



594960

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
01/28/2011	.	
	.	
	.	
	.	

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete lines 75 - 122
and insert:

Section 1. Subsection (11) is added to section 14.2015, Florida Statutes, to read:

14.2015 Office of Tourism, Trade, and Economic Development; creation; powers and duties.—

(11) (a) For purposes of this section, the term "Disproportionally Affected County" means Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa



594960

12 Rosa County, or Walton County.

13 (b) When the Office of Tourism, Trade, and Economic
14 Development determines it is in the best interest of the public
15 for reasons of facilitating economic development, growth, or new
16 employment opportunities within a Disproportionally Affected
17 County, the Office of Tourism, Trade, and Economic Development
18 may between July 1, 2011, and June 30, 2014, waive any or all job
19 or wage eligibility requirements under ss. 288.063, 288.065,
20 288.0655, 288.0657, 288.0659, 288.107, 288.108, 288.1081,
21 288.1088, or 288.1089, up to the cumulative amount of \$5 million
22 of all state incentives received per project. Prior to granting
23 such waiver, the director of the Office of Tourism, Trade, and
24 Economic Development shall file with the Governor a written
25 statement of the conditions and circumstances constituting the
26 reason for the waiver.

27 (c) When the Office of Tourism, Trade, and Economic
28 Development determines it is in the best interest of the public
29 for reasons of facilitating economic development, growth, or new
30 employment opportunities within a Disproportionally Affected
31 County, the Office of Tourism, Trade, and Economic Development
32 may between July 1, 2011, and June 30, 2014, waive any or all job
33 or wage eligibility requirements under ss. 288.063, 288.065,
34 288.0655, 288.0657, 288.0659, 288.107, 288.108, 288.1081,
35 288.1088, or 288.1089, for cumulative amounts in excess of \$5
36 million but less than \$10 million of all state incentives
37 received per project. Prior to granting such waiver, the Office
38 of Tourism, Trade, and Economic Development shall file with the
39 Governor, the President of the Senate, and the Speaker of the
40 House of Representatives a written statement of the conditions



594960

41 and circumstances constituting the reason for the waiver, and
42 requesting written concurrence within 5 business days to the
43 Governor from the President of the Senate and the Speaker of the
44 House of Representatives. Without such concurrence, the waiver
45 shall not occur.

46 (d) The Office of Tourism, Trade, and Economic Development is
47 not authorized under this paragraph to waive job and wage
48 eligibility requirements under ss. 288.063, 288.065, 288.0655,
49 288.0657, 288.0659, 288.107, 288.108, 288.1081, 288.1088, or
50 288.1089, for cumulative amounts \$10 million or more in state
51 incentives received per project.

52
53 Section 2. Paragraph (h) of subsection (1) of section
54 220.191, Florida Statutes, is amended to read:

55 220.191 Capital investment tax credit.—

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

57 (h) “Qualifying project” means a facility in this state
58 meeting one or more of the following criteria:

59 1. A new or expanding facility in this state which creates
60 at least 100 new jobs in this state and is in one of the high-
61 impact sectors identified by Enterprise Florida, Inc., and
62 certified by the office pursuant to s. 288.108(6), including,
63 but not limited to, aviation, aerospace, automotive, and silicon
64 technology industries. However, between July 1, 2011, and June
65 30, 2014 the requirement that a facility be in a high-impact
66 sector is waived for any otherwise eligible business from
67 another state that locates all or a portion of its business to a
68 Disproportionally Affected County as defined in s. 14.2015.†

69 2. A new or expanded facility in this state which is



594960

70 engaged in a target industry designated pursuant to the
71 procedure specified in s. 288.106(2)(t) and which is induced by
72 this credit to create or retain at least 1,000 jobs in this
73 state, provided that at least 100 of those jobs are new, pay an
74 annual average wage of at least 130 percent of the average
75 private sector wage in the area as defined in s. 288.106(2), and
76 make a cumulative capital investment of at least \$100 million
77 ~~after July 1, 2005~~. Jobs may be considered retained only if
78 there is significant evidence that the loss of jobs is imminent.
79 Notwithstanding subsection (2), annual credits against the tax
80 imposed by this chapter may ~~shall~~ not exceed 50 percent of the
81 increased annual corporate income tax liability or the premium
82 tax liability generated by or arising out of a project
83 qualifying under this subparagraph. A facility that qualifies
84 under this subparagraph for an annual credit against the tax
85 imposed by this chapter may take the tax credit for a period not
86 to exceed 5 years. ~~;~~ ~~or~~

87 3. A new or expanded headquarters facility in this state which
88 locates in an enterprise zone and brownfield area and is induced
89 by this credit to create at least 1,500 jobs that ~~which~~ on
90 average pay at least 200 percent of the statewide average annual
91 private sector wage, as published by the Agency for Workforce
92 Innovation or its successor, and which new or expanded
93 headquarters facility makes a cumulative capital investment in
94 this state of at least \$250 million.

95
96 Section 3. Present subsection (8) of section 288.106,
97 Florida Statutes, is renumbered as subsection (9), and a new
98 subsection (8) is added to that section, to read:



594960

99 288.106 Tax refund program for qualified target industry
100 businesses.-
101 (8) SPECIAL INCENTIVES.- When the Office of Tourism, Trade, and
102 Economic Development determines it is in the best interest of
103 the public for reasons of facilitating economic development,
104 growth, or new employment opportunities within a
105 Disproportionally Affected County, the Office of Tourism, Trade,
106 and Economic Development may between July 1, 2011, and June 30,
107 2014, waive any or all wage or local financial support
108 eligibility requirements and allow a qualified target industry
109 business from another state that locates all or a portion of its
110 business to a Disproportionally Affected County as defined in s.
111 14.2015 to receive a tax refund payment of up to \$6,000
112 multiplied by the number of jobs specified in the tax refund
113 agreement under subparagraph (5) (a)1. over the term of the
114 agreement. Prior to granting such waiver, the director of the
115 Office of Tourism, Trade, and Economic Development shall file
116 with the Governor a written statement of the conditions and
117 circumstances constituting the reason for the waiver. Such
118 business will be eligible for the additional tax refund payments
119 specified in subparagraph (3) (b)4, if it meets the criteria.

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

122 And the title is amended as follows:

123 Delete lines 2 - 8

124 and insert:

125 An act relating to economic recovery from the
126 Deepwater Horizon disaster; amending s. 14.2015, F.S.;

127 defining the term "Disproportionally Affected County";



594960

128 creating a process for the Office of Tourism, Trade,
129 and Economic Development to waive any or all job or
130 wage eligibility requirements under certain
131 circumstances when in the best interest of the public;
132 amending s.220.191, F.S.; waiving the requirement that
133 a facility located in a Disproportionally Affected
134 County be in a high-impact sector in order to qualify
135 for the capital investment tax credit; amending
136 s.288.106, F.S.; creating a process for the Office of
137 Tourism, Trade, and Economic Development to waive wage
138 or local financial support eligibility requirements;
139 providing a special incentive under the tax refund
140 program for a limited time for a qualified target
141 industry business that relocates from another state to
142 a Disproportionally Affected County; creating s.
143 252.363,