

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Soto

583-02831-13

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1 A bill to be entitled

2 An act relating to corporate income tax; creating s.
3 220.197, F.S.; providing a short title; establishing a
4 corporate income tax credit for the hiring of
5 veterans; providing eligibility requirements;
6 establishing an additional corporate income tax credit
7 for the hiring of disabled veterans; providing
8 eligibility requirements; authorizing the Department
9 of Revenue to adopt rules; authorizing the Department
10 of Revenue to determine guidelines for qualification
11 of the tax credit; providing for expiration of the tax
12 credit; amending s. 220.02, F.S.; revising the order
13 in which credits against the corporate income tax or
14 franchise tax may be taken to include the hiring of
15 veterans; amending s. 220.13, F.S.; redefining the
16 term "adjusted federal income" to include certain tax
17 credits taken relating to the hiring of veterans;
18 providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Section 220.197, Florida Statutes, is created to
23 read:

24 220.197 Corporate income tax credits for employment of
25 veterans.-

26 (1) This section may be cited as the "Florida Veterans
27 Employment Act."

28 (2) A business qualifies for a one-time corporate income
29 tax credit against the tax imposed by this chapter in the amount

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30 of \$5,000 per individual for hiring a veteran, as defined in s.
31 1.01, after the business has paid \$5,000 in gross salary to the
32 veteran.

33 (3) A qualifying business qualifies for an additional one-
34 time corporate income tax credit in the amount of \$5,000 per
35 individual for hiring a veteran, as defined in s. 1.01, after
36 the business has paid an additional \$5,000 in gross salary to a
37 veteran who:

38 (a) Has established the present existence of a service-
39 connected disability, as defined in 38 U.S.C. s. 101(16), that
40 is compensable under public laws administered by the United
41 States Department of Veterans Affairs; or

42 (b) Is receiving disability retirement benefits from the
43 United States Department of Defense.

44 (4) The Department of Revenue may adopt rules governing the
45 manner and form of applications for the tax credit. The
46 department may establish guidelines for making an affirmative
47 showing of qualification for the tax credit under this section.

48 (5) This section expires June 30, 2018. However, a
49 qualifying business that is awarded a credit under this section
50 may carry forward any unused credit for a period not to exceed 2
51 years.

52 Section 2. Subsection (8) of section 220.02, Florida
53 Statutes, is amended to read:

54 220.02 Legislative intent.—

55 (8) It is the intent of the Legislature that credits
56 against either the corporate income tax or the franchise tax be
57 applied in the following order: those enumerated in s. 631.828,
58 those enumerated in s. 220.191, those enumerated in s. 220.181,

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59 those enumerated in s. 220.183, those enumerated in s. 220.182,
60 those enumerated in s. 220.1895, those enumerated in s. 220.195,
61 those enumerated in s. 220.184, those enumerated in s. 220.186,
62 those enumerated in s. 220.1845, those enumerated in s. 220.19,
63 those enumerated in s. 220.185, those enumerated in s. 220.1875,
64 those enumerated in s. 220.192, those enumerated in s. 220.193,
65 those enumerated in s. 288.9916, those enumerated in s.
66 220.1899, those enumerated in s. 220.1896, those enumerated in
67 s. 220.194, ~~and~~ those enumerated in s. 220.196, and those
68 enumerated in s. 220.197.

69 Section 3. Paragraph (a) of subsection (1) of section
70 220.13, Florida Statutes, is amended to read:

71 220.13 "Adjusted federal income" defined.—

72 (1) The term "adjusted federal income" means an amount
73 equal to the taxpayer's taxable income as defined in subsection
74 (2), or such taxable income of more than one taxpayer as
75 provided in s. 220.131, for the taxable year, adjusted as
76 follows:

77 (a) *Additions.*—There shall be added to such taxable income:

78 1. The amount of any tax upon or measured by income,
79 excluding taxes based on gross receipts or revenues, paid or
80 accrued as a liability to the District of Columbia or any state
81 of the United States which is deductible from gross income in
82 the computation of taxable income for the taxable year.

83 2. The amount of interest which is excluded from taxable
84 income under s. 103(a) of the Internal Revenue Code or any other
85 federal law, less the associated expenses disallowed in the
86 computation of taxable income under s. 265 of the Internal
87 Revenue Code or any other law, excluding 60 percent of any

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88 amounts included in alternative minimum taxable income, as
89 defined in s. 55(b)(2) of the Internal Revenue Code, if the
90 taxpayer pays tax under s. 220.11(3).

91 3. In the case of a regulated investment company or real
92 estate investment trust, an amount equal to the excess of the
93 net long-term capital gain for the taxable year over the amount
94 of the capital gain dividends attributable to the taxable year.

95 4. That portion of the wages or salaries paid or incurred
96 for the taxable year which is equal to the amount of the credit
97 allowable for the taxable year under s. 220.181. This
98 subparagraph shall expire on the date specified in s. 290.016
99 for the expiration of the Florida Enterprise Zone Act.

100 5. That portion of the ad valorem school taxes paid or
101 incurred for the taxable year which is equal to the amount of
102 the credit allowable for the taxable year under s. 220.182. This
103 subparagraph shall expire on the date specified in s. 290.016
104 for the expiration of the Florida Enterprise Zone Act.

105 6. The amount taken as a credit under s. 220.195 which is
106 deductible from gross income in the computation of taxable
107 income for the taxable year.

108 7. That portion of assessments to fund a guaranty
109 association incurred for the taxable year which is equal to the
110 amount of the credit allowable for the taxable year.

111 8. In the case of a nonprofit corporation which holds a
112 pari-mutuel permit and which is exempt from federal income tax
113 as a farmers' cooperative, an amount equal to the excess of the
114 gross income attributable to the pari-mutuel operations over the
115 attributable expenses for the taxable year.

116 9. The amount taken as a credit for the taxable year under

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117 s. 220.1895.

118 10. Up to nine percent of the eligible basis of any
119 designated project which is equal to the credit allowable for
120 the taxable year under s. 220.185.

121 11. The amount taken as a credit for the taxable year under
122 s. 220.1875. The addition in this subparagraph is intended to
123 ensure that the same amount is not allowed for the tax purposes
124 of this state as both a deduction from income and a credit
125 against the tax. This addition is not intended to result in
126 adding the same expense back to income more than once.

127 12. The amount taken as a credit for the taxable year under
128 s. 220.192.

129 13. The amount taken as a credit for the taxable year under
130 s. 220.193.

131 14. Any portion of a qualified investment, as defined in s.
132 288.9913, which is claimed as a deduction by the taxpayer and
133 taken as a credit against income tax pursuant to s. 288.9916.

134 15. The costs to acquire a tax credit pursuant to s.
135 288.1254(5) that are deducted from or otherwise reduce federal
136 taxable income for the taxable year.

137 16. The amount taken as a credit for the taxable year
138 pursuant to s. 220.194.

139 17. The amount taken as a credit for the taxable year under
140 s. 220.196. The addition in this subparagraph is intended to
141 ensure that the same amount is not allowed for the tax purposes
142 of this state as both a deduction from income and a credit
143 against the tax. The addition is not intended to result in
144 adding the same expense back to income more than once.

145 18. The amount taken as a credit for the taxable year under

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146 s. 220.197.

147 Section 4. This act shall take effect July 1, 2013.