

By Senator Brandes

22-00992B-15

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1 A bill to be entitled
2 An act relating to the research and development tax
3 credit; amending s. 220.196, F.S.; deleting an
4 obsolete reference; increasing the total amount of tax
5 credits which may be granted to business enterprises
6 during any calendar year; revising the deadline for
7 the filing of an application for the tax credit;
8 revising the allocation of the tax credit to
9 applicants; 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. Subsection (2) of section 220.196, Florida
14 Statutes, is amended to read:

15 220.196 Research and development tax credit.—

16 (2) TAX CREDIT.—As provided in this section ~~Subject to the~~
17 ~~limitations contained in paragraph (c),~~ a business enterprise is
18 eligible for a credit against the tax imposed by this chapter if
19 the business enterprise has qualified research expenses in this
20 state in the taxable year exceeding the base amount and, for the
21 same taxable year, claims and is allowed a research credit for
22 such qualified research expenses under 26 U.S.C. s. 41.

23 (a) The tax credit shall be 10 percent of the excess
24 qualified research expenses over the base amount. However, the
25 maximum tax credit for a business enterprise that has not been
26 in existence for at least 4 taxable years immediately preceding
27 the taxable year is reduced by 25 percent for each taxable year
28 for which the business enterprise, or a predecessor corporation
29 that was a business enterprise, did not exist.

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30 (b) The credit taken in any taxable year may not exceed 50
31 percent of the business enterprise's remaining net income tax
32 liability under this chapter after all other credits have been
33 applied under s. 220.02(8).

34 (c) Any unused credit authorized under this section may be
35 carried forward and claimed by the taxpayer for up to 5 years.

36 (d) The combined total amount of tax credits which may be
37 granted to all business enterprises under this section during
38 any calendar year is \$20 ~~\$9~~ million. Applications may be filed
39 with the department on or after March 20 and before March 27 for
40 qualified research expenses incurred within the preceding
41 calendar year. If the total, and credits for all applicants
42 exceed \$20 million, the credits shall be allocated on a prorated
43 basis granted in the order in which completed applications are
44 received.

45 Section 2. This act shall take effect July 1, 2015.