

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Ponder offered the following:

Amendment (with title amendment)

Between lines 2720 and 2721, insert:

Section 50. Section 211.0252, Florida Statutes, is created to read:

211.0252 Credit for contributions to eligible charitable organizations.—Beginning July 1, 2021, there is allowed a credit of 100 percent of an eligible contribution made to an eligible charitable organization under s. 402.62 against any tax due under s. 211.02 or s. 211.025. However, the combined credit allowed under this section and s. 211.0251 may not exceed 50 percent of the tax due on the return on which the credit is

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14 taken. If the combined credit allowed under this section and s.
15 211.0251 exceeds 50 percent of the tax due on the return, the
16 credit must first be taken under s. 211.0251. Any remaining
17 liability, up to 50 percent of the tax due, shall be taken under
18 this section. For purposes of the distributions of tax revenue
19 under s. 211.06, the department shall disregard any tax credits
20 allowed under this section to ensure that any reduction in tax
21 revenue received which is attributable to the tax credits
22 results only in a reduction in distributions to the General
23 Revenue Fund. The provisions of s. 402.62 apply to the credit
24 authorized by this section.

25 Section 51. Section 212.1833, Florida Statutes, is created
26 to read:

27 212.1833 Credit for contributions to eligible charitable
28 organizations.—Beginning July 1, 2021, there is allowed a credit
29 of 100 percent of an eligible contribution made to an eligible
30 charitable organization under s. 402.62 against any tax imposed
31 by the state and due under this chapter from a direct pay permit
32 holder as a result of the direct pay permit held pursuant to s.
33 212.183. For purposes of the dealer's credit granted for keeping
34 prescribed records, filing timely tax returns, and properly
35 accounting and remitting taxes under s. 212.12, the amount of
36 tax due used to calculate the credit shall include any eligible
37 contribution made to an eligible charitable organization from a
38 direct pay permit holder. For purposes of the distributions of

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39 tax revenue under s. 212.20, the department shall disregard any
40 tax credits allowed under this section to ensure that any
41 reduction in tax revenue received that is attributable to the
42 tax credits results only in a reduction in distributions to the
43 General Revenue Fund. The provisions of s. 402.62 apply to the
44 credit authorized by this section. A dealer who claims a tax
45 credit under this section must file his or her tax returns and
46 pay his or her taxes by electronic means under s. 213.755.

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

49 220.02 Legislative intent.—

50 (8) It is the intent of the Legislature that credits
51 against either the corporate income tax or the franchise tax be
52 applied in the following order: those enumerated in s. 631.828,
53 those enumerated in s. 220.191, those enumerated in s. 220.181,
54 those enumerated in s. 220.183, those enumerated in s. 220.182,
55 those enumerated in s. 220.1895, those enumerated in s. 220.195,
56 those enumerated in s. 220.184, those enumerated in s. 220.186,
57 those enumerated in s. 220.1845, those enumerated in s. 220.19,
58 those enumerated in s. 220.185, those enumerated in s. 220.1875,
59 those enumerated in s. 220.1876, those enumerated in s. 220.192,
60 those enumerated in s. 220.193, those enumerated in s. 288.9916,
61 those enumerated in s. 220.1899, those enumerated in s. 220.194,
62 and those enumerated in s. 220.196.

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63 Section 53. Paragraph (a) of subsection (1) of section
64 220.13, Florida Statutes, is amended to read:

65 220.13 "Adjusted federal income" defined.—

66 (1) The term "adjusted federal income" means an amount
67 equal to the taxpayer's taxable income as defined in subsection
68 (2), or such taxable income of more than one taxpayer as
69 provided in s. 220.131, for the taxable year, adjusted as
70 follows:

71 (a) Additions.—There shall be added to such taxable
72 income:

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

78 b. Notwithstanding sub-subparagraph a., if a credit taken
79 under s. 220.1875 or s. 220.1876 is added to taxable income in a
80 previous taxable year under subparagraph 11. and is taken as a
81 deduction for federal tax purposes in the current taxable year,
82 the amount of the deduction allowed shall not be added to
83 taxable income in the current year. The exception in this sub-
84 subparagraph is intended to ensure that the credit under s.
85 220.1875 or s. 220.1876 is added in the applicable taxable year
86 and does not result in a duplicate addition in a subsequent
87 year.

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88 2. The amount of interest which is excluded from taxable
89 income under s. 103(a) of the Internal Revenue Code or any other
90 federal law, less the associated expenses disallowed in the
91 computation of taxable income under s. 265 of the Internal
92 Revenue Code or any other law, excluding 60 percent of any
93 amounts included in alternative minimum taxable income, as
94 defined in s. 55(b)(2) of the Internal Revenue Code, if the
95 taxpayer pays tax under s. 220.11(3).

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

100 4. That portion of the wages or salaries paid or incurred
101 for the taxable year which is equal to the amount of the credit
102 allowable for the taxable year under s. 220.181. This
103 subparagraph shall expire on the date specified in s. 290.016
104 for the expiration of the Florida Enterprise Zone Act.

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

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

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113 7. That portion of assessments to fund a guaranty
114 association incurred for the taxable year which is equal to the
115 amount of the credit allowable for the taxable year.

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

121 9. The amount taken as a credit for the taxable year under
122 s. 220.1895.

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

126 11. Any ~~The~~ amount taken as a credit for the taxable year
127 under s. 220.1875 or s. 220.1876. The addition in this
128 subparagraph is intended to ensure that the same amount is not
129 allowed for the tax purposes of this state as both a deduction
130 from income and a credit against the tax. This addition is not
131 intended to result in adding the same expense back to income
132 more than once.

133 12. The amount taken as a credit for the taxable year
134 under s. 220.192.

135 13. The amount taken as a credit for the taxable year
136 under s. 220.193.

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

140 15. The costs to acquire a tax credit pursuant to s.
141 288.1254(5) that are deducted from or otherwise reduce federal
142 taxable income for the taxable year.

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

145 17. The amount taken as a credit for the taxable year
146 under s. 220.196. The addition in this subparagraph is intended
147 to ensure that the same amount is not allowed for the tax
148 purposes of this state as both a deduction from income and a
149 credit against the tax. The addition is not intended to result
150 in adding the same expense back to income more than once.

151 Section 54. Subsection (2) of section 220.186, Florida
152 Statutes, is amended to read:

153 220.186 Credit for Florida alternative minimum tax.—

154 (2) The credit pursuant to this section shall be the
155 amount of the excess, if any, of the tax paid based upon taxable
156 income determined pursuant to s. 220.13(2)(k) over the amount of
157 tax which would have been due based upon taxable income without
158 application of s. 220.13(2)(k), before application of this
159 credit without application of any credit under s. 220.1875 or s.
160 220.1876.

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161 Section 55. Section 220.1876, Florida Statutes, is created
162 to read:

163 220.1876 Credit for contributions to eligible charitable
164 organizations.—

165 (1) Beginning January 1, 2021, there is allowed a credit
166 of 100 percent of an eligible contribution made to an eligible
167 charitable organization under s. 402.62 against any tax due for
168 a taxable year under this chapter after the application of any
169 other allowable credits by the taxpayer. An eligible
170 contribution must be made to an eligible charitable organization
171 on or before the date the taxpayer is required to file a return
172 pursuant to s. 220.222. The credit granted by this section shall
173 be reduced by the difference between the amount of federal
174 corporate income tax taking into account the credit granted by
175 this section and the amount of federal corporate income tax
176 without application of the credit granted by this section.

177 (2) A taxpayer who files a Florida consolidated return as
178 a member of an affiliated group pursuant to s. 220.131(1) may be
179 allowed the credit on a consolidated return basis; however, the
180 total credit taken by the affiliated group is subject to the
181 limitation established under subsection (1).

182 (3) The provisions of s. 402.62 apply to the credit
183 authorized by this section.

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184 (4) If a taxpayer applies and is approved for a credit
185 under s. 402.62 after timely requesting an extension to file
186 under s. 220.222(2):

187 (a) The credit does not reduce the amount of tax due for
188 purposes of the department's determination as to whether the
189 taxpayer was in compliance with the requirement to pay tentative
190 taxes under ss. 220.222 and 220.32.

191 (b) The taxpayer's noncompliance with the requirement to
192 pay tentative taxes shall result in the revocation and
193 rescindment of any such credit.

194 (c) The taxpayer shall be assessed for any taxes,
195 penalties, or interest due from the taxpayer's noncompliance
196 with the requirement to pay tentative taxes.

197 Section 56. Section 402.62, Florida Statutes, is created
198 to read:

199 402.62 Children's Promise Tax Credit.—

200 (1) DEFINITIONS.—As used in this section, the term:

201 (a) "Annual tax credit amount" means, for any state fiscal
202 year, the sum of the amount of tax credits approved under
203 paragraph (5)(b), including tax credits to be taken under s.
204 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s.
205 624.51056, which are approved for taxpayers whose taxable years
206 begin on or after January 1 of the calendar year preceding the
207 start of the applicable state fiscal year.

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208 (b) "Division" means the Division of Alcoholic Beverages
209 and Tobacco of the Department of Business and Professional
210 Regulation.

211 (c) "Eligible charitable organization" means an
212 organization designated by the department to be eligible to
213 receive funding under this section.

214 (d) "Eligible contribution" means a monetary contribution
215 from a taxpayer, subject to the restrictions provided in this
216 section, to an eligible charitable organization. The taxpayer
217 making the contribution may not designate a specific child
218 assisted by the eligible charitable organization as the
219 beneficiary of the contribution.

220 (e) "Tax credit cap amount" means the maximum annual tax
221 credit amount that the Department of Revenue may approve for a
222 state fiscal year.

223 (2) CHILDREN'S PROMISE TAX CREDITS; ELIGIBILITY.—

224 (a) The department shall designate as an eligible
225 charitable organization an organization that:

226 1. Is exempt from federal income taxation under s.
227 501(c)(3) of the Internal Revenue Code.

228 2. Is a Florida entity formed under chapter 605, chapter
229 607, or chapter 617 and whose principal office is located in the
230 state.

231 3. Provides services to:

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232 a. Prevent child abuse, neglect, abandonment, or
233 exploitation;

234 b. Enhance the safety, permanency, or well-being of
235 children with child welfare involvement;

236 c. Assist families with children who have a chronic
237 illness or physical, intellectual, developmental, or emotional
238 disability; or

239 d. Provide workforce development services to families of
240 children eligible for a federal free or reduced-price meals
241 program.

242 4. Has a contract or written referral agreement with, or
243 reference from, the department, a community-based care lead
244 agency as defined in s. 409.986, a managing entity as defined in
245 s. 394.9082, or the Agency for Persons with Disabilities, for
246 services specified in subparagraph 3.

247 5. Provides to the department accurate information
248 including, at a minimum, a description of the services provided
249 by the organization that are eligible for funding under this
250 section; the number of individuals served through those services
251 during the last calendar year in total and the number served
252 during the last calendar year using funding under this section;
253 basic financial information regarding the organization and
254 services eligible for funding under this section; outcomes for
255 such services; and contact information for the organization.

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256 6. Annually submits a statement signed by a current
257 officer of the organization, under penalty of perjury, that the
258 organization meets all criteria to qualify as an eligible
259 charitable organization, has fulfilled responsibilities under
260 this section for the previous fiscal year if the organization
261 received any funding through this credit during the previous
262 year, and intends to fulfill its responsibilities during the
263 upcoming year.

264 7. Provides any documentation requested by the department
265 to verify eligibility as an eligible charitable organization or
266 compliance with this section.

267 (b) The department may not designate as an eligible
268 charitable organization an organization that:

269 1. Provides abortions, pays for or provides coverage for
270 abortions, or financially supports any other entity that
271 provides, pays for, or provides coverage for abortions; or

272 2. Has received more than 50 percent of its total annual
273 revenue from the department or the Agency for Persons with
274 Disabilities, either directly or via a contractor of the
275 department or agency, in the prior fiscal year.

276 (3) RESPONSIBILITIES OF ELIGIBLE CHARITABLE
277 ORGANIZATIONS.—An eligible charitable organization that receives
278 a contribution under this section must:

279 (a) Conduct background screenings on all volunteers and
280 staff working directly with children in any program funded under

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281 this section. The background screening shall use level 2
282 screening standards pursuant to s. 435.04. The department shall
283 specify requirements for background screening in rule.

284 (b) Expend 100 percent of any contributions received under
285 this section for direct services to state residents for the
286 purposes specified in subparagraph (2) (a)3.

287 (c) Annually submit to the department:

288 1. An audit of the eligible charitable organization
289 conducted by an independent certified public accountant in
290 accordance with auditing standards generally accepted in the
291 United States, government auditing standards, and rules adopted
292 by the Auditor General. The audit report must include a report
293 on financial statements presented in accordance with generally
294 accepted accounting principles. The audit report must be
295 provided to the department within 180 days after completion of
296 the eligible charitable organization's fiscal year.

297 2. A copy of the eligible charitable organization's most
298 recent federal Internal Revenue Service Return of Organization
299 Exempt from Income Tax form (Form 990).

300 (d) Notify the department within 5 business days after the
301 eligible charitable organization ceases to meet eligibility
302 requirements or fails to fulfill its responsibilities under this
303 section.

304 (e) Upon receipt of a contribution, the eligible
305 charitable organization shall provide the taxpayer that made the

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306 contribution with a certificate of contribution. A certificate
307 of contribution must include the taxpayer's name and, if
308 available, federal employer identification number, the amount
309 contributed, the date of contribution, and the name of the
310 eligible charitable organization.

311 (4) RESPONSIBILITIES OF THE DEPARTMENT.—The department
312 shall:

313 (a) Annually redesignate eligible charitable organizations
314 that have complied with all requirements of this section.

315 (b) Remove the designation of organizations that fail to
316 meet all requirements of this section. An organization that has
317 had its designation removed by the department may reapply for
318 designation as an eligible charitable organization, and the
319 department shall redesignate such organization if it meets the
320 requirements of this section and demonstrates through its
321 application that all factors leading to its previous failure to
322 meet requirements have been sufficiently addressed.

323 (c) Publish information about the tax credit program and
324 eligible charitable organizations on a department website. The
325 website shall, at a minimum, provide:

326 1. The requirements and process for becoming designated or
327 redesignated as an eligible charitable organization.

328 2. A list of the eligible charitable organizations that
329 are currently designated by the department and the information

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330 provided under subparagraph (2)(a)5. regarding each eligible
331 charitable organization.

332 3. The process for a taxpayer to select an eligible
333 charitable organization as the recipient of funding through a
334 tax credit.

335 (d) Compel the return of funds that are provided to an
336 eligible charitable organization that fails to comply with the
337 requirements of this section. Eligible charitable organizations
338 that are subject to return of funds are ineligible to receive
339 funding under this section for a period 10 years after final
340 agency action to compel the return of funding.

341 (5) CHILDREN'S PROMISE TAX CREDITS; APPLICATIONS,
342 TRANSFERS, AND LIMITATIONS.-

343 (a) The tax credit cap amount is \$5 million in each state
344 fiscal year.

345 (b) Beginning October 1, 2020, a taxpayer may submit an
346 application to the Department of Revenue for a tax credit or
347 credits to be taken under one or more of s. 211.0252, s.
348 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056.

349 1. The taxpayer shall specify in the application each tax
350 for which the taxpayer requests a credit and the applicable
351 taxable year for a credit under s. 220.1876 or s. 624.51056 or
352 the applicable state fiscal year for a credit under s. 211.0252,
353 s. 212.1833, or s. 561.1212. For purposes of s. 220.1876, a
354 taxpayer may apply for a credit to be used for a prior taxable

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355 year before the date the taxpayer is required to file a return
356 for that year pursuant to s. 220.222. For purposes of s.
357 624.51056, a taxpayer may apply for a credit to be used for a
358 prior taxable year before the date the taxpayer is required to
359 file a return for that prior taxable year pursuant to ss.
360 624.509 and 624.5092. The application must specify the eligible
361 charitable organization to which the proposed contribution will
362 be made. The Department of Revenue shall approve tax credits on
363 a first-come, first-served basis and must obtain the division's
364 approval before approving a tax credit under s. 561.1212.

365 2. Within 10 days after approving or denying an
366 application, the Department of Revenue shall provide a copy of
367 its approval or denial letter to the eligible charitable
368 organization specified by the taxpayer in the application.

369 (c) If a tax credit approved under paragraph (b) is not
370 fully used within the specified state fiscal year for credits
371 under s. 211.0252, s. 212.1833, or s. 561.1212 or against taxes
372 due for the specified taxable year for credits under s. 220.1876
373 or s. 624.51056 because of insufficient tax liability on the
374 part of the taxpayer, the unused amount shall be carried forward
375 for a period not to exceed 10 years. For purposes of s.
376 220.1876, a credit carried forward may be used in a subsequent
377 year after applying the other credits and unused carryovers in
378 the order provided in s. 220.02(8).

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379 (d) A taxpayer may not convey, transfer, or assign an
380 approved tax credit or a carryforward tax credit to another
381 entity unless all of the assets of the taxpayer are conveyed,
382 assigned, or transferred in the same transaction. However, a tax
383 credit under s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212,
384 or s. 624.51056 may be conveyed, transferred, or assigned
385 between members of an affiliated group of corporations if the
386 type of tax credit under s. 211.0252, s. 212.1833, s. 220.1876,
387 s. 561.1212, or s. 624.51056 remains the same. A taxpayer shall
388 notify the Department of Revenue of its intent to convey,
389 transfer, or assign a tax credit to another member within an
390 affiliated group of corporations. The amount conveyed,
391 transferred, or assigned is available to another member of the
392 affiliated group of corporations upon approval by the Department
393 of Revenue. The Department of Revenue shall obtain the
394 division's approval before approving a conveyance, transfer, or
395 assignment of a tax credit under s. 561.1212.

396 (e) Within any state fiscal year, a taxpayer may rescind
397 all or part of a tax credit approved under paragraph (b). The
398 amount rescinded shall become available for that state fiscal
399 year to another eligible taxpayer as approved by the Department
400 of Revenue if the taxpayer receives notice from the Department
401 of Revenue that the rescindment has been accepted by the
402 Department of Revenue. The Department of Revenue must obtain the
403 division's approval before accepting the rescindment of a tax

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404 credit under s. 561.1212. Any amount rescinded under this
405 paragraph shall become available to an eligible taxpayer on a
406 first-come, first-served basis based on tax credit applications
407 received after the date the rescindment is accepted by the
408 Department of Revenue.

409 (f) Within 10 days after approving or denying the
410 conveyance, transfer, or assignment of a tax credit under
411 paragraph (d), or the rescindment of a tax credit under
412 paragraph (e), the Department of Revenue shall provide a copy of
413 its approval or denial letter to the eligible charitable
414 organization specified by the taxpayer. The Department of
415 Revenue shall also include the eligible charitable organization
416 specified by the taxpayer on all letters or correspondence of
417 acknowledgment for tax credits under s. 212.1833.

418 (g) For purposes of calculating the underpayment of
419 estimated corporate income taxes under s. 220.34 and tax
420 installment payments for taxes on insurance premiums or
421 assessments under s. 624.5092, the final amount due is the
422 amount after credits earned under s. 220.1876 or s. 624.51056
423 for contributions to eligible charitable organizations are
424 deducted.

425 1. For purposes of determining if a penalty or interest
426 under s. 220.34(2)(d)1. shall be imposed for underpayment of
427 estimated corporate income tax, a taxpayer may, after earning a

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428 credit under s. 220.1876, reduce any estimated payment in that
429 taxable year by the amount of the credit.

430 2. For purposes of determining if a penalty under s.
431 624.5092 shall be imposed, an insurer, after earning a credit
432 under s. 624.51056 for a taxable year, may reduce any
433 installment payment for such taxable year of 27 percent of the
434 amount of the net tax due as reported on the return for the
435 preceding year under s. 624.5092(2)(b) by the amount of the
436 credit.

437 (6) PRESERVATION OF CREDIT.—If any provision or portion of
438 this section, s. 211.0252, s. 212.1833, s. 220.1876, s.
439 561.1212, or s. 624.51056 or the application thereof to any
440 person or circumstance is held unconstitutional by any court or
441 is otherwise declared invalid, the unconstitutionality or
442 invalidity shall not affect any credit earned under s. 211.0252,
443 s. 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056 by any
444 taxpayer with respect to any contribution paid to an eligible
445 charitable organization before the date of a determination of
446 unconstitutionality or invalidity. The credit shall be allowed
447 at such time and in such a manner as if a determination of
448 unconstitutionality or invalidity had not been made, provided
449 that nothing in this subsection by itself or in combination with
450 any other provision of law shall result in the allowance of any
451 credit to any taxpayer in excess of one dollar of credit for
452 each dollar paid to an eligible charitable organization.

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453 (7) ADMINISTRATION; RULES.—

454 (a) The Department of Revenue, the division, and the
455 department may develop a cooperative agreement to assist in the
456 administration of this section, as needed.

457 (b) The Department of Revenue may adopt rules necessary to
458 administer this section and ss. 211.0252, 212.1833, 220.1876,
459 561.1212, and 624.51056, including rules establishing
460 application forms, procedures governing the approval of tax
461 credits and carryforward tax credits under subsection (5), and
462 procedures to be followed by taxpayers when claiming approved
463 tax credits on their returns.

464 (c) The division may adopt rules necessary to administer
465 its responsibilities under this section and s. 561.1212.

466 (d) The department may adopt rules necessary to administer
467 this section, including, but not limited to, rules establishing
468 application forms for organizations seeking designation as
469 eligible charitable organizations under this act.

470 (e) Notwithstanding any provision of s. 213.053 to the
471 contrary, sharing information with the division related to this
472 tax credit is considered the conduct of the Department of
473 Revenue's official duties as contemplated in s. 213.053(8)(c),
474 and the Department of Revenue and the division are specifically
475 authorized to share information as needed to administer this
476 program.

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477 Section 57. Section 561.1212, Florida Statutes, is created
478 to read:

479 561.1212 Credit for contributions to eligible charitable
480 organizations.—Beginning January 1, 2021, there is allowed a
481 credit of 100 percent of an eligible contribution made to an
482 eligible charitable organization under s. 402.62 against any tax
483 due under s. 563.05, s. 564.06, or s. 565.12, except excise
484 taxes imposed on wine produced by manufacturers in this state
485 from products grown in this state. However, a credit allowed
486 under this section may not exceed 90 percent of the tax due on
487 the return on which the credit is taken. For purposes of the
488 distributions of tax revenue under ss. 561.121 and 564.06(10),
489 the division shall disregard any tax credits allowed under this
490 section to ensure that any reduction in tax revenue received
491 that is attributable to the tax credits results only in a
492 reduction in distributions to the General Revenue Fund. The
493 provisions of s. 402.62 apply to the credit authorized by this
494 section.

495 Section 58. Section 624.51056, Florida Statutes, is
496 created to read:

497 624.51056 Credit for contributions to eligible charitable
498 organizations.—

499 (1) Beginning January 1, 2021, there is allowed a credit
500 of 100 percent of an eligible contribution made to an eligible
501 charitable organization under s. 402.62 against any tax due for

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502 a taxable year under s. 624.509(1) after deducting from such tax
503 deductions for assessments made pursuant to s. 440.51; credits
504 for taxes paid under ss. 175.101 and 185.08; credits for income
505 taxes paid under chapter 220; and the credit allowed under s.
506 624.509(5), as such credit is limited by s. 624.509(6). An
507 eligible contribution must be made to an eligible charitable
508 organization on or before the date the taxpayer is required to
509 file a return pursuant to ss. 624.509 and 624.5092. An insurer
510 claiming a credit against premium tax liability under this
511 section shall not be required to pay any additional retaliatory
512 tax levied under s. 624.5091 as a result of claiming such
513 credit. Section 624.5091 does not limit such credit in any
514 manner.

515 (2) Section 402.62 applies to the credit authorized by
516 this section.

517 Section 59. The Department of Revenue is authorized, and
518 all conditions are deemed met, to adopt emergency rules under s.
519 120.54(4), Florida Statutes, for the purpose of implementing
520 provisions related to the Children's Promise Tax Credit created
521 in this act. Notwithstanding any other provision of law,
522 emergency rules adopted under this section are effective for 6
523 months after adoption and may be renewed during the pendency of
524 procedures to adopt permanent rules addressing the subject of
525 the emergency rules.

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526 Section 60. For the 2020-2021 fiscal year, the sum of
 527 \$208,000 in nonrecurring funds is appropriated from the General
 528 Revenue Fund to the Department of Revenue for the purpose of
 529 implementing the provisions related to the Children's Promise
 530 Tax Credit created in this act.

531 Section 61. The Florida Institute for Child Welfare shall
 532 analyze the use of funding provided by the tax credit authorized
 533 under s. 402.62 and submit a report to the Governor, the
 534 President of the Senate, and the Speaker of the House of
 535 Representatives by October 31, 2024. The report shall, at a
 536 minimum, include the total funding amount and categorize the
 537 funding by type of program, describe the programs that were
 538 funded, and assess the outcomes that were achieved using the
 539 funding.

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

Between lines 183 and 184, insert:
 creating ss. 211.0252, 212.1833, 561.1212, and
 624.51056, F.S.; authorizing a tax credit for certain
 contributions made to an eligible charitable
 organization with certain restrictions; amending s.
 220.02, F.S.; revising legislative intent; amending
 ss. 220.13 and 220.186, F.S.; conforming cross-

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551 references to changes made by the act; creating s.
552 220.1876, F.S.; authorizing a tax credit for certain
553 contributions made to an eligible charitable
554 organization with certain restrictions; providing
555 requirements for applying a credit when the taxpayer
556 requests an extension; creating s. 402.62, F.S.;
557 creating the Children's Promise Tax Credit; providing
558 definitions; providing requirements for designation as
559 an eligible charitable organization; specifying
560 certain organizations that may not be designated as an
561 eligible charitable organization; providing
562 responsibilities of eligible charitable organizations
563 that receive contributions under the tax credit;
564 providing responsibilities of the department related
565 to the tax credit; providing guidelines for the
566 application of, limitations to, and transfers of the
567 tax credit; providing for the preservation of the tax
568 credit under certain circumstances; authorizing the
569 Department of Revenue, the Division of Alcoholic
570 Beverages and Tobacco of the Department of Business
571 and Professional Regulation, and the Department of
572 Children and Families to develop a cooperative
573 agreement to administer the tax credit; authorizing
574 the Department of Revenue, the Division of Alcoholic
575 Beverages and Tobacco of the Department of Business

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576 and Professional Regulation, and the Department of
577 Children and Families to adopt rules; authorizing the
578 Department of Revenue and the Division of Alcoholic
579 Beverages and Tobacco of the Department of Business
580 and Professional Regulation to share certain
581 information as needed to administer the tax credit;
582 authorizing the Department of Revenue to adopt
583 emergency rules; providing an appropriation; requiring
584 the Florida Institute for Child Welfare to analyze the
585 use of funding provided by the tax credit and submit a
586 report to the Governor and Legislature by a specified
587 date;

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