

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Pilon offered the following:

Amendment (with title amendment)

Between lines 1096 and 1097, insert:

Section 26. Paragraph (u) is added to subsection (24) of section 380.06, Florida Statutes, to read:

380.06 Developments of regional impact.—

(24) STATUTORY EXEMPTIONS.—

(u) Any development in an energy economic zone designated pursuant to s. 377.809, F.S., shall be exempt from this section.

If a use is exempt from review as a development of regional impact under paragraphs (a)-(s), but will be part of a larger project that is subject to review as a development of regional impact, the impact of the exempt use must be included in the review of the larger project, unless such exempt use involves a

Amendment No.

17 development of regional impact that includes a landowner,
18 tenant, or user that has entered into a funding agreement with
19 the Office of Tourism, Trade, and Economic Development under the
20 Innovation Incentive Program and the agreement contemplates a
21 state award of at least \$50 million.

22 Section 27. Subsection (4) of section 377.809, Florida
23 Statutes, is amended, and subsections (5) and (6) are added to
24 that section, to read:

25 377.809 Energy Economic Zone Pilot Program.—

26 (4) ~~If the pilot project is ongoing,~~ The Department of
27 Community Affairs, with the assistance of the Office of Tourism,
28 Trade, and Economic Development, shall submit a report to the
29 Governor, the President of the Senate, and the Speaker of the
30 House of Representatives by February 15, 2015 ~~2012~~, evaluating
31 whether the pilot program has demonstrated success. The report
32 shall contain recommendations with regard to whether the program
33 should be expanded for use by other local governments and
34 whether state policies should be revised to encourage the goals
35 of the program.

36 (5) Beginning July 1, 2012, all the incentives and
37 benefits provided to enterprise zones under state law shall be
38 available to the energy economic zones that have been designated
39 by January 1, 2011 under s. 377.809. Each local government with
40 an energy economic zone shall by local ordinance establish or
41 revise the boundaries of the energy economic zone and specify
42 and determine eligibility criteria for application of state and
43 local incentives and benefits in the energy economic zone. Such
44 incentives and benefits include those in ss. 220.181, 220.182,
745645

Approved For Filing: 4/4/2011 2:00:18 PM

Amendment No.

45 212.08, 220,183, 624.5105, 212.08(5), 212.08(15), 212.096, and
46 288.106, as well as the public utility discounts in s. 290.007.
47 Any applicable residency requirements for higher refund or
48 credit thresholds shall be based on employee residency in the
49 energy economic zone or an enterprise zone. Businesses in an
50 energy economic zone may also be eligible for funding under s.
51 288.047, and the transportation projects in an energy economic
52 zone are provided priority in funding under s. 288.063. Other
53 projects shall be given priority ranking to the extent
54 practicable for grants administered under state energy programs.
55 The Department of Revenue may use all applicable forms and
56 processes established for the enterprise zone program for the
57 energy economic zone program and may adopt rules for energy
58 economic zone program implementation, if needed. The local
59 governing bodies of the designated energy economic zones shall
60 process the completed applications and certify to the Department
61 of Revenue the businesses which are eligible to receive the
62 incentives.

63 (6) The total amount of state credits, refunds, and
64 exemptions that may be claimed in any fiscal year by eligible
65 businesses for incentives in an energy economic zone under
66 subsection (5) is \$300,000 per designated energy economic zone.
67 A credit or refund that is claimed after the \$300,000 limit is
68 reached shall be disallowed. If the credit or refund limit in
69 the zone is not fully used in any one state fiscal year, the
70 unused amount under the cap may be carried forward for no more
71 than 5 years. The local governing body having jurisdiction over
72 the energy economic zone is responsible for the tracking and

745645

Approved For Filing: 4/4/2011 2:00:18 PM

Amendment No.

73 accounting for the levels of credits and refunds granted and the
74 credit for unused amounts which may be carried over each year
75 from a previous year.

76
77

78 -----

79 **T I T L E A M E N D M E N T**

80 Remove line 63 and insert:
81 emergency rules; providing appropriations; amending s. 380.06,
82 F.S.; exempting developments in an energy economic zone from
83 specified provisions; amending s. 377.809, F.S.; providing for
84 incentives and benefits in energy economic zones; providing for
85 certain funding of businesses in such zones; limiting the total
86 amount of incentives in an energy economic zone under certain
87 circumstances; providing