



780768

LEGISLATIVE ACTION

| Senate     | . | House |
|------------|---|-------|
| Comm: RCS  | . |       |
| 03/17/2014 | . |       |
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The Committee on Commerce and Tourism (Hukill) recommended the following:

**Senate Amendment (with title amendment)**

Before line 57

insert:

Section 1. Subsection (5) of section 196.1995, Florida Statutes, is amended to read:

196.1995 Economic development ad valorem tax exemption.—

(5) Upon a majority vote in favor of such authority, the board of county commissioners or the governing authority of the municipality, at its discretion, may, by ordinance, may exempt



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11 from ad valorem taxation up to 100 percent of the assessed value  
12 of all improvements to real property made by or for the use of a  
13 new business and of all tangible personal property of such new  
14 business, or up to 100 percent of the assessed value of all  
15 added improvements to real property made to facilitate the  
16 expansion of an existing business and of the net increase in all  
17 tangible personal property acquired to facilitate such expansion  
18 of an existing business. To qualify for the exemption, provided  
19 ~~that~~ the improvements to real property must be ~~are~~ made or the  
20 tangible personal property must be ~~is~~ added or increased after  
21 approval by motion or resolution of the local governing body,  
22 subject to the adoption of the ordinance, or on or after the day  
23 the ordinance is adopted. However, if the authority to grant  
24 exemptions is approved in a referendum in which the ballot  
25 question contained in subsection (3) appears on the ballot, the  
26 authority of the board of county commissioners or the governing  
27 authority of the municipality to grant exemptions is limited  
28 solely to new businesses and expansions of existing businesses  
29 that are located in an enterprise zone or brownfield area.  
30 Property acquired to replace existing property is ~~shall not be~~  
31 considered to facilitate a business expansion. The exemption  
32 applies only to taxes levied by the respective unit of  
33 government granting the exemption. The exemption does not apply,  
34 however, to taxes levied for the payment of bonds or to taxes  
35 authorized by a vote of the electors pursuant to s. 9(b) or s.  
36 12, Art. VII of the State Constitution. Any such exemption shall  
37 remain in effect for up to 10 years with respect to any  
38 particular facility, regardless of any change in the authority  
39 of the county or municipality to grant such exemptions. The



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40 exemption may ~~shall~~ not be prolonged or extended by granting  
41 exemptions from additional taxes or by virtue of a a ~~any~~  
42 reorganization or sale of the business receiving the exemption.

43 Section 2. A local ordinance enacted pursuant to s.  
44 196.1995, Florida Statutes, before the effective date of this  
45 act may not be invalidated on the ground that improvements to  
46 real property were made or that tangible personal property was  
47 added or increased before the date that such ordinance was  
48 adopted if the local governing body acted substantially in  
49 accordance with s. 196.1995(5), Florida Statutes, as amended by  
50 this act.

51  
52 ===== T I T L E A M E N D M E N T =====

53 And the title is amended as follows:

54 Delete line 2

55 and insert:

56 An act relating to tax administration; amending s.  
57 196.1995, F.S.; requiring certain real property  
58 improvements and tangible personal property additions  
59 to occur within a specified period in order to qualify  
60 for a specified ad valorem tax exemption; providing  
61 that certain local ordinances conveying ad valorem tax  
62 exemptions may not be invalidated if the local  
63 governing body acted in accordance with this act;  
64 amending s.