
345 Florida, Inc., make such a request, the request must be  
346 transmitted in writing, and the specific justification for the  
347 request must be explained. If the office elects to grant the  
348 request, the grant must be stated in writing, and the reason for

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349 granting the request must be explained.

350 3. The business activity or product for the applicant's  
351 project must be within an industry identified by the office as a  
352 target industry business that contributes to the economic growth  
353 of the state and the area in which the business is located, that  
354 produces a higher standard of living for residents of this state  
355 in the new global economy, or that can be shown to make an  
356 equivalent contribution to the area's and state's economic  
357 progress.

358 Section 2. For the purpose of incorporating the amendment  
359 made by this act to section 288.106, Florida Statutes, in a  
360 reference thereto, subsection (11) of section 159.803, Florida  
361 Statutes, is reenacted to read:

362 159.803 Definitions.—As used in this part, the term:

363 (11) "Florida First Business project" means any project  
364 which is certified by the Office of Tourism, Trade, and Economic  
365 Development as eligible to receive an allocation from the  
366 Florida First Business allocation pool established pursuant to  
367 s. 159.8083. The Office of Tourism, Trade, and Economic  
368 Development may certify those projects meeting the criteria set  
369 forth in s. 288.106(4)(b) or any project providing a substantial  
370 economic benefit to this state.

371 Section 3. For the purpose of incorporating the amendment  
372 made by this act to section 288.106, Florida Statutes, in a  
373 reference thereto, paragraph (a) of subsection (1) of section  
374 212.098, Florida Statutes, is reenacted to read:

375 212.098 Rural Job Tax Credit Program.—

376 (1) As used in this section, the term:

377 (a) "Eligible business" means any sole proprietorship,

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378 firm, partnership, or corporation that is located in a qualified  
379 county and is predominantly engaged in, or is headquarters for a  
380 business predominantly engaged in, activities usually provided  
381 for consideration by firms classified within the following  
382 standard industrial classifications: SIC 01-SIC 09 (agriculture,  
383 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422  
384 (public warehousing and storage); SIC 70 (hotels and other  
385 lodging places); SIC 7391 (research and development); SIC 781  
386 (motion picture production and allied services); SIC 7992  
387 (public golf courses); SIC 7996 (amusement parks); and a  
388 targeted industry eligible for the qualified target industry  
389 business tax refund under s. 288.106. A call center or similar  
390 customer service operation that services a multistate market or  
391 an international market is also an eligible business. In  
392 addition, the Office of Tourism, Trade, and Economic Development  
393 may, as part of its final budget request submitted pursuant to  
394 s. 216.023, recommend additions to or deletions from the list of  
395 standard industrial classifications used to determine an  
396 eligible business, and the Legislature may implement such  
397 recommendations. Excluded from eligible receipts are receipts  
398 from retail sales, except such receipts for hotels and other  
399 lodging places classified in SIC 70, public golf courses in SIC  
400 7992, and amusement parks in SIC 7996. For purposes of this  
401 paragraph, the term "predominantly" means that more than 50  
402 percent of the business's gross receipts from all sources is  
403 generated by those activities usually provided for consideration  
404 by firms in the specified standard industrial classification.  
405 The determination of whether the business is located in a  
406 qualified county and the tier ranking of that county must be

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407 based on the date of application for the credit under this  
408 section. Commonly owned and controlled entities are to be  
409 considered a single business entity.

410 Section 4. For the purpose of incorporating the amendment  
411 made by this act to section 288.106, Florida Statutes, in a  
412 reference thereto, paragraph (a) of subsection (1) of section  
413 220.1896, Florida Statutes, is reenacted to read:

414 220.1896 Jobs for the Unemployed Tax Credit Program.—

415 (1) As used in this section, the term:

416 (a) "Eligible business" means any target industry business  
417 as defined in s. 288.106(2) which is subject to the tax imposed  
418 by this chapter. The eligible business does not have to be  
419 certified to receive the Qualified Target Industry Tax Refund  
420 Incentive under s. 288.106 in order to receive the tax credit  
421 available under this section.

422 Section 5. Paragraph (h) of subsection (1) of section  
423 220.191, Florida Statutes, is amended to read:

424 220.191 Capital investment tax credit.—

425 (1) DEFINITIONS.—For purposes of this section:

426 (h) "Qualifying project" means:

427 1. A new or expanding facility in this state which creates  
428 at least 100 new jobs in this state and is in one of the high-  
429 impact sectors identified by Enterprise Florida, Inc., and  
430 certified by the office pursuant to s. 288.108(6), including,  
431 but not limited to, aviation, aerospace, automotive, and silicon  
432 technology industries;

433 2. A new or expanded facility in this state which is  
434 engaged in a target industry designated pursuant to the  
435 procedure specified in s. 288.106(2) (v) ~~(t)~~ and which is induced

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436 by this credit to create or retain at least 1,000 jobs in this  
437 state, provided that at least 100 of those jobs are new, pay an  
438 annual average wage of at least 130 percent of the average  
439 private sector wage in the area as defined in s. 288.106(2), and  
440 make a cumulative capital investment of at least \$100 million  
441 after July 1, 2005. Jobs may be considered retained only if  
442 there is significant evidence that the loss of jobs is imminent.  
443 Notwithstanding subsection (2), annual credits against the tax  
444 imposed by this chapter shall not exceed 50 percent of the  
445 increased annual corporate income tax liability or the premium  
446 tax liability generated by or arising out of a project  
447 qualifying under this subparagraph. A facility that qualifies  
448 under this subparagraph for an annual credit against the tax  
449 imposed by this chapter may take the tax credit for a period not  
450 to exceed 5 years; or

451 3. A new or expanded headquarters facility in this state  
452 which locates in an enterprise zone and brownfield area and is  
453 induced by this credit to create at least 1,500 jobs which on  
454 average pay at least 200 percent of the statewide average annual  
455 private sector wage, as published by the Agency for Workforce  
456 Innovation or its successor, and which new or expanded  
457 headquarters facility makes a cumulative capital investment in  
458 this state of at least \$250 million.

459 Section 6. For the purpose of incorporating the amendment  
460 made by this act to section 288.106, Florida Statutes, in  
461 references thereto, paragraphs (e) and (h) of subsection (1) of  
462 section 288.107, Florida Statutes, are reenacted to read:

463 288.107 Brownfield redevelopment bonus refunds.—

464 (1) DEFINITIONS.—As used in this section:



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465 (e) "Eligible business" means:

466 1. A qualified target industry business as defined in s.  
467 288.106(2); or

468 2. A business that can demonstrate a fixed capital  
469 investment of at least \$2 million in mixed-use business  
470 activities, including multiunit housing, commercial, retail, and  
471 industrial in brownfield areas, or at least \$500,000 in  
472 brownfield areas that do not require site cleanup, and that  
473 provides benefits to its employees.

474 (h) "Project" means the creation of a new business or the  
475 expansion of an existing business as defined in s. 288.106.

476 Section 7. For the purpose of incorporating the amendment  
477 made by this act to section 288.106, Florida Statutes, in a  
478 reference thereto, paragraph (c) of subsection (4) of section  
479 288.1089, Florida Statutes, is reenacted to read:

480 288.1089 Innovation Incentive Program.—

481 (4) To qualify for review by the office, the applicant  
482 must, at a minimum, establish the following to the satisfaction  
483 of Enterprise Florida, Inc., and the office:

484 (c) An innovation business project in this state, other  
485 than a research and development project, must:

486 1.a. Result in the creation of at least 1,000 direct, new  
487 jobs at the business; or

488 b. Result in the creation of at least 500 direct, new jobs  
489 if the project is located in a rural area, a brownfield area, or  
490 an enterprise zone.

491 2. Have an activity or product that is within an industry  
492 that is designated as a target industry business under s.  
493 288.106 or a designated sector under s. 288.108.

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494 3.a. Have a cumulative investment of at least \$500 million  
495 within a 5-year period; or

496 b. Have a cumulative investment that exceeds \$250 million  
497 within a 10-year period if the project is located in a rural  
498 area, brownfield area, or an enterprise zone.

499 4. Be provided with a one-to-one match from the local  
500 community. The match requirement may be reduced or waived in  
501 rural areas of critical economic concern or reduced in rural  
502 areas, brownfield areas, and enterprise zones.

503 Section 8. For the purpose of incorporating the amendment  
504 made by this act to section 288.106, Florida Statutes, in  
505 references thereto, subsections (1) and (5) of section 380.0657,  
506 Florida Statutes, are reenacted to read:

507 380.0657 Expedited permitting process for economic  
508 development projects.-

509 (1) The Department of Environmental Protection and, as  
510 appropriate, the water management districts created under  
511 chapter 373 shall adopt programs to expedite the processing of  
512 wetland resource and environmental resource permits for economic  
513 development projects that have been identified by a municipality  
514 or county as meeting the definition of target industry  
515 businesses under s. 288.106, with the exception of those  
516 projects requiring approval by the Board of Trustees of the  
517 Internal Improvement Trust Fund.

518 (5) Notwithstanding the provisions of this section, permit  
519 applications for projects to be located in a charter county that  
520 has a population of 1.2 million or more and has entered into a  
521 delegation agreement with the Department of Environmental  
522 Protection or the applicable water management district to

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523 process environmental resource permits, wetland resource  
524 management permits, or surface water management permits pursuant  
525 to chapter 373 are eligible for expedited permitting under this  
526 section only upon designation by resolution of the charter  
527 county's governing board. Before the governing board decides  
528 that a project is eligible for expedited permitting, it may  
529 require the county's economic development agency, or such other  
530 agency that provides advice to the governing board on economic  
531 matters, to review and recommend whether the project meets the  
532 definition of a target industry business as defined in s.  
533 288.106 and to identify the tangible benefits and impacts of the  
534 project. The governing board's decision shall be made without  
535 consideration of the project's geographic location within the  
536 charter county. If the governing board designates the project as  
537 a target industry business, the permit application for the  
538 project shall be approved or denied within the timeframe  
539 provided in subsection (4).

540 Section 9. This act shall take effect July 1, 2011.