

1 A bill to be entitled
2 An act relating to student internships; amending s.
3 220.02, F.S.; specifying the order in which the
4 Florida Internship Tax Credit Program corporate income
5 tax credit created by this act is applied; amending s.
6 220.13, F.S.; requiring certain claimed tax credit
7 amounts to be added to a taxpayer's adjusted federal
8 income; creating s. 220.198, F.S.; providing a short
9 title; providing definitions; providing a corporate
10 income tax credit for qualified businesses employing
11 student interns if certain criteria are met;
12 specifying the amount of the credit a qualified
13 business may claim per student intern; specifying a
14 limit on the credit claimed per taxable year;
15 specifying a limit on the combined total amount of tax
16 credits to qualified businesses during specified
17 fiscal years; authorizing the Department of Revenue to
18 adopt certain rules; authorizing a qualified business
19 to carry forward unused credit for a certain time;
20 specifying that the tax credits may be granted for
21 taxes incurred in specified fiscal years; authorizing
22 the department to adopt emergency rules; providing for
23 expiration of that authority; amending s. 1007.25,
24 F.S.; requiring that an elective course be offered for
25 each baccalaureate degree program in which a student

26 | may earn credit hours while completing an internship
 27 | in conjunction with classroom instruction; requiring
 28 | the chairs of the State Board of Education and the
 29 | Board of Governors to jointly appoint a faculty
 30 | committee to develop such elective course for each
 31 | baccalaureate degree program; amending s. 1009.286,
 32 | F.S.; specifying that certain credit hours earned by
 33 | students are not calculated as hours required to earn
 34 | a baccalaureate degree; providing effective dates.

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36 | Be It Enacted by the Legislature of the State of Florida:

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38 | Section 1. Subsection (8) of section 220.02, Florida
 39 | Statutes, is amended to read:

40 | 220.02 Legislative intent.—

41 | (8) It is the intent of the Legislature that credits
 42 | against either the corporate income tax or the franchise tax be
 43 | applied in the following order: those enumerated in s. 631.828,
 44 | those enumerated in s. 220.191, those enumerated in s. 220.181,
 45 | those enumerated in s. 220.183, those enumerated in s. 220.182,
 46 | those enumerated in s. 220.1895, those enumerated in s. 220.195,
 47 | those enumerated in s. 220.184, those enumerated in s. 220.186,
 48 | those enumerated in s. 220.1845, those enumerated in s. 220.19,
 49 | those enumerated in s. 220.185, those enumerated in s. 220.1875,
 50 | those enumerated in s. 220.193, those enumerated in s. 288.9916,

51 those enumerated in s. 220.1899, those enumerated in s. 220.194,
52 ~~and those enumerated in s. 220.196,~~ and those enumerated in s.
53 220.198.

54 Section 2. Paragraph (a) of subsection (1) of section
55 220.13, Florida Statutes, is amended to read:

56 220.13 "Adjusted federal income" defined.—

57 (1) The term "adjusted federal income" means an amount
58 equal to the taxpayer's taxable income as defined in subsection
59 (2), or such taxable income of more than one taxpayer as
60 provided in s. 220.131, for the taxable year, adjusted as
61 follows:

62 (a) *Additions.*—There shall be added to such taxable
63 income:

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

69 b. Notwithstanding sub-subparagraph a., if a credit taken
70 under s. 220.1875 is added to taxable income in a previous
71 taxable year under subparagraph 11. and is taken as a deduction
72 for federal tax purposes in the current taxable year, the amount
73 of the deduction allowed shall not be added to taxable income in
74 the current year. The exception in this sub-subparagraph is
75 intended to ensure that the credit under s. 220.1875 is added in

76 | the applicable taxable year and does not result in a duplicate
77 | addition in a subsequent year.

78 | 2. The amount of interest which is excluded from taxable
79 | income under s. 103(a) of the Internal Revenue Code or any other
80 | federal law, less the associated expenses disallowed in the
81 | computation of taxable income under s. 265 of the Internal
82 | Revenue Code or any other law, excluding 60 percent of any
83 | amounts included in alternative minimum taxable income, as
84 | defined in s. 55(b)(2) of the Internal Revenue Code, if the
85 | taxpayer pays tax under s. 220.11(3).

86 | 3. In the case of a regulated investment company or real
87 | estate investment trust, an amount equal to the excess of the
88 | net long-term capital gain for the taxable year over the amount
89 | of the capital gain dividends attributable to the taxable year.

90 | 4. That portion of the wages or salaries paid or incurred
91 | for the taxable year which is equal to the amount of the credit
92 | allowable for the taxable year under s. 220.181. This
93 | subparagraph shall expire on the date specified in s. 290.016
94 | for the expiration of the Florida Enterprise Zone Act.

95 | 5. That portion of the ad valorem school taxes paid or
96 | incurred for the taxable year which is equal to the amount of
97 | the credit allowable for the taxable year under s. 220.182. This
98 | subparagraph shall expire on the date specified in s. 290.016
99 | for the expiration of the Florida Enterprise Zone Act.

100 | 6. The amount taken as a credit under s. 220.195 which is

101 deductible from gross income in the computation of taxable
 102 income for the taxable year.

103 7. That portion of assessments to fund a guaranty
 104 association incurred for the taxable year which is equal to the
 105 amount of the credit allowable for the taxable year.

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

111 9. The amount taken as a credit for the taxable year under
 112 s. 220.1895.

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

116 11. The amount taken as a credit for the taxable year
 117 under s. 220.1875. The addition in this subparagraph is intended
 118 to ensure that the same amount is not allowed for the tax
 119 purposes of this state as both a deduction from income and a
 120 credit against the tax. This addition is not intended to result
 121 in adding the same expense back to income more than once.

122 12. The amount taken as a credit for the taxable year
 123 under s. 220.193.

124 13. Any portion of a qualified investment, as defined in
 125 s. 288.9913, which is claimed as a deduction by the taxpayer and

126 taken as a credit against income tax pursuant to s. 288.9916.

127 14. The costs to acquire a tax credit pursuant to s.
128 288.1254(5) that are deducted from or otherwise reduce federal
129 taxable income for the taxable year.

130 15. The amount taken as a credit for the taxable year
131 pursuant to s. 220.194.

132 16. The amount taken as a credit for the taxable year
133 under s. 220.196. The addition in this subparagraph is intended
134 to ensure that the same amount is not allowed for the tax
135 purposes of this state as both a deduction from income and a
136 credit against the tax. The addition is not intended to result
137 in adding the same expense back to income more than once.

138 17. The amount taken as a credit for the taxable year
139 pursuant to s. 220.198.

140 Section 3. Section 220.198, Florida Statutes, is created
141 to read:

142 220.198 Internship tax credit program.—

143 (1) This section may be cited as the "Florida Internship
144 Tax Credit Program."

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

146 (a) "Full time" means at least 30 hours per week.

147 (b) "Internship" means the full-time, paid employment in
148 the state of a student intern for 9 or more consecutive weeks,
149 regardless of whether the student earned educational credit for
150 such work.

151 (c) "Qualified business" means a business that is in
152 existence and has been continuously operating in the state for
153 at least 3 years.

154 (d) "Student intern" means a person who is enrolled in and
155 has completed at least 60 credit hours at a state university or
156 a Florida College System institution; a person who is enrolled
157 in and satisfactorily completed at least half of the number of
158 courses required for the program in which enrolled at a career
159 center operated by a school district under s. 1001.44 or a
160 charter technical career center under s. 1002.34; or any
161 graduate student enrolled at a state university.

162 (3) For taxable years beginning on or after January 1,
163 2022, a qualified business is eligible for a credit against the
164 tax imposed by this chapter in the amount of \$2,000 per student
165 intern if all of the following apply:

166 (a) The qualified business employed for compensation at
167 least one student intern in the taxable year for which the
168 qualified business applies for a tax credit and the qualified
169 business provides the department documentation evidencing each
170 internship claimed under paragraph (c).

171 (b) An officer of the qualified business attests to the
172 department that at least 20 percent of the business's full-time
173 employees were previously employed by that business as student
174 interns.

175 (c) At the start of an internship, each student intern

176 provides the qualified business with verification by the student
177 intern's state university, Florida College System institution,
178 career center operated by a school district under s. 1001.44, or
179 charter technical career center that the student intern is
180 enrolled and has maintained a minimum grade point average of 2.0
181 on a 4.0 scale, or if the school does not issue grade point
182 averages, that the student is enrolled and in good standing. The
183 school verification must be included with the application for
184 the tax credit.

185 (4) Notwithstanding paragraph (3)(b), a qualified business
186 that, on average for the 3 immediately preceding years, employed
187 10 or fewer full-time employees may receive the tax credit if an
188 officer of the qualified business attests that the business
189 previously hired at least one student intern and, for the
190 current taxable year, that the business employs on a full-time
191 basis at least one employee who was previously employed by that
192 qualified business as a student intern.

193 (5) A qualified business may not claim a tax credit of
194 more than \$10,000 in any one taxable year.

195 (6) The combined total amount of tax credits which may be
196 granted to all qualified businesses under this section is
197 \$250,000 in the 2022-2023 fiscal year and \$250,000 in the 2023-
198 2024 fiscal year. The department must approve the applications
199 for tax credits before any tax credit may be taken on a return.

200 (7) The department may adopt rules governing the manner

201 and form of applications, the period during which applications
202 may be submitted for the tax credit, and establishing
203 qualification requirements for the tax credit.

204 (8) The tax credit authorized by this section may only be
205 granted for taxes incurred during fiscal year 2022-2023 and
206 fiscal year 2023-2024.

207 (9) A qualified business may carry forward any unused
208 portion of a tax credit under this section for up to 2 taxable
209 years.

210 Section 4. (1) The Department of Revenue is authorized,
211 and all conditions are deemed met, to adopt emergency rules
212 pursuant to s. 120.54(4), Florida Statutes, for the purpose of
213 administering this act.

214 (2) Notwithstanding any other law, emergency rules adopted
215 pursuant to subsection (1) are effective for 6 months after
216 adoption and may be renewed during the pendency of procedures to
217 adopt permanent rules addressing the subject of the emergency
218 rules.

219 (3) This section shall take effect upon this act becoming
220 a law and expires July 1, 2024.

221 Section 5. Subsection (13) is added to section 1007.25,
222 Florida Statutes, to read:

223 1007.25 General education courses; common prerequisites;
224 other degree requirements; electives.-

225 (13) Beginning with students who initially enroll at a

226 Florida College System institution or state university in the
227 2022-2023 academic year and thereafter, an elective course for
228 each baccalaureate degree program shall be offered in which a
229 student may earn between 3 and 6 credit hours while completing a
230 paid or an unpaid internship in conjunction with classroom
231 instruction.

232 Section 6. Paragraph (b) of subsection (4) of section
233 1009.286, Florida Statutes, is amended to read:

234 1009.286 Additional student payment for hours exceeding
235 baccalaureate degree program completion requirements at state
236 universities.—

237 (4) For purposes of this section, credit hours earned
238 under the following circumstances are not calculated as hours
239 required to earn a baccalaureate degree:

240 (b) Credit hours earned through electives under s.
241 1007.25(13) or through internship programs.

242 Section 7. Except as otherwise expressly provided in this
243 act and except for this section which shall take effect upon
244 this act becoming a law, this act shall take effect July 1,
245 2021.