

By Senator Bullard

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1 A bill to be entitled

2 An act relating to corporate income tax; amending s.
3 220.02, F.S.; revising the order in which credits
4 against the corporate income tax or the franchise tax
5 may be applied, to include an agribusiness engaged in
6 agritourism activities; creating s. 220.197, F.S.;
7 providing a legislative purpose; defining terms;
8 creating a corporate income tax credit for certain
9 agribusinesses engaged in agritourism activities;
10 specifying requirements for the credit; authorizing
11 the Department of Revenue to adopt rules; providing
12 for future repeal and legislative review of the tax
13 credit; providing an effective date.

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

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17 Section 1. Subsection (8) of section 220.02, Florida
18 Statutes, is amended to read:

19 220.02 Legislative intent.—

20 (8) It is the intent of the Legislature that credits
21 against ~~either~~ the corporate income tax or the franchise tax be
22 applied in the following order: those enumerated in s. 631.828,
23 those enumerated in s. 220.191, those enumerated in s. 220.181,
24 those enumerated in s. 220.183, those enumerated in s. 220.182,
25 those enumerated in s. 220.1895, those enumerated in s. 220.195,
26 those enumerated in s. 220.184, those enumerated in s. 220.186,
27 those enumerated in s. 220.1845, those enumerated in s. 220.19,
28 those enumerated in s. 220.185, those enumerated in s. 220.1875,
29 those enumerated in s. 220.192, those enumerated in s. 220.193,

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30 those enumerated in s. 288.9916, those enumerated in s.
31 220.1899, those enumerated in s. 220.194, ~~and~~ those enumerated
32 in s. 220.196, and those enumerated in s. 220.197.

33 Section 2. Section 220.197, Florida Statutes, is created to
34 read:

35 220.197 Agribusiness tax credit.—

36 (1) The purpose of this section is to encourage and support
37 the growth of new agribusinesses through the promotion of
38 agritourism activities. Agritourism provides a valuable
39 opportunity for the general public to interact with and
40 understand agriculture and the environment.

41 (2) As used in this section, the term:

42 (a) "Agribusiness" means an entity engaged in the
43 production operations of a farm; the manufacture and
44 distribution of farm equipment and supplies; or the processing,
45 storage, and distribution of farm commodities.

46 (b) "Agritourism activity" means an agricultural activity
47 or attraction such as farming, ranching, or horticulture, or an
48 agribusiness that allows the general public to view or enjoy
49 such activity or attraction for recreational, entertainment, or
50 educational purposes. The term includes an activity or
51 attraction that is free or that requires an individual to pay a
52 fee for admission. However, the term does not include
53 participation in an activity or attraction by a farmworker or
54 employee of the agribusiness as part of his or her duties.

55 (c) "Farmworker" means a laborer who is employed on a
56 seasonal, temporary, or permanent basis in the planting,
57 cultivating, harvesting, or processing of agricultural products.

58 (3) An agribusiness is entitled to a tax credit against the

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59 tax imposed under this chapter for the business's first \$250,000
60 of revenue if the agribusiness:

61 (a) Provides an agritourism activity in this state;

62 (b) Is independently owned and operated with a net worth of
63 up to \$500,000; and

64 (c) Is in its first year of operation.

65 (4) The department may adopt rules governing the manner and
66 form of application for the tax credit. The department may
67 establish guidelines to determine if an agribusiness qualifies
68 for the tax credit under this section.

69 (5) This section shall stand repealed on October 2, 2019,
70 unless reviewed and saved from repeal through reenactment by the
71 Legislature.

72 Section 3. This act shall take effect July 1, 2014.