

1 A bill to be entitled
 2 An act relating to the New Markets Development
 3 Program; amending s. 288.9914, F.S.; revising limits
 4 on tax credits that may be claimed by qualified
 5 community development entities under the program;
 6 amending s. 288.9915, F.S.; revising restrictions on a
 7 qualified community development entity's making of
 8 cash interest payments on certain long-term debt
 9 securities; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Paragraph (c) of subsection (3) of section
 14 288.9914, Florida Statutes, is amended to read:

15 288.9914 Certification of qualified investments;
 16 investment issuance reporting.—

17 (3) REVIEW.—

18 (c) The department may not approve a cumulative amount of
 19 qualified investments that may result in the claim of more than
 20 \$195 ~~\$97.5~~ million in tax credits during the existence of the
 21 program or more than \$40 ~~\$20~~ million in tax credits in a single
 22 state fiscal year. However, the potential for a taxpayer to
 23 carry forward an unused tax credit may not be considered in
 24 calculating the annual limit.

25 Section 2. Subsection (1) of section 288.9915, Florida
 26 Statutes, is amended to read:

27 288.9915 Use of proceeds from qualified investments;
 28 recordkeeping.—

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29 (1) A qualified community development entity may not make
30 cash interest payments on a long-term debt security that is a
31 qualified investment in excess of the entity's cumulative
32 operating income earned during the 7-year period after ~~for 6~~
33 ~~years following the~~ issuance of the security. For purposes of
34 calculating operating income, the interest expense on the
35 security is disregarded.

36 Section 3. This act shall take effect July 1, 2012.