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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/04/2011	.	
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The Committee on Community Affairs (Dockery) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (2) of section
212.096, Florida Statutes, is amended to read:

212.096 Sales, rental, storage, use tax; enterprise zone
jobs credit against sales tax.-

(2)

(b) The credit shall be computed as 20 percent of the
actual monthly wages paid in this state to each new employee
hired when a new job has been created, unless the business is



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13 located within a rural enterprise zone pursuant to s.
14 290.004(10) ~~s. 290.004(6)~~, in which case the credit shall be 30
15 percent of the actual monthly wages paid. If no less than 20
16 percent of the employees of the business are residents of an
17 enterprise zone, excluding temporary and part-time employees,
18 the credit shall be computed as 30 percent of the actual monthly
19 wages paid in this state to each new employee hired when a new
20 job has been created, unless the business is located within a
21 rural enterprise zone, in which case the credit shall be 45
22 percent of the actual monthly wages paid. If the new employee
23 hired when a new job is created is a participant in the welfare
24 transition program, the following credit shall be a percent of
25 the actual monthly wages paid: 40 percent for \$4 above the
26 hourly federal minimum wage rate; 41 percent for \$5 above the
27 hourly federal minimum wage rate; 42 percent for \$6 above the
28 hourly federal minimum wage rate; 43 percent for \$7 above the
29 hourly federal minimum wage rate; and 44 percent for \$8 above
30 the hourly federal minimum wage rate. For purposes of this
31 paragraph, monthly wages shall be computed as one-twelfth of the
32 expected annual wages paid to such employee. The amount paid as
33 wages to a new employee is the compensation paid to such
34 employee that is subject to unemployment tax. The credit shall
35 be allowed for up to 24 consecutive months, beginning with the
36 first tax return due pursuant to s. 212.11 after approval by the
37 department.

38 Section 2. Paragraph (d) of subsection (6) of section
39 212.20, Florida Statutes, is amended to read:

40 212.20 Funds collected, disposition; additional powers of
41 department; operational expense; refund of taxes adjudicated



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42 unconstitutionally collected.—

43 (6) Distribution of all proceeds under this chapter and s.
44 202.18(1)(b) and (2)(b) shall be as follows:

45 (d) The proceeds of all other taxes and fees imposed
46 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
47 and (2)(b) shall be distributed as follows:

48 1. In any fiscal year, the greater of \$500 million, minus
49 an amount equal to 4.6 percent of the proceeds of the taxes
50 collected pursuant to chapter 201, or 5.2 percent of all other
51 taxes and fees imposed pursuant to this chapter or remitted
52 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
53 monthly installments into the General Revenue Fund.

54 2. After the distribution under subparagraph 1., 8.814
55 percent of the amount remitted by a sales tax dealer located
56 within a participating county pursuant to s. 218.61 shall be
57 transferred into the Local Government Half-cent Sales Tax
58 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
59 transferred shall be reduced by 0.1 percent, and the department
60 shall distribute this amount to the Public Employees Relations
61 Commission Trust Fund less \$5,000 each month, which shall be
62 added to the amount calculated in subparagraph 3. and
63 distributed accordingly.

64 3. After the distribution under subparagraphs 1. and 2.,
65 0.095 percent shall be transferred to the Local Government Half-
66 cent Sales Tax Clearing Trust Fund and distributed pursuant to
67 s. 218.65.

68 4. After the distributions under subparagraphs 1., 2., and
69 3., 2.0440 percent of the available proceeds shall be
70 transferred monthly to the Revenue Sharing Trust Fund for



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71 Counties pursuant to s. 218.215.

72 5. After the distributions under subparagraphs 1., 2., and
73 3., 1.3409 percent of the available proceeds, plus the amount
74 required under s. 290.0138(2), shall be transferred monthly to
75 the Revenue Sharing Trust Fund for Municipalities pursuant to s.
76 218.215. If the total revenue to be distributed pursuant to this
77 subparagraph is at least as great as the amount due from the
78 Revenue Sharing Trust Fund for Municipalities and the former
79 Municipal Financial Assistance Trust Fund in state fiscal year
80 1999-2000, no municipality shall receive less than the amount
81 due from the Revenue Sharing Trust Fund for Municipalities and
82 the former Municipal Financial Assistance Trust Fund in state
83 fiscal year 1999-2000. If the total proceeds to be distributed
84 are less than the amount received in combination from the
85 Revenue Sharing Trust Fund for Municipalities and the former
86 Municipal Financial Assistance Trust Fund in state fiscal year
87 1999-2000, each municipality shall receive an amount
88 proportionate to the amount it was due in state fiscal year
89 1999-2000.

90 6. Of the remaining proceeds:

91 a. In each fiscal year, the sum of \$29,915,500 shall be
92 divided into as many equal parts as there are counties in the
93 state, and one part shall be distributed to each county. The
94 distribution among the several counties must begin each fiscal
95 year on or before January 5th and continue monthly for a total
96 of 4 months. If a local or special law required that any moneys
97 accruing to a county in fiscal year 1999-2000 under the then-
98 existing provisions of s. 550.135 be paid directly to the
99 district school board, special district, or a municipal



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100 government, such payment must continue until the local or
101 special law is amended or repealed. The state covenants with
102 holders of bonds or other instruments of indebtedness issued by
103 local governments, special districts, or district school boards
104 before July 1, 2000, that it is not the intent of this
105 subparagraph to adversely affect the rights of those holders or
106 relieve local governments, special districts, or district school
107 boards of the duty to meet their obligations as a result of
108 previous pledges or assignments or trusts entered into which
109 obligated funds received from the distribution to county
110 governments under then-existing s. 550.135. This distribution
111 specifically is in lieu of funds distributed under s. 550.135
112 before July 1, 2000.

113 b. The department shall distribute \$166,667 monthly
114 pursuant to s. 288.1162 to each applicant certified as a
115 facility for a new or retained professional sports franchise
116 pursuant to s. 288.1162. Up to \$41,667 shall be distributed
117 monthly by the department to each certified applicant as defined
118 in s. 288.11621 for a facility for a spring training franchise.
119 However, not more than \$416,670 may be distributed monthly in
120 the aggregate to all certified applicants for facilities for
121 spring training franchises. Distributions begin 60 days after
122 such certification and continue for not more than 30 years,
123 except as otherwise provided in s. 288.11621. A certified
124 applicant identified in this sub-subparagraph may not receive
125 more in distributions than expended by the applicant for the
126 public purposes provided for in s. 288.1162(5) or s.
127 288.11621(3).

128 c. Beginning 30 days after notice by the Office of Tourism,



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129 Trade, and Economic Development to the Department of Revenue
130 that an applicant has been certified as the professional golf
131 hall of fame pursuant to s. 288.1168 and is open to the public,
132 \$166,667 shall be distributed monthly, for up to 300 months, to
133 the applicant.

134 d. Beginning 30 days after notice by the Office of Tourism,
135 Trade, and Economic Development to the Department of Revenue
136 that the applicant has been certified as the International Game
137 Fish Association World Center facility pursuant to s. 288.1169,
138 and the facility is open to the public, \$83,333 shall be
139 distributed monthly, for up to 168 months, to the applicant.
140 This distribution is subject to reduction pursuant to s.
141 288.1169. A lump sum payment of \$999,996 shall be made, after
142 certification and before July 1, 2000.

143 7. All other proceeds must remain in the General Revenue
144 Fund.

145 Section 3. Subsection (3) of section 218.23, Florida
146 Statutes, is amended to read:

147 218.23 Revenue sharing with units of local government.—

148 (3) The distribution to a unit of local government under
149 this part is determined by the following formula:

150 (a) First, the entitlement of an eligible unit of local
151 government shall be computed on the basis of the apportionment
152 factor provided in s. 218.245, which shall be applied for all
153 eligible units of local government to all receipts available for
154 distribution in the respective revenue sharing trust fund.

155 (b) Second, revenue shared with eligible units of local
156 government for any fiscal year shall be adjusted so that no
157 eligible unit of local government receives less funds than its



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158 guaranteed entitlement.

159 (c) Third, revenues shared with counties for any fiscal
160 year shall be adjusted so that no county receives less funds
161 than its guaranteed entitlement plus the second guaranteed
162 entitlement for counties.

163 (d) Fourth, revenue shared with units of local government
164 for any fiscal year shall be adjusted so that no unit of local
165 government receives less funds than its minimum entitlement.

166 (e) Fifth, after the adjustments provided in paragraphs
167 (b), (c), and (d), the funds remaining in the respective trust
168 fund for municipalities shall be distributed to the appropriate
169 governing body eligible for a distribution under ss. 290.0137
170 and 290.0138.

171 (f) ~~(e)~~ Sixth Fifth, after the adjustments provided in
172 paragraphs (b), (c), ~~and~~ (d), and (e), and after deducting the
173 amount committed to all the units of local government, the funds
174 remaining in the respective trust funds shall be distributed to
175 those eligible units of local government which qualify to
176 receive additional moneys beyond the guaranteed entitlement, on
177 the basis of the additional money of each qualified unit of
178 local government in proportion to the total additional money of
179 all qualified units of local government.

180 Section 4. Paragraph (a) of subsection (1) of section
181 220.181, Florida Statutes, is amended to read:

182 220.181 Enterprise zone jobs credit.-

183 (1) (a) There shall be allowed a credit against the tax
184 imposed by this chapter to any business located in an enterprise
185 zone which demonstrates to the department that, on the date of
186 application, the total number of full-time jobs is greater than



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187 the total was 12 months prior to that date. The credit shall be
188 computed as 20 percent of the actual monthly wages paid in this
189 state to each new employee hired when a new job has been
190 created, as defined under s. 220.03(1)(ee), unless the business
191 is located in a rural enterprise zone, pursuant to s.
192 290.004(10) ~~s. 290.004(6)~~, in which case the credit shall be 30
193 percent of the actual monthly wages paid. If no less than 20
194 percent of the employees of the business are residents of an
195 enterprise zone, excluding temporary and part-time employees,
196 the credit shall be computed as 30 percent of the actual monthly
197 wages paid in this state to each new employee hired when a new
198 job has been created, unless the business is located in a rural
199 enterprise zone, in which case the credit shall be 45 percent of
200 the actual monthly wages paid, for a period of up to 24
201 consecutive months. If the new employee hired when a new job is
202 created is a participant in the welfare transition program, the
203 following credit shall be a percent of the actual monthly wages
204 paid: 40 percent for \$4 above the hourly federal minimum wage
205 rate; 41 percent for \$5 above the hourly federal minimum wage
206 rate; 42 percent for \$6 above the hourly federal minimum wage
207 rate; 43 percent for \$7 above the hourly federal minimum wage
208 rate; and 44 percent for \$8 above the hourly federal minimum
209 wage rate.

210 Section 5. Paragraph (c) of subsection (5) of section
211 288.1175, Florida Statutes, is amended to read:

212 288.1175 Agriculture education and promotion facility.—

213 (5) The department shall competitively evaluate
214 applications for funding of an agriculture education and
215 promotion facility. If the number of applicants exceeds three,



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216 the department shall rank the applications based upon criteria
217 developed by the department, with priority given in descending
218 order to the following items:

219 (c) The location of the facility in a brownfield site as
220 defined in s. 376.79(3), a rural enterprise zone as defined in
221 s. 290.004(10) ~~s. 290.004(6)~~, an agriculturally depressed area
222 as defined in s. 570.242(1), a redevelopment area established
223 pursuant to s. 373.461(5)(g), or a county that has lost its
224 agricultural land to environmental restoration projects.

225 Section 6. Section 290.004, Florida Statutes, is amended to
226 read:

227 290.004 Definitions relating to Florida Enterprise Zone
228 Act.—As used in ss. 290.001-290.016, the term:

229 (1) “Bond” means any bonds, notes, or other instruments
230 issued by the governing body pursuant to s. 290.015 and secured
231 by tax increment revenues or other security authorized in this
232 chapter.

233 ~~(2)(1)~~ “Community investment corporation” means a black
234 business investment corporation, a certified development
235 corporation, a small business investment corporation, or other
236 similar entity incorporated under Florida law that has limited
237 its investment policy to making investments solely in minority
238 business enterprises.

239 ~~(3)(2)~~ “Director” means the director of the Office of
240 Tourism, Trade, and Economic Development.

241 ~~(4)(3)~~ “Governing body” means the council or other
242 legislative body charged with governing the county or
243 municipality.

244 ~~(5)(4)~~ “Minority business enterprise” has the same meaning



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245 as in s. 288.703.

246 (6)~~(5)~~ "Office" means the Office of Tourism, Trade, and
247 Economic Development.

248 (7) "Retail development costs" mean any costs associated
249 with, or arising out of, or incurred in connection with:

250 (a) A retail development project;

251 (b) The issuance of, or debt service or any other payments
252 in respect of, the bonds, including costs of issuance,
253 capitalized interest, credit enhancement fees, reserve funds, or
254 working capital; or

255 (c) The relocation of any business in which the purpose of
256 relocation is to make space for a retail development project.

257 (8) "Retail development project" means the establishment of
258 a business within an enterprise zone engaged in direct onsite
259 retail sales to consumers or providing unique entertainment
260 attractions, including the following: acquisition, purchasing,
261 construction, reconstruction, improvement, renovation,
262 rehabilitation, restoration, remodeling, repair, remediation,
263 expansion, extension, and the furnishing, equipping, and opening
264 of the business. A retail development project shall create at
265 least 500 jobs and generate more than \$1 million in taxes and
266 fees collected pursuant to s. 212.20(6)(d). A retail development
267 project includes restaurants, grocery and specialty food stores,
268 art galleries, and businesses engaged in sales of home
269 furnishings, apparel, and general merchandise goods to
270 specialized customers, or providing a unique entertainment
271 attraction. A retail development project specifically excludes:

272 (a) Liquor stores;

273 (b) Adult entertainment nightclubs;



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274 (c) Adult book clubs; and
275 (d) The relocation of a business to the retail development
276 project from another location within the enterprise zone, unless
277 the relocation involves a significant expansion of the size of
278 the business.
279 (9) "Retail development project developer" means any person
280 sponsoring a retail development project.
281 (10) ~~(6)~~ "Rural enterprise zone" means an enterprise zone
282 that is nominated by a county having a population of 75,000 or
283 fewer, or a county having a population of 100,000 or fewer which
284 is contiguous to a county having a population of 75,000 or
285 fewer, or by a municipality in such a county, or by such a
286 county and one or more municipalities. An enterprise zone
287 designated in accordance with s. 290.0065(5)(b) or s. 379.2353
288 is considered to be a rural enterprise zone.
289 (11) "Sales tax TIF area" means a retail development
290 project that has been authorized by a governing body to receive
291 TIF proceeds or bond proceeds pursuant to an executed
292 development agreement between the governing body and a retail
293 development project developer to underwrite retail development
294 costs.
295 (12) ~~(7)~~ "Small business" has the same meaning as in s.
296 288.703.
297 (13) "Tax increment revenues" means the portion of
298 available sales tax revenue calculated pursuant to s.
299 290.0138(1).
300 (14) "TIF" means tax increment financing.
301 Section 7. Paragraph (a) of subsection (9) of section
302 290.0056, Florida Statutes, is amended, and present subsections



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303 (11) and (12) of that section are redesignated as subsections
304 (12) and (13), respectively, and a new subsection (11) is added
305 to that section, to read:

306 290.0056 Enterprise zone development agency.—

307 (9) The following powers and responsibilities shall be
308 performed by the governing body creating the enterprise zone
309 development agency acting as the managing agent of the
310 enterprise zone development agency, or, contingent upon approval
311 by such governing body, such powers and responsibilities shall
312 be performed by the enterprise zone development agency:

313 (a) To review, process, and certify applications for state
314 enterprise zone tax incentives pursuant to ss. 212.08(5)(g),
315 (h), and (15); 212.096; 220.181; ~~and~~ 220.182; and 290.0137.

316 (11) Contingent upon the governing board's designation of a
317 sales tax TIF area, the board shall also exercise the following
318 additional powers for the purpose of providing local financing
319 for public and private improvements that will foster job growth
320 and enhance the base of retailers within an enterprise zone
321 unless otherwise prohibited by ordinance:

322 (a) Enter into cooperative contracts and agreements with a
323 county, municipality, governmental agency, or private entity for
324 services and assistance;

325 (b) Acquire, own, convey, construct, maintain, improve, and
326 manage property and facilities and grant and acquire licenses,
327 easements, and options with respect to such property;

328 (c) Expend incremental sales tax revenues to promote and
329 advertise the commercial advantages of the district in order to
330 attract new businesses and encourage the expansion of existing
331 businesses; and



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332 (d) Expend incremental sales tax revenues to promote and
333 advertise the district to the public and engage in cooperative
334 advertising programs with businesses located in the district.

335 Section 8. Subsection (1) of section 290.0057, Florida
336 Statutes, is amended to read:

337 290.0057 Enterprise zone development plan.—

338 (1) Any application for designation as a new enterprise
339 zone must be accompanied by a strategic plan adopted by the
340 governing board ~~body~~ of the municipality or county, or the
341 governing board ~~bodies~~ of the county and one or more of the
342 municipalities together. At a minimum, the plan must:

343 (a) Briefly describe the community's goals for revitalizing
344 the area.

345 (b) Describe the ways in which the community's approaches
346 to economic development, social and human services,
347 transportation, housing, community development, public safety,
348 and educational and environmental concerns will be addressed in
349 a coordinated fashion, and explain how these linkages support
350 the community's goals.

351 (c) Identify and describe key community goals and the
352 barriers that restrict the community from achieving these goals,
353 including a description of poverty and general distress,
354 barriers to economic opportunity and development, and barriers
355 to human development.

356 (d) Describe the process by which the affected community is
357 a full partner in the process of developing and implementing the
358 plan and the extent to which local institutions and
359 organizations have contributed to the planning process.

360 (e) Commit the governing body or bodies to enact and



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361 maintain local fiscal and regulatory incentives, if approval for
362 the area is received under s. 290.0065. These incentives may
363 include the municipal public service tax exemption provided by
364 s. 166.231, the economic development ad valorem tax exemption
365 provided by s. 196.1995, the business tax exemption provided by
366 s. 205.054, local impact fee abatement or reduction, or low-
367 interest or interest-free loans or grants to businesses to
368 encourage the revitalization of the nominated area.

369 (f) Identify the amount of local and private resources that
370 will be available in the nominated area and the private/public
371 partnerships to be used, which may include participation by, and
372 cooperation with, universities, community colleges, small
373 business development centers, black business investment
374 corporations, certified development corporations, and other
375 private and public entities.

376 (g) Indicate how state enterprise zone tax incentives and
377 state, local, and federal resources will be utilized within the
378 nominated area.

379 (h) Identify the funding requested under any state or
380 federal program in support of the proposed economic, human,
381 community, and physical development and related activities.

382 (i) Identify baselines, methods, and benchmarks for
383 measuring the success of carrying out the strategic plan.

384 Section 9. Subsection (9) is added to section 290.007,
385 Florida Statutes, to read:

386 290.007 State incentives available in enterprise zones.—The
387 following incentives are provided by the state to encourage the
388 revitalization of enterprise zones:

389 (9) Within enterprise zones, the designation of a sales tax



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390 TIF area.

391 Section 10. Section 290.01351, Florida Statutes, is created
392 to read:

393 290.01351 Municipal Revitalization Act.—Sections 290.0136–
394 290.01391 may be cited as the "Municipal Revitalization Act."

395 Section 11. Section 290.0136, Florida Statutes, is created
396 to read:

397 290.0136 Sales tax TIF area; intent and purpose.—

398 (1) The Legislature intends to foster the revitalization of
399 counties and municipalities and support job-creating retail
400 development projects within enterprise zones by authorizing the
401 governing bodies of counties and municipalities to designate
402 sales tax TIF areas within enterprise zones, subject to the
403 review and approval by the office.

404 (2) The Legislature finds that by authorizing local
405 governing bodies of an enterprise zone to designate a sales tax
406 TIF area, the counties or municipalities may share with the
407 state any annual increase in sales tax collections occasioned by
408 a retail development project and advance the revitalization of
409 such counties and municipalities. Through the sharing of any
410 annual increases in sales tax collections within a sales tax TIF
411 area resulting from the advancement of a retail development
412 project, the Legislature intends to provide local financing for
413 public and private improvements that will foster job growth for
414 the residents of economically distressed areas and enhance the
415 base of local retailers serving residents of the enterprise
416 zones and the surrounding communities.

417 Section 12. Section 290.0137, Florida Statutes, is created
418 to read:



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419 290.0137 Designation of sales tax TIF area; review and
420 approval by the office.-

421 (1) Any municipality having a population of at least
422 250,000 residents which has designated an enterprise zone, or
423 all the governing bodies in the case of a county and one or more
424 municipalities having been designated an enterprise zone if the
425 county has a population of at least 750,000 residents, may adopt
426 a resolution following a public hearing designating a sales tax
427 TIF area to support the development of a retail development
428 project.

429 (2) The resolution creating a sales tax increment
430 redevelopment district, at a minimum, shall:

431 (a) Include findings that the designation of the sales tax
432 TIF area:

433 1. Is essential to the advancement of a retail development
434 project;

435 2. Will provide needed retail amenities within the
436 enterprise;

437 3. Will result in the creation of a total of 500 new jobs
438 and not less than \$1 million in sales tax increment revenue
439 annually; and

440 4. Will enhance the health and general welfare of the
441 residents of enterprise zone within the sponsoring municipality
442 or county;

443 (b) Fix the geographic boundaries of the sales tax TIF area
444 necessary to support the advancement of a retail development
445 project;

446 (c) Establish the term of the life of the sales tax TIF
447 area, which term shall not exceed 15 years from the earlier date



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448 the sales tax TIF area is approved following review by the
449 office;

450 (d) Establish the base year for determination of sales tax
451 receipts collected pursuant to s. 212.20(6), less the amount
452 required under s. 290.0138(1); and

453 (e) Authorize staff of the governing body to negotiate a
454 development agreement with the retail development project
455 developer.

456 (3) A copy of the resolution adopted by the governing body
457 designating the sales tax TIF area shall be transmitted to the
458 office for its review. The office, in consultation with
459 Enterprise Florida, Inc., shall determine whether the
460 designation of the sales tax TIF area complies with the
461 requirements of this chapter.

462 (4) Upon determining that the designation by the governing
463 body complies with the requirements of this chapter, a copy of
464 the resolution establishing the sales tax TIF area redevelopment
465 district shall be transmitted to the Department of Revenue.

466 Section 13. Section 290.0138, Florida Statutes, is created
467 to read:

468 290.0138 Calculation of tax increment revenue contribution
469 to governing body.-

470 (1) The governing body of a designated sales tax TIF area
471 shall be eligible for a percentage distribution of from the
472 Revenue Sharing Trust Fund for Municipalities of the increased
473 collections of the state tax on sales, use, and other
474 transactions realized during any month by the municipality over
475 the same monthly period of the base year, as follows:

476 (a) Eighty-five percent of the increased monthly



477 collections of \$85,000 or less.

478 (b) Seventy-five percent of the increased monthly
479 collections greater than \$85,000 but \$425,000 or less.

480 (c) Fifty percent of the increased monthly collections
481 greater than \$425,000 but \$675,000 or less.

482 (d) Twenty-five percent of the increased monthly
483 collections greater than \$675,000 but \$1 million or less.

484 (e) Zero percent of the increased monthly collections of
485 more than \$1 million.

486 (2) The specific amount payable to each eligible governing
487 body shall be determined monthly by the Department of Revenue
488 for distribution to the appropriate eligible governing body in
489 accordance with subsection (1). The Department of Revenue shall
490 determine monthly the aggregate amount of sales tax revenue that
491 is required for distribution to eligible governing body under
492 this section and transfer that amount from the General Revenue
493 Fund to the Revenue Sharing Trust Fund for Municipalities in
494 accordance with s. 212.20(6)(d)5. All amounts transferred to the
495 Revenue Sharing Trust Fund for Municipalities shall be
496 distributed as provided in s. 218.23(3)(e). At no time shall the
497 total distribution provided to the eligible governing body
498 exceed the total tax increment revenue contribution set forth in
499 the retail project development agreement required pursuant to s.
500 290.0139.

501 (3) Each governing body receiving percentage distribution
502 pursuant to the subsection (1) shall establish a separate tax
503 increment revenue account within its general fund for the
504 deposit of the sales tax increment for each sales tax TIF area.

505 Section 14. Section 290.0139, Florida Statutes, is created



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506 to read:

507 290.0139 Retail development project agreement.—

508 (1) A retail development project developer desiring to use
509 tax increment revenues to underwrite retail development costs
510 shall enter into a retail development project agreement with the
511 governing body of the county or municipality designating a sales
512 tax TIF area. The agreement shall set forth:

513 (a) The goals and objectives of the retail development
514 project;

515 (b) Requirements for leasing of retail space within the
516 retail development project which will advance the goals and
517 objectives;

518 (c) The terms and conditions pursuant to which tax
519 increment revenue or bond proceeds will be advanced to pay
520 retail developments costs incurred in the sales tax TIF area;

521 (d) The total amount of the tax increment revenue to be
522 contributed to pay retail development costs within the sales tax
523 TIF area;

524 (e) Goals for the hiring of minority business enterprises
525 to perform construction or operations work, which goal shall
526 equal an amount not less than 25 percent of the total amount of
527 tax increment revenue contributed towards the payment of retail
528 development costs within the sales tax TIF area;

529 (f) Goals for the hiring of enterprise zone residents for
530 the new jobs created by the retail development project, which
531 goal shall equal at least 35 percent of the new jobs created;

532 (g) Such matters as may be required in connection with the
533 issuance of bonds to support the retail development project; and

534 (h) Such other matters as the governing body designating



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535 the sales tax TIF area may determine to be necessary and
536 appropriate.

537 (2) Tax increment revenues or bond proceeds may not be
538 advanced to pay retail development costs until such time as the
539 retail development project is open to the general public.

540 (3) A retail project development agreement shall be
541 approved by resolution of the governing body following a public
542 hearing.

543 Section 15. Section 290.01391, Florida Statutes, is amended
544 to read:

545 290.01391 Issuance of tax increment revenue bonds; use of
546 bond proceeds; funding agreement.-

547 (1) If authorized or approved by resolution of the
548 governing body that designated the sales tax TIF area created
549 the sales tax increment redevelopment district, following a
550 public hearing, tax increment revenues may be used to support
551 the issuance of revenue bonds to finance retail redevelopment
552 costs of a retail development project, including the payment of
553 principal and interest upon any advances for surveys and plans
554 or preliminary loans.

555 (2) Bonds issued under this section do not constitute
556 indebtedness within the meaning of any constitutional or
557 statutory debt limitation or restriction and are not subject to
558 the provisions of any other law or charter relating to the
559 authorization, issuance, or sale of bonds. Bonds issued under
560 this section are declared to be issued for an essential public
561 and governmental purpose, and the interest and income from the
562 bonds are exempt from all taxes, except taxes imposed by chapter
563 220 on corporations.



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564 (3) Bonds issued under this section may be issued in one or
565 more series and may bear such date or dates, be payable upon
566 demand or mature at such time or times, bear interest at such
567 rate or rates, be in such denomination or denominations, be in
568 such form either with or without coupon or registered, carry
569 such conversion or registration privileges, have such rank or
570 priority, be executed in such manner, be payable in such medium
571 of payment at such place or places, be subject to such terms of
572 redemption with or without a premium, be secured in such manner,
573 and have such other characteristics as may be provided by the
574 resolution or ordinance authorizing their issuance. Bonds issued
575 under this section may be sold in such manner, either at public
576 or private sale, and for such price as the designated
577 redevelopment agency may determine will effectuate the purposes
578 of this section.

579 (4) In any suit, action, or proceeding involving the
580 validity or enforceability of any bond issued under this
581 section, any bond that recites in substance that it has been
582 issued by the governing body in connection with the sales tax
583 increment district for a purpose authorized under this section
584 is conclusively presumed to have been issued for that purpose,
585 and any project financed by the bond is conclusively presumed to
586 have been planned and carried out in accordance with the
587 intended purposes of this section.

588 Section 16. This act shall take effect July 1, 2011.

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

591 And the title is amended as follows:

592 Delete everything before the enacting clause



593 and insert:

594 A bill to be entitled
595 An act relating to revitalizing municipalities;
596 amending s. 212.096, F.S.; conforming a cross-
597 reference; amending s. 212.20, F.S.; providing for the
598 transfer of certain sales tax revenues from the
599 General Revenue Fund to the Revenue Sharing Trust Fund
600 for Municipalities; amending s. 218.23, F.S.;
601 providing for a distribution from the Revenue Sharing
602 Trust Fund for Municipalities relating to an increase
603 in sales tax collections over the preceding year to
604 the governing body of an area that receives tax
605 increment revenues pursuant to a designation as a
606 sales tax TIF area; amending ss. 220.181 and 288.1175,
607 F.S.; conforming cross-references; amending s.
608 290.004, F.S.; providing definitions; amending s.
609 290.0056, F.S.; revising provisions relating to the
610 enterprise zone development agency; providing powers
611 of the governing board upon the designation of a sales
612 tax TIF area; amending s. 290.0057, F.S.; revising
613 provisions relating to an enterprise zone development
614 plan to conform to changes made by the act; amending
615 s. 290.007, F.S.; providing an economic incentive
616 within enterprise zones designated as sales tax TIF
617 areas; creating ss. 290.01351, 290.0136, 290.0137,
618 290.0138, and 290.0139, F.S.; creating the Municipal
619 Revitalization Act; providing legislative intent and
620 purposes; authorizing specified governing bodies to
621 create a sales tax TIF areas within a county or



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622 municipality having a specified population; providing
623 that the governing body for an enterprise zone where a
624 sales tax TIF area is located is eligible for
625 specified percentage distributions of increased state
626 sales tax collections under certain circumstances;
627 requiring the Department of Revenue to determine the
628 amount of increased sales tax collections to be
629 distributed to each eligible designated redevelopment
630 agency and to transfer the aggregate amount due to all
631 such agencies to the Revenue Sharing Trust Fund for
632 Municipalities for distribution; granting specified
633 powers to a governing body for a sales tax TIF area
634 for the purpose of providing financing and fostering
635 certain public and private improvements, including
636 issuing revenue bonds; requiring that an agreement
637 between a designated redevelopment agency and private
638 sponsor of a project include a requirement that a
639 specified number of jobs be created under certain
640 circumstances; amending s. 290.01391, F.S.; providing
641 for the issuance of tax increment revenue bonds and
642 the use of such bonds; providing an effective date.