

By the Committee on Community Affairs; and Senator Garcia

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1                   A bill to be entitled  
2           An act relating to revitalizing municipalities;  
3           amending s. 212.096, F.S.; conforming a cross-  
4           reference; amending s. 212.20, F.S.; providing for the  
5           transfer of certain sales tax revenues from the  
6           General Revenue Fund to the Revenue Sharing Trust Fund  
7           for Municipalities; amending s. 218.23, F.S.;  
8           providing for a distribution from the Revenue Sharing  
9           Trust Fund for Municipalities relating to an increase  
10          in sales tax collections over the preceding year to  
11          the governing body of an area that receives tax  
12          increment revenues pursuant to a designation as a  
13          sales tax TIF area; amending ss. 220.181 and 288.1175,  
14          F.S.; conforming cross-references; amending s.  
15          290.004, F.S.; providing definitions; amending s.  
16          290.0056, F.S.; revising provisions relating to the  
17          enterprise zone development agency; providing powers  
18          of the governing board upon the designation of a sales  
19          tax TIF area; amending s. 290.0057, F.S.; revising  
20          provisions relating to an enterprise zone development  
21          plan to conform to changes made by the act; amending  
22          s. 290.007, F.S.; providing an economic incentive  
23          within enterprise zones designated as sales tax TIF  
24          areas; creating ss. 290.01351, 290.0136, 290.0137,  
25          290.0138, 290.0139, and 290.01391, F.S.; creating the  
26          "Municipal Revitalization Act"; providing legislative  
27          intent and purposes; authorizing specified governing  
28          bodies to create a sales tax TIF areas within a county  
29          or municipality having a specified population;

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30 providing that the governing body for an enterprise  
31 zone where a sales tax TIF area is located is eligible  
32 for specified percentage distributions of increased  
33 state sales tax collections under certain  
34 circumstances; requiring the Department of Revenue to  
35 determine the amount of increased sales tax  
36 collections to be distributed to each eligible  
37 designated redevelopment agency and to transfer the  
38 aggregate amount due to all such agencies to the  
39 Revenue Sharing Trust Fund for Municipalities for  
40 distribution; granting specified powers to a governing  
41 body for a sales tax TIF area for the purpose of  
42 providing financing and fostering certain public and  
43 private improvements, including issuing revenue bonds;  
44 requiring that an agreement between a designated  
45 redevelopment agency and private sponsor of a project  
46 include a requirement that a specified number of jobs  
47 be created under certain circumstances; providing for  
48 the issuance of tax increment revenue bonds and the  
49 use of such bonds; providing an effective date.

50  
51 Be It Enacted by the Legislature of the State of Florida:

52  
53 Section 1. Paragraph (b) of subsection (2) of section  
54 212.096, Florida Statutes, is amended to read:

55 212.096 Sales, rental, storage, use tax; enterprise zone  
56 jobs credit against sales tax.—

57 (2)

58 (b) The credit shall be computed as 20 percent of the

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59 actual monthly wages paid in this state to each new employee  
60 hired when a new job has been created, unless the business is  
61 located within a rural enterprise zone pursuant to s.  
62 290.004(10) ~~s. 290.004(6)~~, in which case the credit shall be 30  
63 percent of the actual monthly wages paid. If no less than 20  
64 percent of the employees of the business are residents of an  
65 enterprise zone, excluding temporary and part-time employees,  
66 the credit shall be computed as 30 percent of the actual monthly  
67 wages paid in this state to each new employee hired when a new  
68 job has been created, unless the business is located within a  
69 rural enterprise zone, in which case the credit shall be 45  
70 percent of the actual monthly wages paid. If the new employee  
71 hired when a new job is created is a participant in the welfare  
72 transition program, the following credit shall be a percent of  
73 the actual monthly wages paid: 40 percent for \$4 above the  
74 hourly federal minimum wage rate; 41 percent for \$5 above the  
75 hourly federal minimum wage rate; 42 percent for \$6 above the  
76 hourly federal minimum wage rate; 43 percent for \$7 above the  
77 hourly federal minimum wage rate; and 44 percent for \$8 above  
78 the hourly federal minimum wage rate. For purposes of this  
79 paragraph, monthly wages shall be computed as one-twelfth of the  
80 expected annual wages paid to such employee. The amount paid as  
81 wages to a new employee is the compensation paid to such  
82 employee that is subject to unemployment tax. The credit shall  
83 be allowed for up to 24 consecutive months, beginning with the  
84 first tax return due pursuant to s. 212.11 after approval by the  
85 department.

86 Section 2. Paragraph (d) of subsection (6) of section  
87 212.20, Florida Statutes, is amended to read:

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88           212.20 Funds collected, disposition; additional powers of  
89 department; operational expense; refund of taxes adjudicated  
90 unconstitutionally collected.—

91           (6) Distribution of all proceeds under this chapter and s.  
92 202.18(1)(b) and (2)(b) shall be as follows:

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

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

102           2. After the distribution under subparagraph 1., 8.814  
103 percent of the amount remitted by a sales tax dealer located  
104 within a participating county pursuant to s. 218.61 shall be  
105 transferred into the Local Government Half-cent Sales Tax  
106 Clearing Trust Fund. Beginning July 1, 2003, the amount to be  
107 transferred shall be reduced by 0.1 percent, and the department  
108 shall distribute this amount to the Public Employees Relations  
109 Commission Trust Fund less \$5,000 each month, which shall be  
110 added to the amount calculated in subparagraph 3. and  
111 distributed accordingly.

112           3. After the distribution under subparagraphs 1. and 2.,  
113 0.095 percent shall be transferred to the Local Government Half-  
114 cent Sales Tax Clearing Trust Fund and distributed pursuant to  
115 s. 218.65.

116           4. After the distributions under subparagraphs 1., 2., and

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117 3., 2.0440 percent of the available proceeds shall be  
118 transferred monthly to the Revenue Sharing Trust Fund for  
119 Counties pursuant to s. 218.215.

120 5. After the distributions under subparagraphs 1., 2., and  
121 3., 1.3409 percent of the available proceeds, plus the amount  
122 required under s. 290.0138(2), shall be transferred monthly to  
123 the Revenue Sharing Trust Fund for Municipalities pursuant to s.  
124 218.215. If the total revenue to be distributed pursuant to this  
125 subparagraph is at least as great as the amount due from the  
126 Revenue Sharing Trust Fund for Municipalities and the former  
127 Municipal Financial Assistance Trust Fund in state fiscal year  
128 1999-2000, no municipality shall receive less than the amount  
129 due from the Revenue Sharing Trust Fund for Municipalities and  
130 the former Municipal Financial Assistance Trust Fund in state  
131 fiscal year 1999-2000. If the total proceeds to be distributed  
132 are less than the amount received in combination from the  
133 Revenue Sharing Trust Fund for Municipalities and the former  
134 Municipal Financial Assistance Trust Fund in state fiscal year  
135 1999-2000, each municipality shall receive an amount  
136 proportionate to the amount it was due in state fiscal year  
137 1999-2000.

138 6. Of the remaining proceeds:

139 a. In each fiscal year, the sum of \$29,915,500 shall be  
140 divided into as many equal parts as there are counties in the  
141 state, and one part shall be distributed to each county. The  
142 distribution among the several counties must begin each fiscal  
143 year on or before January 5th and continue monthly for a total  
144 of 4 months. If a local or special law required that any moneys  
145 accruing to a county in fiscal year 1999-2000 under the then-

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146 existing provisions of s. 550.135 be paid directly to the  
147 district school board, special district, or a municipal  
148 government, such payment must continue until the local or  
149 special law is amended or repealed. The state covenants with  
150 holders of bonds or other instruments of indebtedness issued by  
151 local governments, special districts, or district school boards  
152 before July 1, 2000, that it is not the intent of this  
153 subparagraph to adversely affect the rights of those holders or  
154 relieve local governments, special districts, or district school  
155 boards of the duty to meet their obligations as a result of  
156 previous pledges or assignments or trusts entered into which  
157 obligated funds received from the distribution to county  
158 governments under then-existing s. 550.135. This distribution  
159 specifically is in lieu of funds distributed under s. 550.135  
160 before July 1, 2000.

161 b. The department shall distribute \$166,667 monthly  
162 pursuant to s. 288.1162 to each applicant certified as a  
163 facility for a new or retained professional sports franchise  
164 pursuant to s. 288.1162. Up to \$41,667 shall be distributed  
165 monthly by the department to each certified applicant as defined  
166 in s. 288.11621 for a facility for a spring training franchise.  
167 However, not more than \$416,670 may be distributed monthly in  
168 the aggregate to all certified applicants for facilities for  
169 spring training franchises. Distributions begin 60 days after  
170 such certification and continue for not more than 30 years,  
171 except as otherwise provided in s. 288.11621. A certified  
172 applicant identified in this sub-subparagraph may not receive  
173 more in distributions than expended by the applicant for the  
174 public purposes provided for in s. 288.1162(5) or s.

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175 288.11621(3).

176 c. Beginning 30 days after notice by the Office of Tourism,  
177 Trade, and Economic Development to the Department of Revenue  
178 that an applicant has been certified as the professional golf  
179 hall of fame pursuant to s. 288.1168 and is open to the public,  
180 \$166,667 shall be distributed monthly, for up to 300 months, to  
181 the applicant.

182 d. Beginning 30 days after notice by the Office of Tourism,  
183 Trade, and Economic Development to the Department of Revenue  
184 that the applicant has been certified as the International Game  
185 Fish Association World Center facility pursuant to s. 288.1169,  
186 and the facility is open to the public, \$83,333 shall be  
187 distributed monthly, for up to 168 months, to the applicant.  
188 This distribution is subject to reduction pursuant to s.  
189 288.1169. A lump sum payment of \$999,996 shall be made, after  
190 certification and before July 1, 2000.

191 7. All other proceeds must remain in the General Revenue  
192 Fund.

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

195 218.23 Revenue sharing with units of local government.—

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

198 (a) First, the entitlement of an eligible unit of local  
199 government shall be computed on the basis of the apportionment  
200 factor provided in s. 218.245, which shall be applied for all  
201 eligible units of local government to all receipts available for  
202 distribution in the respective revenue sharing trust fund.

203 (b) Second, revenue shared with eligible units of local

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204 government for any fiscal year shall be adjusted so that no  
205 eligible unit of local government receives less funds than its  
206 guaranteed entitlement.

207 (c) Third, revenues shared with counties for any fiscal  
208 year shall be adjusted so that no county receives less funds  
209 than its guaranteed entitlement plus the second guaranteed  
210 entitlement for counties.

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

214 (e) Fifth, after the adjustments provided in paragraphs  
215 (b), (c), and (d), the funds remaining in the respective trust  
216 fund for municipalities shall be distributed to the appropriate  
217 governing body eligible for a distribution under ss. 290.0137  
218 and 290.0138.

219 (f) ~~(e)~~ Sixth ~~Fifth~~, after the adjustments provided in  
220 paragraphs (b), (c), and (d), and (e), and after deducting the  
221 amount committed to all the units of local government, the funds  
222 remaining in the respective trust funds shall be distributed to  
223 those eligible units of local government which qualify to  
224 receive additional moneys beyond the guaranteed entitlement, on  
225 the basis of the additional money of each qualified unit of  
226 local government in proportion to the total additional money of  
227 all qualified units of local government.

228 Section 4. Paragraph (a) of subsection (1) of section  
229 220.181, Florida Statutes, is amended to read:

230 220.181 Enterprise zone jobs credit.—

231 (1) (a) There shall be allowed a credit against the tax  
232 imposed by this chapter to any business located in an enterprise



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233 zone which demonstrates to the department that, on the date of  
234 application, the total number of full-time jobs is greater than  
235 the total was 12 months prior to that date. The credit shall be  
236 computed as 20 percent of the actual monthly wages paid in this  
237 state to each new employee hired when a new job has been  
238 created, as defined under s. 220.03(1)(ee), unless the business  
239 is located in a rural enterprise zone, pursuant to s.  
240 290.004(10) ~~s. 290.004(6)~~, in which case the credit shall be 30  
241 percent of the actual monthly wages paid. If no less than 20  
242 percent of the employees of the business are residents of an  
243 enterprise zone, excluding temporary and part-time employees,  
244 the credit shall be computed as 30 percent of the actual monthly  
245 wages paid in this state to each new employee hired when a new  
246 job has been created, unless the business is located in a rural  
247 enterprise zone, in which case the credit shall be 45 percent of  
248 the actual monthly wages paid, for a period of up to 24  
249 consecutive months. If the new employee hired when a new job is  
250 created is a participant in the welfare transition program, the  
251 following credit shall be a percent of the actual monthly wages  
252 paid: 40 percent for \$4 above the hourly federal minimum wage  
253 rate; 41 percent for \$5 above the hourly federal minimum wage  
254 rate; 42 percent for \$6 above the hourly federal minimum wage  
255 rate; 43 percent for \$7 above the hourly federal minimum wage  
256 rate; and 44 percent for \$8 above the hourly federal minimum  
257 wage rate.

258 Section 5. Paragraph (c) of subsection (5) of section  
259 288.1175, Florida Statutes, is amended to read:

260 288.1175 Agriculture education and promotion facility.—

261 (5) The department shall competitively evaluate

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262 applications for funding of an agriculture education and  
 263 promotion facility. If the number of applicants exceeds three,  
 264 the department shall rank the applications based upon criteria  
 265 developed by the department, with priority given in descending  
 266 order to the following items:

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

273 Section 6. Section 290.004, Florida Statutes, is amended to  
 274 read:

275 290.004 Definitions relating to Florida Enterprise Zone  
 276 Act.—As used in ss. 290.001–290.016, the term:

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

281 (2)~~(1)~~ “Community investment corporation” means a black  
 282 business investment corporation, a certified development  
 283 corporation, a small business investment corporation, or other  
 284 similar entity incorporated under Florida law that has limited  
 285 its investment policy to making investments solely in minority  
 286 business enterprises.

287 (3)~~(2)~~ “Director” means the director of the Office of  
 288 Tourism, Trade, and Economic Development.

289 (4)~~(3)~~ “Governing body” means the council or other  
 290 legislative body charged with governing the county or

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291 municipality.

292 (5)~~(4)~~ "Minority business enterprise" has the same meaning  
293 as in s. 288.703.

294 (6)~~(5)~~ "Office" means the Office of Tourism, Trade, and  
295 Economic Development.

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

298 (a) A retail development project;

299 (b) The issuance of, or debt service or any other payments  
300 in respect of, the bonds, including costs of issuance,  
301 capitalized interest, credit enhancement fees, reserve funds, or  
302 working capital; or

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

305 (8) "Retail development project" means the establishment of  
306 a business within an enterprise zone engaged in direct onsite  
307 retail sales to consumers or providing unique entertainment  
308 attractions, including the following: acquisition, purchasing,  
309 construction, reconstruction, improvement, renovation,  
310 rehabilitation, restoration, remodeling, repair, remediation,  
311 expansion, extension, and the furnishing, equipping, and opening  
312 of the business. A retail development project shall create at  
313 least 500 jobs and generate more than \$1 million in taxes and  
314 fees collected pursuant to s. 212.20(6)(d). A retail development  
315 project includes restaurants, grocery and specialty food stores,  
316 art galleries, and businesses engaged in sales of home  
317 furnishings, apparel, and general merchandise goods to  
318 specialized customers, or providing a unique entertainment  
319 attraction. A retail development project specifically excludes:

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320       (a) Liquor stores;  
321       (b) Adult entertainment nightclubs;  
322       (c) Adult book clubs; and  
323       (d) The relocation of a business to the retail development  
324 project from another location within the enterprise zone, unless  
325 the relocation involves a significant expansion of the size of  
326 the business.

327       (9) "Retail development project developer" means any person  
328 sponsoring a retail development project.

329       (10)~~(6)~~ "Rural enterprise zone" means an enterprise zone  
330 that is nominated by a county having a population of 75,000 or  
331 fewer, or a county having a population of 100,000 or fewer which  
332 is contiguous to a county having a population of 75,000 or  
333 fewer, or by a municipality in such a county, or by such a  
334 county and one or more municipalities. An enterprise zone  
335 designated in accordance with s. 290.0065(5)(b) or s. 379.2353  
336 is considered to be a rural enterprise zone.

337       (11) "Sales tax TIF area" means a retail development  
338 project that has been authorized by a governing body to receive  
339 TIF proceeds or bond proceeds pursuant to an executed  
340 development agreement between the governing body and a retail  
341 development project developer to underwrite retail development  
342 costs.

343       (12)~~(7)~~ "Small business" has the same meaning as in s.  
344 288.703.

345       (13) "Tax increment revenues" means the portion of  
346 available sales tax revenue calculated pursuant to s.  
347 290.0138(1).

348       (14) "TIF" means tax increment financing.

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349 Section 7. Paragraph (a) of subsection (9) of section  
350 290.0056, Florida Statutes, is amended, and present subsections  
351 (11) and (12) of that section are redesignated as subsections  
352 (12) and (13), respectively, and a new subsection (11) is added  
353 to that section, to read:

354 290.0056 Enterprise zone development agency.—

355 (9) The following powers and responsibilities shall be  
356 performed by the governing body creating the enterprise zone  
357 development agency acting as the managing agent of the  
358 enterprise zone development agency, or, contingent upon approval  
359 by such governing body, such powers and responsibilities shall  
360 be performed by the enterprise zone development agency:

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

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

370 (a) Enter into cooperative contracts and agreements with a  
371 county, municipality, governmental agency, or private entity for  
372 services and assistance;

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

376 (c) Expend incremental sales tax revenues to promote and  
377 advertise the commercial advantages of the district in order to

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378 attract new businesses and encourage the expansion of existing  
379 businesses; and

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

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

385 290.0057 Enterprise zone development plan.—

386 (1) Any application for designation as a new enterprise  
387 zone must be accompanied by a strategic plan adopted by the  
388 governing board ~~body~~ of the municipality or county, or the  
389 governing board ~~bodies~~ of the county and one or more of the  
390 municipalities together. At a minimum, the plan must:

391 (a) Briefly describe the community's goals for revitalizing  
392 the area.

393 (b) Describe the ways in which the community's approaches  
394 to economic development, social and human services,  
395 transportation, housing, community development, public safety,  
396 and educational and environmental concerns will be addressed in  
397 a coordinated fashion, and explain how these linkages support  
398 the community's goals.

399 (c) Identify and describe key community goals and the  
400 barriers that restrict the community from achieving these goals,  
401 including a description of poverty and general distress,  
402 barriers to economic opportunity and development, and barriers  
403 to human development.

404 (d) Describe the process by which the affected community is  
405 a full partner in the process of developing and implementing the  
406 plan and the extent to which local institutions and

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407 organizations have contributed to the planning process.

408 (e) Commit the governing body or bodies to enact and  
409 maintain local fiscal and regulatory incentives, if approval for  
410 the area is received under s. 290.0065. These incentives may  
411 include the municipal public service tax exemption provided by  
412 s. 166.231, the economic development ad valorem tax exemption  
413 provided by s. 196.1995, the business tax exemption provided by  
414 s. 205.054, local impact fee abatement or reduction, or low-  
415 interest or interest-free loans or grants to businesses to  
416 encourage the revitalization of the nominated area.

417 (f) Identify the amount of local and private resources that  
418 will be available in the nominated area and the private/public  
419 partnerships to be used, which may include participation by, and  
420 cooperation with, universities, community colleges, small  
421 business development centers, black business investment  
422 corporations, certified development corporations, and other  
423 private and public entities.

424 (g) Indicate how state enterprise zone tax incentives and  
425 state, local, and federal resources will be utilized within the  
426 nominated area.

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

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

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

434 290.007 State incentives available in enterprise zones.—The  
435 following incentives are provided by the state to encourage the

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436 revitalization of enterprise zones:

437 (9) Within enterprise zones, the designation of a sales tax  
438 TIF area.

439 Section 10. Section 290.01351, Florida Statutes, is created  
440 to read:

441 290.01351 Municipal Revitalization Act.—Sections 290.0136-  
442 290.01391 may be cited as the "Municipal Revitalization Act."

443 Section 11. Section 290.0136, Florida Statutes, is created  
444 to read:

445 290.0136 Sales tax TIF area; intent and purpose.—

446 (1) The Legislature intends to foster the revitalization of  
447 counties and municipalities and support job-creating retail  
448 development projects within enterprise zones by authorizing the  
449 governing bodies of counties and municipalities to designate  
450 sales tax TIF areas within enterprise zones, subject to the  
451 review and approval by the office.

452 (2) The Legislature finds that by authorizing local  
453 governing bodies of an enterprise zone to designate a sales tax  
454 TIF area, the counties or municipalities may share with the  
455 state any annual increase in sales tax collections occasioned by  
456 a retail development project and advance the revitalization of  
457 such counties and municipalities. Through the sharing of any  
458 annual increases in sales tax collections within a sales tax TIF  
459 area resulting from the advancement of a retail development  
460 project, the Legislature intends to provide local financing for  
461 public and private improvements that will foster job growth for  
462 the residents of economically distressed areas and enhance the  
463 base of local retailers serving residents of the enterprise  
464 zones and the surrounding communities.



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465 Section 12. Section 290.0137, Florida Statutes, is created  
466 to read:

467 290.0137 Designation of sales tax TIF area; review and  
468 approval by the office.-

469 (1) Any municipality having a population of at least  
470 250,000 residents which has designated an enterprise zone, or  
471 all the governing bodies in the case of a county and one or more  
472 municipalities having been designated an enterprise zone if the  
473 county has a population of at least 750,000 residents, may adopt  
474 a resolution following a public hearing designating a sales tax  
475 TIF area to support the development of a retail development  
476 project.

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

479 (a) Include findings that the designation of the sales tax  
480 TIF area:

481 1. Is essential to the advancement of a retail development  
482 project;

483 2. Will provide needed retail amenities within the  
484 enterprise;

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

488 4. Will enhance the health and general welfare of the  
489 residents of enterprise zone within the sponsoring municipality  
490 or county;

491 (b) Fix the geographic boundaries of the sales tax TIF area  
492 necessary to support the advancement of a retail development  
493 project;

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494 (c) Establish the term of the life of the sales tax TIF  
495 area, which term shall not exceed 15 years from the earlier date  
496 the sales tax TIF area is approved following review by the  
497 office;

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

501 (e) Authorize staff of the governing body to negotiate a  
502 development agreement with the retail development project  
503 developer.

504 (3) A copy of the resolution adopted by the governing body  
505 designating the sales tax TIF area shall be transmitted to the  
506 office for its review. The office, in consultation with  
507 Enterprise Florida, Inc., shall determine whether the  
508 designation of the sales tax TIF area complies with the  
509 requirements of this chapter.

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

514 Section 13. Section 290.0138, Florida Statutes, is created  
515 to read:

516 290.0138 Calculation of tax increment revenue contribution  
517 to governing body.-

518 (1) The governing body of a designated sales tax TIF area  
519 shall be eligible for a percentage distribution of from the  
520 Revenue Sharing Trust Fund for Municipalities of the increased  
521 collections of the state tax on sales, use, and other  
522 transactions realized during any month by the municipality over

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523 the same monthly period of the base year, as follows:

524 (a) Eighty-five percent of the increased monthly  
525 collections of \$85,000 or less.

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

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

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

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

534 (2) The specific amount payable to each eligible governing  
535 body shall be determined monthly by the Department of Revenue  
536 for distribution to the appropriate eligible governing body in  
537 accordance with subsection (1). The Department of Revenue shall  
538 determine monthly the aggregate amount of sales tax revenue that  
539 is required for distribution to eligible governing body under  
540 this section and transfer that amount from the General Revenue  
541 Fund to the Revenue Sharing Trust Fund for Municipalities in  
542 accordance with s. 212.20(6)(d)5. All amounts transferred to the  
543 Revenue Sharing Trust Fund for Municipalities shall be  
544 distributed as provided in s. 218.23(3)(e). At no time shall the  
545 total distribution provided to the eligible governing body  
546 exceed the total tax increment revenue contribution set forth in  
547 the retail project development agreement required pursuant to s.  
548 290.0139.

549 (3) Each governing body receiving percentage distribution  
550 pursuant to the subsection (1) shall establish a separate tax  
551 increment revenue account within its general fund for the

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552 deposit of the sales tax increment for each sales tax TIF area.

553 Section 14. Section 290.0139, Florida Statutes, is created  
554 to read:

555 290.0139 Retail development project agreement.-

556 (1) A retail development project developer desiring to use  
557 tax increment revenues to underwrite retail development costs  
558 shall enter into a retail development project agreement with the  
559 governing body of the county or municipality designating a sales  
560 tax TIF area. The agreement shall set forth:

561 (a) The goals and objectives of the retail development  
562 project;

563 (b) Requirements for leasing of retail space within the  
564 retail development project which will advance the goals and  
565 objectives;

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

569 (d) The total amount of the tax increment revenue to be  
570 contributed to pay retail development costs within the sales tax  
571 TIF area;

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

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

580 (g) Such matters as may be required in connection with the

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581 issuance of bonds to support the retail development project; and

582 (h) Such other matters as the governing body designating  
583 the sales tax TIF area may determine to be necessary and  
584 appropriate.

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

588 (3) A retail project development agreement shall be  
589 approved by resolution of the governing body following a public  
590 hearing.

591 Section 15. Section 290.01391, Florida Statutes, is created  
592 to read:

593 290.01391 Issuance of tax increment revenue bonds; use of  
594 bond proceeds; funding agreement.—

595 (1) If authorized or approved by resolution of the  
596 governing body that designated the sales tax TIF area, following  
597 a public hearing, tax increment revenues may be used to support  
598 the issuance of revenue bonds to finance retail redevelopment  
599 costs of a retail development project, including the payment of  
600 principal and interest upon any advances for surveys and plans  
601 or preliminary loans.

602 (2) Bonds issued under this section do not constitute  
603 indebtedness within the meaning of any constitutional or  
604 statutory debt limitation or restriction and are not subject to  
605 the provisions of any other law or charter relating to the  
606 authorization, issuance, or sale of bonds. Bonds issued under  
607 this section are declared to be issued for an essential public  
608 and governmental purpose, and the interest and income from the  
609 bonds are exempt from all taxes, except taxes imposed by chapter

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610 220 on corporations.

611 (3) Bonds issued under this section may be issued in one or  
612 more series and may bear such date or dates, be payable upon  
613 demand or mature at such time or times, bear interest at such  
614 rate or rates, be in such denomination or denominations, be in  
615 such form either with or without coupon or registered, carry  
616 such conversion or registration privileges, have such rank or  
617 priority, be executed in such manner, be payable in such medium  
618 of payment at such place or places, be subject to such terms of  
619 redemption with or without a premium, be secured in such manner,  
620 and have such other characteristics as may be provided by the  
621 resolution or ordinance authorizing their issuance. Bonds issued  
622 under this section may be sold in such manner, either at public  
623 or private sale, and for such price as the designated  
624 redevelopment agency may determine will effectuate the purposes  
625 of this section.

626 (4) In any suit, action, or proceeding involving the  
627 validity or enforceability of any bond issued under this  
628 section, any bond that recites in substance that it has been  
629 issued by the governing body in connection with the sales tax  
630 increment district for a purpose authorized under this section  
631 is conclusively presumed to have been issued for that purpose,  
632 and any project financed by the bond is conclusively presumed to  
633 have been planned and carried out in accordance with the  
634 intended purposes of this section.

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