



960516

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/02/2016	.	
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The Committee on Appropriations (Negron) recommended the following:

Senate Amendment (with title amendment)

Delete lines 682 - 729

and insert:

Section 9. Effective upon this act becoming a law, subsections (5) and (11) of section 196.1995, Florida Statutes, are 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



960516

11 municipality, at its discretion, by ordinance may exempt from ad
12 valorem taxation up to 100 percent of the assessed value of all
13 improvements to real property made by or for the use of a new
14 business and of all tangible personal property of such new
15 business, or up to 100 percent of the assessed value of all
16 added improvements to real property made to facilitate the
17 expansion of an existing business and of the net increase in all
18 tangible personal property acquired to facilitate such expansion
19 of an existing business. To qualify for this exemption, the
20 improvements to real property must be made or the tangible
21 personal property must be added or increased after approval by
22 motion or resolution of the local governing body, subject to
23 ordinance adoption or on or after the day the ordinance is
24 adopted. However, if the authority to grant exemptions is
25 approved in a referendum in which the ballot question contained
26 in subsection (3) appears on the ballot, the authority of the
27 board of county commissioners or the governing authority of the
28 municipality to grant exemptions is limited solely to new
29 businesses and expansions of existing businesses that are
30 located in an area that was designated as an enterprise zone
31 pursuant to chapter 290 as of December 30, 2015, or in a
32 brownfield area. New businesses and expansions of existing
33 businesses located in an area that was designated as an
34 enterprise zone pursuant to chapter 290 as of December 30, 2015,
35 but is not in a brownfield area may qualify for the ad valorem
36 tax exemption only if approved by motion or resolution of the
37 local governing body, subject to ordinance or resolution of the
38 local governing body, subject to ordinance adoption, or by
39 ordinance enacted before December 31, 2015. Property acquired to



960516

40 replace existing property shall not be considered to facilitate
41 a business expansion. All data center equipment for a qualifying
42 data center as set forth in s. 212.08(5)(s) shall be exempt from
43 ad valorem taxation for the term of the approved exemption. The
44 exemption applies only to taxes levied by the respective unit of
45 government granting the exemption. The exemption does not apply,
46 however, to taxes levied for the payment of bonds or to taxes
47 authorized by a vote of the electors pursuant to s. 9(b) or s.
48 12, Art. VII of the State Constitution. Any such exemption shall
49 remain in effect for up to 10 years with respect to any
50 particular facility, or up to 20 years for a qualifying data
51 center, regardless of any change in the authority of the county
52 or municipality to grant such exemptions or the expiration of
53 the Florida Enterprise Zone Act pursuant to chapter 290. The
54 exemption shall not be prolonged or extended by granting
55 exemptions from additional taxes or by virtue of any
56 reorganization or sale of the business receiving the exemption.

57 (11) An ordinance granting an exemption under this section
58 shall be adopted in the same manner as any other ordinance of
59 the county or municipality and shall include the following:

60 (a) The name and address of the new business or expansion
61 of an existing business to which the exemption is granted;

62 (b) The total amount of revenue available to the county or
63 municipality from ad valorem tax sources for the current fiscal
64 year, the total amount of revenue lost to the county or
65 municipality for the current fiscal year by virtue of economic
66 development ad valorem tax exemptions currently in effect, and
67 the estimated revenue loss to the county or municipality for the
68 current fiscal year attributable to the exemption of the



960516

69 business named in the ordinance;

70 (c) The period of time for which the exemption will remain
71 in effect and the expiration date of the exemption, which may be
72 any period of time up to 10 years, or up to 20 years for a
73 qualifying data center; and

74 (d) A finding that the business named in the ordinance
75 meets the requirements of s. 196.012(14) or (15).

76

77 ===== T I T L E A M E N D M E N T =====

78 And the title is amended as follows:

79 Delete line 45

80 and insert:

81 businesses; specifying applicability of the exemption
82 as it relates to qualifying data centers; amending s.
83 201.15, F.S.; revising a date