

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

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1 Committee/Subcommittee hearing bill: Community & Military  
2 Affairs Subcommittee  
3 Representative Nuñez offered the following:  
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (d) of subsection (6) of section  
8 212.20, Florida Statutes, is amended to read:

9 212.20 Funds collected, disposition; additional powers of  
10 department; operational expense; refund of taxes adjudicated  
11 unconstitutionally collected.—

12 (6) Distribution of all proceeds under this chapter and s.  
13 202.18(1)(b) and (2)(b) shall be as follows:

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

17 1. In any fiscal year, the greater of \$500 million, minus  
18 an amount equal to 4.6 percent of the proceeds of the taxes  
19 collected pursuant to chapter 201, or 5.2 percent of all other

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20 taxes and fees imposed pursuant to this chapter or remitted  
21 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in  
22 monthly installments into the General Revenue Fund.

23 2. After the distribution under subparagraph 1., 8.814  
24 percent of the amount remitted by a sales tax dealer located  
25 within a participating county pursuant to s. 218.61 shall be  
26 transferred into the Local Government Half-cent Sales Tax  
27 Clearing Trust Fund. Beginning July 1, 2003, the amount to be  
28 transferred shall be reduced by 0.1 percent, and the department  
29 shall distribute this amount to the Public Employees Relations  
30 Commission Trust Fund less \$5,000 each month, which shall be  
31 added to the amount calculated in subparagraph 3. and  
32 distributed accordingly.

33 3. After the distribution under subparagraphs 1. and 2.,  
34 0.095 percent shall be transferred to the Local Government Half-  
35 cent Sales Tax Clearing Trust Fund and distributed pursuant to  
36 s. 218.65.

37 4. After the distributions under subparagraphs 1., 2., and  
38 3., 2.0440 percent of the available proceeds shall be  
39 transferred monthly to the Revenue Sharing Trust Fund for  
40 Counties pursuant to s. 218.215.

41 5. After the distributions under subparagraphs 1., 2., and  
42 3., 1.3409 percent of the available proceeds, plus the amount  
43 required under s. 290.0138(2), shall be transferred monthly to  
44 the Revenue Sharing Trust Fund for Municipalities pursuant to s.  
45 218.215. If the total revenue to be distributed pursuant to this  
46 subparagraph is at least as great as the amount due from the  
47 Revenue Sharing Trust Fund for Municipalities and the former

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48 Municipal Financial Assistance Trust Fund in state fiscal year  
49 1999-2000, no municipality shall receive less than the amount  
50 due from the Revenue Sharing Trust Fund for Municipalities and  
51 the former Municipal Financial Assistance Trust Fund in state  
52 fiscal year 1999-2000. If the total proceeds to be distributed  
53 are less than the amount received in combination from the  
54 Revenue Sharing Trust Fund for Municipalities and the former  
55 Municipal Financial Assistance Trust Fund in state fiscal year  
56 1999-2000, each municipality shall receive an amount  
57 proportionate to the amount it was due in state fiscal year  
58 1999-2000.

## 6. Of the remaining proceeds:

60 a. In each fiscal year, the sum of \$29,915,500 shall be  
61 divided into as many equal parts as there are counties in the  
62 state, and one part shall be distributed to each county. The  
63 distribution among the several counties must begin each fiscal  
64 year on or before January 5th and continue monthly for a total  
65 of 4 months. If a local or special law required that any moneys  
66 accruing to a county in fiscal year 1999-2000 under the then-  
67 existing provisions of s. 550.135 be paid directly to the  
68 district school board, special district, or a municipal  
69 government, such payment must continue until the local or  
70 special law is amended or repealed. The state covenants with  
71 holders of bonds or other instruments of indebtedness issued by  
72 local governments, special districts, or district school boards  
73 before July 1, 2000, that it is not the intent of this  
74 subparagraph to adversely affect the rights of those holders or  
75 relieve local governments, special districts, or district school

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76 boards of the duty to meet their obligations as a result of  
77 previous pledges or assignments or trusts entered into which  
78 obligated funds received from the distribution to county  
79 governments under then-existing s. 550.135. This distribution  
80 specifically is in lieu of funds distributed under s. 550.135  
81 before July 1, 2000.

82 b. The department shall distribute \$166,667 monthly  
83 pursuant to s. 288.1162 to each applicant certified as a  
84 facility for a new or retained professional sports franchise  
85 pursuant to s. 288.1162. Up to \$41,667 shall be distributed  
86 monthly by the department to each certified applicant as defined  
87 in s. 288.11621 for a facility for a spring training franchise.  
88 However, not more than \$416,670 may be distributed monthly in  
89 the aggregate to all certified applicants for facilities for  
90 spring training franchises. Distributions begin 60 days after  
91 such certification and continue for not more than 30 years,  
92 except as otherwise provided in s. 288.11621. A certified  
93 applicant identified in this sub-subparagraph may not receive  
94 more in distributions than expended by the applicant for the  
95 public purposes provided for in s. 288.1162(5) or s.  
96 288.11621(3).

97 c. Beginning 30 days after notice by the Department of  
98 Economic Opportunity to the Department of Revenue that an  
99 applicant has been certified as the professional golf hall of  
100 fame pursuant to s. 288.1168 and is open to the public, \$166,667  
101 shall be distributed monthly, for up to 300 months, to the  
102 applicant.

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103 d. Beginning 30 days after notice by the Department of  
104 Economic Opportunity to the Department of Revenue that the  
105 applicant has been certified as the International Game Fish  
106 Association World Center facility pursuant to s. 288.1169, and  
107 the facility is open to the public, \$83,333 shall be distributed  
108 monthly, for up to 168 months, to the applicant. This  
109 distribution is subject to reduction pursuant to s. 288.1169. A  
110 lump sum payment of \$999,996 shall be made, after certification  
111 and before July 1, 2000.

112 7. All other proceeds must remain in the General Revenue  
113 Fund.

114 Section 2. Subsection (3) of section 218.23, Florida  
115 Statutes, is amended to read:

116 218.23 Revenue sharing with units of local government.—

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

119 (a) First, the entitlement of an eligible unit of local  
120 government shall be computed on the basis of the apportionment  
121 factor provided in s. 218.245, which shall be applied for all  
122 eligible units of local government to all receipts available for  
123 distribution in the respective revenue sharing trust fund.

124 (b) Second, revenue shared with eligible units of local  
125 government for any fiscal year shall be adjusted so that no  
126 eligible unit of local government receives less funds than its  
127 guaranteed entitlement.

128 (c) Third, revenues shared with counties for any fiscal  
129 year shall be adjusted so that no county receives less funds

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130 than its guaranteed entitlement plus the second guaranteed  
131 entitlement for counties.

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

135 (e) Fifth, after the adjustments provided in paragraphs  
136 (b), (c), and (d), the funds remaining in the respective trust  
137 fund for municipalities shall be distributed to the appropriate  
138 governing body eligible for a distribution under ss. 290.0137  
139 and 290.0138.

140 (f) ~~(e)~~ Sixth ~~Fifth~~, after the adjustments provided in  
141 paragraphs (b), (c), ~~and (d)~~, and (e), and after deducting the  
142 amount committed to all the units of local government, the funds  
143 remaining in the respective trust funds shall be distributed to  
144 those eligible units of local government which qualify to  
145 receive additional moneys beyond the guaranteed entitlement, on  
146 the basis of the additional money of each qualified unit of  
147 local government in proportion to the total additional money of  
148 all qualified units of local government.

149 Section 3. Section 290.004, Florida Statutes, is amended  
150 to read:

151 290.004 Definitions relating to Florida Enterprise Zone  
152 Act.—As used in ss. 290.001-290.016, the term:

153 (1) "Base year" means the amount of sales taxes that would  
154 have been produced by the tax levied upon all eligible sales and  
155 use transactions pursuant to chapter 212 before the construction  
156 of the retail development project.

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157 (2) "Bond" means any bonds, notes, or other instruments  
158 issued by the governing body and secured by tax increment  
159 revenues or other security authorized in this chapter.

160 (3)~~(1)~~ "Community investment corporation" means a black  
161 business investment corporation, a certified development  
162 corporation, a small business investment corporation, or other  
163 similar entity incorporated under Florida law that has limited  
164 its investment policy to making investments solely in minority  
165 business enterprises.

166 (4) "Compliance period" means the 3-year period after the  
167 establishment of the base year for a sales tax TIF area during  
168 which the minimum job requirement for a retail development  
169 project must be satisfied.

170 (5)~~(2)~~ "Department" means the Department of Economic  
171 Opportunity.

172 (6)~~(3)~~ "Governing body" means the council or other  
173 legislative body charged with governing the county or  
174 municipality.

175 (7)~~(4)~~ "Minority business enterprise" has the same meaning  
176 as provided in s. 288.703.

177 (8) "Retail development project" means the establishment  
178 of a retail facility, under common ownership or control,  
179 consisting of more than 300,000 square feet of new or  
180 rehabilitated retail space within an enterprise zone engaged in  
181 direct onsite retail sales to consumers. A retail development  
182 project shall create at least 500 jobs within the compliance  
183 period and generate more than \$1 million annually in additional  
184 taxes and fees collected pursuant to s. 212.20(6)(d)5. A retail

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185 development project may include restaurants, grocery and  
186 specialty food stores, art galleries, and businesses engaged in  
187 sales of home furnishings, apparel, and general merchandise  
188 goods serving both local customers and tourists. A retail  
189 development project shall exclude:

190 (a) Liquor stores;

191 (b) Adult entertainment nightclubs;

192 (c) Adult book stores; and

193 (d) The relocation of a retail business to the retail  
194 development project from another location within the enterprise  
195 zone, unless the relocation involves a significant expansion of  
196 the size of the business or results in a total increase in  
197 taxable sales of not less than 50 percent within the county in  
198 which the business relocates.

199 (9) "Retail development project developer" means any  
200 person or entity sponsoring a retail development project within  
201 an enterprise zone.

202 (10)-(5) "Rural enterprise zone" means an enterprise zone  
203 that is nominated by a county having a population of 75,000 or  
204 fewer, or a county having a population of 100,000 or fewer which  
205 is contiguous to a county having a population of 75,000 or  
206 fewer, or by a municipality in such a county, or by such a  
207 county and one or more municipalities. An enterprise zone  
208 designated in accordance with s. 290.0065(5)(b) is considered to  
209 be a rural enterprise zone.

210 (11) "Sales tax TIF area" means a geographic area within  
211 an enterprise zone that includes a retail development project,  
212 designated by a governing body to receive tax increment revenues

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213 or bond proceeds to underwrite improvements authorized under s.  
214 290.0056.

215 (12)~~(6)~~ "Small business" has the same meaning as provided  
216 in s. 288.703.

217 (13) "Tax increment revenues" means the portion of  
218 available sales tax revenue calculated pursuant to s.  
219 290.0138(1).

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

221 Section 4. Paragraph (a) of subsection (9) of section  
222 290.0056, Florida Statutes, is amended, subsections (11) and  
223 (12) are renumbered as subsections (12) and (13), respectively,  
224 and a new subsection (11) is added to that section, to read:

225 290.0056 Enterprise zone development agency.—

226 (9) The following powers and responsibilities shall be  
227 performed by the governing body creating the enterprise zone  
228 development agency acting as the managing agent of the  
229 enterprise zone development agency, or, contingent upon approval  
230 by such governing body, such powers and responsibilities shall  
231 be performed by the enterprise zone development agency:

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

235 (11) Contingent upon the governing body's designation of a  
236 sales tax TIF area, the governing body or the enterprise zone  
237 development agency may exercise the following additional powers  
238 for the purpose of financing public improvements that will  
239 foster job growth and enhance the base of retailers within an  
240 enterprise zone, unless otherwise prohibited by ordinance:

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241 (a) Enter into cooperative contracts and agreements with a  
242 county, municipality, or governmental agency for services and  
243 assistance within the sales tax TIF area;

244 (b) Expend tax increment revenues to acquire, own, convey,  
245 construct, maintain, improve, and manage property and facilities  
246 and grant and acquire licenses, easements, and options with  
247 respect to such property within the sales tax TIF area;

248 (c) Expend tax increment revenues to complete public  
249 improvements within the sales tax TIF area, including, but not  
250 limited to, the:

251 1. Construction of streetscape improvements;

252 2. Installation of landscaping enhancements within the  
253 public right-of-way;

254 3. Construction of street lighting systems;

255 4. Installation of water and sewer service mains; and

256 5. Construction of on-street and off-street public parking  
257 facilities.

258 (d) Enter into a retail development agreement with a  
259 retail project developer to underwrite public improvements or  
260 services identified in paragraphs (a)-(c).

261 Section 5. Subsection (9) is added to section 290.007,  
262 Florida Statutes, to read:

263 290.007 State incentives available in enterprise zones.—

264 The following incentives are provided by the state to encourage  
265 the revitalization of enterprise zones:

266 (9) The designation of a sales tax TIF area provided in s.  
267 290.0137.

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268 Section 6. Section 290.01351, Florida Statutes, is created  
269 to read:

270 290.01351 Municipal Revitalization Act.—Sections 290.0136–  
271 290.01391 may be cited as the "Municipal Revitalization Act."

272 Section 7. Section 290.0136, Florida Statutes, is created  
273 to read:

274 290.0136 Sales tax TIF area; intent and purpose.—

275 (1) The Legislature intends to foster the revitalization  
276 of counties and municipalities and support job-creating retail  
277 development projects within enterprise zones by authorizing the  
278 governing bodies of counties and municipalities to designate  
279 sales tax TIF areas within enterprise zones, subject to the  
280 review and approval by the department.

281 (2) The Legislature finds that by authorizing local  
282 government governing bodies to designate a sales tax TIF area,  
283 the counties or municipalities may receive from the state a  
284 portion of an annual increase in sales tax collections generated  
285 by the development of a retail development project and will  
286 further the revitalization of such counties and municipalities.  
287 By authorizing the receipt of an annual increase in sales tax  
288 collections within a sales tax TIF area resulting from the  
289 retail development project, the Legislature intends to provide  
290 financing for public improvements that will foster job growth  
291 for the residents of economically distressed areas and enhance  
292 the base of retailers operating within the enterprise zone and  
293 serving local residents and international visitors.

294 Section 8. Section 290.0137, Florida Statutes, is created  
295 to read:

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296 290.0137 Designation of sales tax TIF area; review and  
297 approval by the department.-

298 (1) Any municipality having a population of at least  
299 300,000 residents that has designated an enterprise zone, or all  
300 of the governing bodies in the case of a county and one or more  
301 municipalities having designated an enterprise zone if the  
302 county has a population of at least 1,200,000 residents, may  
303 adopt a resolution after a public hearing designating a sales  
304 tax TIF area.

305 (2) The resolution creating a sales tax TIF area, at a  
306 minimum, must:

307 (a) Include findings that the designation of the sales tax  
308 TIF area:

309 1. Is essential to furthering a retail development  
310 project;

311 2. Will provide needed retail amenities within the  
312 enterprise zone;

313 3. Will result in the development of a retail development  
314 project that will create no fewer than 500 new jobs within the  
315 compliance period and not less than \$1 million in sales tax  
316 increment revenue annually; and

317 4. Will enhance the health and general welfare of the  
318 residents of enterprise zone within the sponsoring municipality  
319 or county;

320 (b) Fix the geographic boundaries of the sales tax TIF  
321 area within which the governing body may expend tax increment  
322 revenues;

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323 (c) Establish the term of the life of the sales tax TIF  
324 area, which term may not extend more than 40 years after the  
325 date the sales tax TIF area is approved by the department;

326 (d) Establish the base year for determination of sales tax  
327 receipts collected pursuant to s. 212.20(6)(d)5., less the  
328 amount required under s. 290.0138(1); and

329 (3) No more than two sales tax TIF areas may be designated  
330 in any one eligible municipality. No more than four sales tax  
331 TIF areas may be designated in any eligible county. If an  
332 eligible municipality is located in an eligible county, any  
333 sales tax TIF area designated by a municipality shall count  
334 against the maximum number of sales tax TIF areas permitted  
335 within an eligible county. A sales tax TIF area may not be  
336 located within a one-quarter mile of any other designated sales  
337 tax TIF area and may not exceed 5 square miles in total land  
338 mass.

339 (4) A designated sales tax TIF area may not include:

340 (a) Areas designated or to be designated as an "urban  
341 infill and redevelopment area" pursuant to part II of chapter  
342 163;

343 (b) Areas designated or to be designated as a "community  
344 redevelopment area" pursuant to part III of chapter 163;

345 (c) Any facility financed or partially financed with bonds  
346 whose debt is serviced with proceeds collected under the  
347 authority provided under s. 125.0104; or

348 (d) Any facility conducting gaming activities authorized  
349 pursuant to part II of chapter 285, chapter 550, chapter 551, or  
350 chapter 849. This prohibition shall extend to any facilities

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351 authorized to conduct gaming activities after the effective date  
352 of this act.

353 (5) The powers conferred by ss. 290.0136-290.01391 upon  
354 counties not having adopted a home rule charter may not be  
355 exercised within the boundaries of a municipality within such  
356 county unless the governing body of the municipality expresses  
357 its consent by resolution. A resolution consenting to the  
358 exercise of the powers conferred upon counties by ss. 290.0136-  
359 290.01391 must specifically enumerate the powers to be exercised  
360 by the county within the boundaries of the municipality. Any  
361 power not specifically enumerated in the resolution of consent  
362 shall be exercised exclusively by the municipality within its  
363 boundaries.

364 (6) In any county that has adopted a home rule charter,  
365 the powers conferred by ss. 290.0136-290.01391 shall be  
366 exercised exclusively by the governing body of the county.  
367 However, the governing body of such county may, in its  
368 discretion, by resolution delegate the exercise of the powers  
369 conferred upon the county by ss. 290.0136-290.01391 within the  
370 boundaries of a municipality to the governing body of the  
371 municipality. Such delegation to a municipality confers upon a  
372 municipality only the powers that are specifically enumerated in  
373 the delegating resolution. Any power not specifically delegated  
374 is reserved exclusively to the governing body of the county.

375 (7) Before the governing body adopts any resolution  
376 designating a sales tax TIF area pursuant to the requirements of  
377 this section or authorizes the issuance of redevelopment revenue  
378 bonds under s. 290.01391, the governing body must provide public

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379 notice of such proposed action pursuant to s. 125.66(2) or s.  
380 166.041(3) (a).

381 (8) A copy of the resolution adopted by the governing body  
382 designating the sales tax TIF area must be transmitted to the  
383 department for review. The department shall determine whether  
384 the designation of the sales tax TIF area complies with the  
385 requirements of this chapter. When determining whether the  
386 designation complies with the requirements of this chapter, the  
387 department must consider whether the designation:

388 (a) Captures taxable spending, either in whole or in  
389 significant part, that would not otherwise occur in the  
390 community rather than redistributing current spending; and

391 (b) Supports and enhances the tourism industry.

392 (c) Supports a retail development project that will meet  
393 the jobs and taxes and fees required to be generated under s.  
394 290.004.

395 (9) If the department determines that the designation by  
396 the governing body complies with the requirements of this  
397 chapter, the department must provide written notification to the  
398 local governing body of such determination. Upon receipt of the  
399 notification, the local governing body must remit a copy of the  
400 resolution establishing the sales tax TIF area, along with the  
401 department's notice of determination, to the Department of  
402 Revenue.

403 Section 9. Section 290.0138, Florida Statutes, is created  
404 to read:

405 290.0138 Calculation of tax increment revenue contribution  
406 to governing body.—

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407 (1) The governing body of a designated sales tax TIF area  
408 is eligible for a percentage distribution from the Revenue  
409 Sharing Trust Fund for Municipalities of the increased  
410 collections of the state tax on sales, use, and other  
411 transactions realized during any month by the municipality over  
412 the same monthly period of the base year, as follows:

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

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

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

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

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

423 (2) The specific amount payable to each eligible governing  
424 body must be determined monthly by the Department of Revenue for  
425 distribution to the appropriate eligible governing body in  
426 accordance with subsection (1). The Department of Revenue must  
427 determine monthly the aggregate amount of sales tax revenue that  
428 is required for distribution to each eligible governing body  
429 under this section and transfer that amount from the General  
430 Revenue Fund to the Revenue Sharing Trust Fund for  
431 Municipalities in accordance with s. 212.20(6)(d)5. All amounts  
432 transferred to the Revenue Sharing Trust Fund for Municipalities  
433 must be distributed as provided in s. 218.23(3)(e). The total  
434 distribution provided to the eligible governing body may not



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435 exceed the total tax increment revenue contribution set forth in  
436 the retail project development agreement required pursuant to s.  
437 290.0139.

438 (3) Percentage distributions to each governing body under  
439 subsection (1) are contingent upon the following:

440 (a) A contribution by the local governing body equal to  
441 not less than 30 percent of the percent of the distributions of  
442 sales tax revenues provided to the governing body under  
443 subsection (1). Such matching contribution may be provided in  
444 one of the following forms:

445 1. A cash deposit by the governing body to the revenue  
446 account established pursuant to subsection (4);

447 2. A commitment within the governing body's capital plan  
448 to underwrite any project within the sales TIF area; or

449 3. Approval of an economic development ad valorem tax  
450 exemption by the governing body authorized under ss. 196.1995  
451 and 196.1996.

452 (b) Total private investment in a retail development  
453 project equal to an amount not less than three times the state  
454 contribution; and

455 (c) Annual transmittal of an employment certificate by the  
456 retail development project developer to the department and the  
457 Department of Revenue attesting to the total number of full-time  
458 and part-time jobs created by the retail development project.

459 1. The retail development project developer must continue  
460 to provide such employment certificate until the end of the  
461 compliance period or transmittal of an employment certificate  
462 indicating that the retail development project has created the

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463 required minimum number of jobs, whichever occurs first. For  
464 purposes of determining whether the job requirement has been  
465 satisfied, two part-time jobs shall be counted as the equivalent  
466 of one full-time job.

467 2. If the retail development project fails to create the  
468 required minimum number of jobs by the end of the compliance  
469 period, future percentage distributions to the governing body  
470 under subsection (1) must be reduced by the number of actual  
471 jobs created as a percentage of the minimum required jobs.

472 (4) Each governing body receiving a percentage  
473 distribution under subsection (1) must establish a separate  
474 redevelopment trust fund for each designated sales tax TIF area.  
475 Funds allocated to and deposited in this fund may only be used  
476 to underwrite any eligible public improvements approved by the  
477 enterprise zone governing body pursuant to the authority  
478 provided in s. 290.0056 and ss. 290.0136-290.01391.

479 Section 10. Section 290.0139, Florida Statutes, is created  
480 to read:

481 290.0139 Retail development project agreement.-

482 (1) A retail development project developer proposing to  
483 use tax increment revenues to expend sales tax increment  
484 revenues for purposes authorized under s. 290.0056 on behalf of  
485 the governing body or enterprise zone development agency may  
486 enter into a retail development project agreement with the  
487 governing body designating a sales tax TIF area. The agreement  
488 must set forth:

489 (a) The goals and objectives of the retail development  
490 project;

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491 (b) Requirements for leasing retail space within the  
492 retail development project which will advance the governing  
493 body's or enterprise zone development agency's goals and  
494 objectives;

495 (c) The terms and conditions pursuant to which tax  
496 increment revenue or bond proceeds will be advanced to pay for  
497 costs incurred in the sales tax TIF area;

498 (d) Goals for the hiring of enterprise zone residents for  
499 the new jobs created by the retail development project;

500 (e) Such matters as may be required in connection with the  
501 issuance of bonds to support the retail development project; and

502 (f) Such other matters as the governing body designating  
503 the sales tax TIF area may determine to be necessary and  
504 appropriate.

505 (2) A retail project development agreement must be  
506 approved by resolution of the governing body following a public  
507 hearing advertised in a newspaper of general circulation not  
508 less than 10 days before the date of the required public  
509 hearing.

510 (3) A retail development agreement must be transmitted to  
511 the department for review and determination that the agreement  
512 complies with the requirements of this chapter.

513 Section 11. Section 290.01391, Florida Statutes, is  
514 created to read:

515 290.01391 Issuance of sales tax increment revenue bonds;  
516 use of bond proceeds; funding agreement.-

517 (1) If authorized or approved by resolution of the  
518 governing body that designated the sales tax TIF area, after a

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519 public hearing, tax increment revenues may be used to support  
520 the issuance of sales tax increment revenue bonds to finance the  
521 authorized public improvements, including, but not limited to,  
522 the payment of principal and interest upon any advances for  
523 surveys and plans or preliminary loans and to issue refunding  
524 bonds for the payment or retirement of bonds or other  
525 obligations previously issued. Sales tax increment revenue bonds  
526 may not be committed for any projects identified following the  
527 10th year after the base year established under s. 290.004. Any  
528 sales tax increment revenue bonds or other obligations issued to  
529 finance the undertaking of any eligible activity under ss.  
530 290.0136-290.01391 must mature by the end of the 40th fiscal  
531 year after the fiscal year in which sales tax increment revenues  
532 are first deposited into the sales tax TIF area trust fund or at  
533 the expiration of any agreement between the governing body and  
534 the retail project developer for which bonds are issued to  
535 underwrite eligible public improvements, whichever is later.  
536 However, any refunding bonds issued pursuant to this subsection  
537 may not mature later than the final maturity date of any bonds  
538 or other obligations issued pursuant to this subsection being  
539 paid or retired with the proceeds of such refunding bonds.

540 (2) Sales tax increment revenue bonds issued under ss.  
541 290.0136-290.01391 may not be deemed to constitute a debt,  
542 liability, or obligation of the public body or the state or any  
543 political subdivision thereof, or a pledge of the faith and  
544 credit of the public body or the state or any political  
545 subdivision thereof, but shall be payable solely from the  
546 revenues provided therefor. All such sales tax increment revenue

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547 bonds must contain on the face thereof a statement to the effect  
548 that the agency may not be obligated to pay the same or the  
549 interest thereon except from the revenues of the sales tax TIF  
550 area held for that purpose and that neither the faith and credit  
551 nor the taxing power of the governing body or of the state or of  
552 any political subdivision thereof is pledged to the payment of  
553 the principal of, or the interest on, such bonds.

554 (3) Bonds issued under this section must be authorized by  
555 resolution of the governing body and may be issued in one or  
556 more series and may bear such date or dates, be payable upon  
557 demand or mature at such time or times, bear interest at such  
558 rate or rates, be in such denomination or denominations, be in  
559 such form either with or without coupon or registered, carry  
560 such conversion or registration privileges, have such rank or  
561 priority, be executed in such manner, be payable in such medium  
562 of payment at such place or places, be subject to such terms of  
563 redemption with or without a premium, be secured in such manner,  
564 and have such other characteristics as may be provided by the  
565 resolution or ordinance authorizing their issuance. Bonds issued  
566 under this section may be sold in such manner, either at public  
567 or private sale, and for such price as the designated governing  
568 body may determine will effectuate the purposes of this section.

569 (4) If the public officials of the county or municipal  
570 governing body whose signatures appear on any bonds or coupons  
571 issued under ss. 290.0136-290.01391 cease to be such officials  
572 before the delivery of such bonds, such signatures are,  
573 nevertheless, valid and sufficient for all purposes, the same as  
574 if such officials had remained in office until such delivery.

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575 (5) Bonds issued under ss. 290.0136-290.01391 are declared  
576 to be issued for an essential public and governmental purpose.  
577 In any suit, action, or proceeding involving the validity or  
578 enforceability of any bond issued under this section, any bond  
579 that recites in substance that it has been issued by the  
580 governing body in connection with the sales tax increment  
581 district for a purpose authorized under this section is  
582 conclusively presumed to have been issued for that purpose, and  
583 any project financed by the bond is conclusively presumed to  
584 have been planned and carried out in accordance with the  
585 intended purposes of this section.

586 (6) If the enterprise zone program is not extended beyond  
587 the date set forth in s. 290.016 and bonds issued pursuant to  
588 this section remain outstanding, the Department of Revenue must  
589 continue to collect and remit tax increment revenues generated  
590 by the retail development project to service the outstanding  
591 bond obligations.

592 Section 12. This act shall take effect July 1, 2012.

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594

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

597 Remove the entire title and insert:

598 A bill to be entitled

599 An act relating to revitalizing municipalities;

600 amending s. 212.20, F.S.; providing for the transfer

601 of certain sales tax revenues from the General Revenue

602 Fund to the Revenue Sharing Trust Fund for

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603 Municipalities; amending s. 218.23, F.S.; providing  
604 for a distribution from the Revenue Sharing Trust Fund  
605 for Municipalities relating to an increase in sales  
606 tax collections over the preceding year to the  
607 governing body of an area that receives tax increment  
608 revenues pursuant to a designation as a sales tax TIF  
609 area; amending s. 290.004, F.S.; providing  
610 definitions; amending s. 290.0056, F.S.; revising  
611 provisions relating to the enterprise zone development  
612 agency; providing powers of the governing body upon  
613 the designation of a sales tax TIF area; amending s.  
614 290.007, F.S.; providing an economic incentive sales  
615 tax TIF areas; creating ss. 290.01351, 290.0136,  
616 290.0137, 290.0138, 290.0139, and 290.01391, F.S.;  
617 creating the "Municipal Revitalization Act"; providing  
618 legislative intent and purposes; authorizing specified  
619 governing bodies to create sales tax TIF areas within  
620 a county or municipality having a specified  
621 population; providing requirements, processes, and  
622 limitations relating to such sales tax TIF areas;  
623 providing that the governing body for an enterprise  
624 zone where a sales tax TIF area is located is eligible  
625 for specified percentage distributions of increased  
626 state sales tax collections under certain  
627 circumstances; requiring the Department of Revenue to  
628 determine the amount of increased sales tax  
629 collections to be distributed to each eligible  
630 designated enterprise zone redevelopment agency and to

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631 transfer the aggregate amount due to all such agencies  
632 to the Revenue Sharing Trust Fund for Municipalities  
633 for distribution; providing requirements and  
634 conditions relating to such distributions of increased  
635 sales tax collections to governing bodies; authorizing  
636 certain retail development project developers to enter  
637 into retail development project agreements with  
638 governing bodies designating sales tax TIF areas;  
639 providing requirements, limitations, and conditions  
640 relating to such retail development project  
641 agreements; granting specified powers to a governing  
642 body for a sales tax TIF area for the purpose of  
643 providing financing and fostering certain  
644 improvements, including issuing sales tax increment  
645 revenue bonds; providing for the issuance of tax  
646 increment revenue bonds and the use of such bonds;  
647 providing an effective date.

648