

1 A bill to be entitled
2 An act relating to rural development; amending s.
3 166.231, F.S.; removing a provision authorizing
4 municipalities to provide certain tax exemptions to
5 certain areas nominated, but not designated, as
6 enterprise zones; removing an expiration date;
7 amending s. 212.08, F.S.; revising the definition of
8 the term "enterprise zone" to the term "opportunity
9 zone" for purposes of certain sales tax exemptions;
10 authorizing certain charges for natural gas or propane
11 used by certain qualified businesses in opportunity
12 zones to receive a specified sales tax exemption;
13 conforming provisions to changes made by the act;
14 increasing the amount of a refund for certain
15 previously paid sales taxes; removing an expiration
16 date; amending s. 212.098, F.S.; revising eligibility
17 criteria necessary to qualify for the Rural Job Tax
18 Credit Program; amending s. 288.018, F.S.; reducing
19 the required grant match percentage rate under the
20 Regional Rural Development Grants Program; amending s.
21 288.019, F.S.; revising certain eligibility criteria
22 for the Rural Economic Development Initiative (REDI);
23 amending s. 288.047, F.S.; revising provisions
24 requiring CareerSource Florida, Inc., to set aside
25 certain funds for instructional programs; amending s.

26 288.065, F.S.; removing a match requirement from the
27 Rural Community Development Revolving Loan Fund under
28 specified conditions; amending s. 288.0655, F.S.;
29 revising provisions related to the Rural
30 Infrastructure Fund; increasing the percentage of
31 grants that the Department of Economic Opportunity may
32 award; revising criteria for awarding grants; removing
33 the local match requirement; amending s. 288.0656,
34 F.S.; requiring REDI to annually collect specified
35 data related to rural communities and rural areas of
36 opportunity; requiring REDI to provide specified
37 information to rural communities and rural areas of
38 opportunity; authorizing REI to override the
39 Department of Economic Opportunity's decision that a
40 business is not qualified for state programs;
41 requiring REDI to establish a specified direct-support
42 organization; removing a provision requiring
43 alternates for REDI representatives to be sent to the
44 Secretary of Economic Opportunity; amending s.
45 288.1201, F.S.; requiring a specified percentage of
46 the State Economic Enhancement and Development Trust
47 Fund to be used for certain affordable housing
48 programs; creating s. 288.9941, F.S.; providing
49 legislative findings and intent related to small
50 businesses in rural counties and their ability to

51 access capital; creating s. 288.9942, F.S.; providing
52 definitions; creating s. 288.9943, F.S.; creating the
53 Florida Microfinance Corporation; providing purpose,
54 powers, and duties of the corporation; creating s.
55 288.9944, F.S.; requiring a board of directors of the
56 corporation; providing the membership, powers, and
57 duties of the board; creating s. 288.9945, F.S.;
58 requiring the board to appoint a president of the
59 corporation; providing the compensation, powers, and
60 duties of the president; creating s. 288.9946, F.S.;
61 requiring the board to adopt policies and bylaws
62 related to carrying out its responsibilities of
63 providing access to capital for small businesses;
64 creating s. 288.9947, F.S.; requiring the board to
65 create the Florida Microfinance Corporation Guarantee
66 Account to receive specified funds; specifying
67 purposes and uses of the account; specifying duties of
68 the board related to the account; creating s.
69 288.9948, F.S.; requiring the corporation to submit an
70 annual report to the Department of Economic
71 Opportunity by a specified date; providing
72 requirements for the report; amending ss. 290.0056 and
73 290.007, F.S.; conforming provisions and cross-
74 references; providing an effective date.
75

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

77

78 Section 1. Subsection (8) of section 166.231, Florida
79 Statutes, is amended to read:

80 166.231 Municipalities; public service tax.—

81 (8)(a) ~~Beginning July 1, 1995,~~ A municipality may by
82 ordinance exempt not less than 50 percent of the tax imposed
83 under this section on purchasers of electrical energy, natural
84 gas, or propane who are determined to be eligible for the
85 exemption provided by s. 212.08(15) by the Department of
86 Revenue. The exemption shall be administered as provided in that
87 section. A copy of any ordinance adopted pursuant to this
88 subsection shall be provided to the Department of Revenue not
89 less than 14 days before ~~prior to~~ its effective date.

90 ~~(b) If an area that is nominated as an enterprise zone~~
91 ~~pursuant to s. 290.0055 has not yet been designated pursuant to~~
92 ~~s. 290.0065, a municipality may enact an ordinance for such~~
93 ~~exemption; however, the ordinance shall not be effective until~~
94 ~~such area is designated pursuant to s. 290.0065.~~

95 ~~(c) This subsection expires on the date specified in s.~~
96 ~~290.016 for the expiration of the Florida Enterprise Zone Act,~~
97 ~~except that any qualified business that has satisfied the~~
98 ~~requirements of this subsection before that date shall be~~
99 ~~allowed the full benefit of the exemption allowed under this~~
100 ~~subsection as if this subsection had not expired on that date.~~

101 Section 2. Paragraph (g) of subsection (5) and subsection
 102 (15) of section 212.08, Florida Statutes, are amended to read:
 103 212.08 Sales, rental, use, consumption, distribution, and
 104 storage tax; specified exemptions.—The sale at retail, the
 105 rental, the use, the consumption, the distribution, and the
 106 storage to be used or consumed in this state of the following
 107 are hereby specifically exempt from the tax imposed by this
 108 chapter.

109 (5) EXEMPTIONS; ACCOUNT OF USE.—

110 (g) Building materials used in the rehabilitation of real
 111 property located in an opportunity ~~enterprise~~ zone.—

112 1. Building materials used in the rehabilitation of real
 113 property located in an opportunity ~~enterprise~~ zone are exempt
 114 from the tax imposed by this chapter upon an affirmative showing
 115 to the satisfaction of the department that the items have been
 116 used for the rehabilitation of real property located in an
 117 opportunity ~~enterprise~~ zone. Except as provided in subparagraph
 118 2., this exemption inures to the owner, lessee, or lessor at the
 119 time the real property is rehabilitated, but only through a
 120 refund of previously paid taxes. To receive a refund pursuant to
 121 this paragraph, the owner, lessee, or lessor of the
 122 rehabilitated real property must file an application under oath
 123 with the governing body ~~or enterprise zone development agency~~
 124 having jurisdiction over the opportunity ~~enterprise~~ zone where
 125 the business is located, as applicable. A single application for

126 a refund may be submitted for multiple, contiguous parcels that
127 were part of a single parcel that was divided as part of the
128 rehabilitation of the property. All other requirements of this
129 paragraph apply to each parcel on an individual basis. The
130 application must include:

131 a. The name and address of the person claiming the refund.
132 b. An address and assessment roll parcel number of the
133 rehabilitated real property for which a refund of previously
134 paid taxes is being sought.
135 c. A description of the improvements made to accomplish
136 the rehabilitation of the real property.
137 d. A copy of a valid building permit issued by the county
138 or municipal building department for the rehabilitation of the
139 real property.
140 e. A sworn statement, under penalty of perjury, from the
141 general contractor licensed in this state with whom the
142 applicant contracted to make the improvements necessary to
143 rehabilitate the real property, which lists the building
144 materials used to rehabilitate the real property, the actual
145 cost of the building materials, and the amount of sales tax paid
146 in this state on the building materials. If a general contractor
147 was not used, the applicant, not a general contractor, shall
148 make the sworn statement required by this sub-subparagraph.
149 Copies of the invoices that evidence the purchase of the
150 building materials used in the rehabilitation and the payment of

151 sales tax on the building materials must be attached to the
 152 sworn statement provided by the general contractor or by the
 153 applicant. Unless the actual cost of building materials used in
 154 the rehabilitation of real property and the payment of sales
 155 taxes is documented by a general contractor or by the applicant
 156 in this manner, the cost of the building materials is deemed to
 157 be an amount equal to 40 percent of the increase in assessed
 158 value for ad valorem tax purposes.

159 f. The identifying number assigned ~~pursuant to s. 290.0065~~
 160 to the opportunity ~~enterprise~~ zone in which the rehabilitated
 161 real property is located.

162 g. A certification by the local building code inspector
 163 that the improvements necessary to rehabilitate the real
 164 property are substantially completed.

165 h. A statement of whether the business is a small business
 166 as defined by the federal Small Business Administration s.
 167 ~~288.703.~~

168 ~~i. If applicable, the name and address of each permanent~~
 169 ~~employee of the business, including, for each employee who is a~~
 170 ~~resident of an enterprise zone, the identifying number assigned~~
 171 ~~pursuant to s. 290.0065 to the enterprise zone in which the~~
 172 ~~employee resides.~~

173 2. This exemption inures to a municipality, county, other
 174 governmental unit or agency, or nonprofit community-based
 175 organization through a refund of previously paid taxes if the

176 building materials used in the rehabilitation are paid for from
177 the funds of a community development block grant, State Housing
178 Initiatives Partnership Program, or similar grant or loan
179 program. To receive a refund, a municipality, county, other
180 governmental unit or agency, or nonprofit community-based
181 organization must file an application that includes the same
182 information required in subparagraph 1. In addition, the
183 application must include a sworn statement signed by the chief
184 executive officer of the municipality, county, other
185 governmental unit or agency, or nonprofit community-based
186 organization seeking a refund which states that the building
187 materials for which a refund is sought were funded by a
188 community development block grant, State Housing Initiatives
189 Partnership Program, or similar grant or loan program.

190 3. Within 10 working days after receipt of an application,
191 the governing body ~~or enterprise zone development agency~~ shall
192 review the application to determine if it contains all the
193 information required by subparagraph 1. or subparagraph 2. and
194 meets the criteria set out in this paragraph. The governing body
195 ~~or agency~~ shall certify all applications that contain the
196 required information and are eligible to receive a refund. ~~If~~
197 ~~applicable, the governing body or agency shall also certify if~~
198 ~~20 percent of the employees of the business are residents of an~~
199 ~~enterprise zone, excluding temporary and part-time employees.~~
200 ~~The certification must be in writing, and a copy of the~~

201 ~~certification shall be transmitted to the executive director of~~
202 ~~the department.~~ The applicant is responsible for forwarding a
203 certified application to the department within the time
204 specified in subparagraph 4.

205 4. An application for a refund must be submitted to the
206 department within 6 months after the rehabilitation of the
207 property is deemed to be substantially completed by the local
208 building code inspector or by November 1 after the rehabilitated
209 property is first subject to assessment.

210 5. Only one exemption through a refund of previously paid
211 taxes for the rehabilitation of real property is permitted for
212 any single parcel of property unless there is a change in
213 ownership, a new lessor, or a new lessee of the real property. A
214 refund may not be granted unless the amount to be refunded
215 exceeds \$500. A refund may not exceed the lesser of 97 percent
216 of the Florida sales or use tax paid on the cost of the building
217 materials used in the rehabilitation of the real property as
218 determined pursuant to sub-subparagraph 1.e. or \$7,500 ~~\$5,000,~~
219 ~~or, if at least 20 percent of the employees of the business are~~
220 ~~residents of an enterprise zone, excluding temporary and part-~~
221 ~~time employees, the amount of refund may not exceed the lesser~~
222 ~~of 97 percent of the sales tax paid on the cost of the building~~
223 ~~materials or \$10,000.~~ A refund shall be made within 30 days
224 after formal approval by the department of the application for
225 the refund.

226 6. The department shall adopt rules governing the manner
 227 and form of refund applications and may establish guidelines as
 228 to the requisites for an affirmative showing of qualification
 229 for exemption under this paragraph.

230 7. The department shall deduct an amount equal to 10
 231 percent of each refund granted under this paragraph from the
 232 amount transferred into the Local Government Half-cent Sales Tax
 233 Clearing Trust Fund pursuant to s. 212.20 for the county area in
 234 which the rehabilitated real property is located and shall
 235 transfer that amount to the General Revenue Fund.

236 8. For the purposes of the exemption provided in this
 237 paragraph, the term:

238 a. "Building materials" means tangible personal property
 239 that becomes a component part of improvements to real property.

240 b. "Real property" has the same meaning as provided in s.
 241 192.001(12), except that the term does not include a condominium
 242 parcel or condominium property as defined in s. 718.103.

243 c. "Rehabilitation of real property" means the
 244 reconstruction, renovation, restoration, rehabilitation,
 245 construction, or expansion of improvements to real property.

246 d. "Substantially completed" has the same meaning as
 247 provided in s. 192.042(1).

248 ~~9. This paragraph expires on the date specified in s.~~
 249 ~~290.016 for the expiration of the Florida Enterprise Zone Act.~~

250 (15) ~~ELECTRICAL~~ ENERGY USED IN AN OPPORTUNITY ~~ENTERPRISE~~

251 ZONE.—

252 (a) ~~Beginning July 1, 1995,~~ Charges for electrical energy,
253 natural gas, or propane used by a qualified business at a fixed
254 location in an opportunity ~~enterprise~~ zone in a municipality
255 which has enacted an ordinance pursuant to s. 166.231(8) which
256 provides for exemption of municipal utility taxes on such
257 businesses or in an opportunity ~~enterprise~~ zone jointly
258 authorized by a county and a municipality which has enacted an
259 ordinance pursuant to s. 166.231(8) which provides for exemption
260 of municipal utility taxes on such businesses shall receive an
261 exemption equal to 50 percent of the tax imposed by this
262 chapter, ~~or, if no less than 20 percent of the employees of the~~
263 ~~business are residents of an enterprise zone, excluding~~
264 ~~temporary and part-time employees, the exemption shall be equal~~
265 ~~to 100 percent of the tax imposed by this chapter.~~ A qualified
266 business may receive such exemption for a period of 5 years from
267 the billing period beginning not more than 30 days following
268 notification to the applicable utility company by the department
269 that an exemption has been authorized pursuant to this
270 subsection and s. 166.231(8).

271 (b) To receive this exemption, a business must file an
272 application, with the governing body ~~enterprise zone development~~
273 ~~agency~~ having jurisdiction over the opportunity ~~enterprise~~ zone
274 where the business is located, on a form provided by the
275 department for the purposes of this subsection and s.

276 166.231(8). The application shall be made under oath and shall
 277 include:

- 278 1. The name and location of the business.
- 279 2. The identifying number assigned ~~pursuant to s. 290.0065~~
 280 to the opportunity enterprise zone in which the business is
 281 located.
- 282 3. The date on which electrical, natural gas, or propane
 283 service is to be first initiated to the business.
- 284 4. The name and mailing address of the entity from which
 285 electrical energy, natural gas, or propane is to be purchased.
- 286 5. The date of the application.
- 287 6. The name of the city in which the business is located.
- 288 7. ~~If applicable, the name and address of each permanent~~
 289 ~~employee of the business including, for each employee who is a~~
 290 ~~resident of an enterprise zone, the identifying number assigned~~
 291 ~~pursuant to s. 290.0065 to the enterprise zone in which the~~
 292 ~~employee resides.~~

293 ~~8.~~ Whether the business is a small business as defined by
 294 the federal Small Business Administration ~~s. 288.703.~~

295 (c) Within 10 working days after receipt of an
 296 application, the governing body enterprise zone development
 297 ~~agency~~ shall review the application to determine if it contains
 298 all information required pursuant to paragraph (b) and meets the
 299 criteria set out in this subsection. The governing body agency
 300 shall certify all applications that contain the information

301 required pursuant to paragraph (b) and meet the criteria set out
302 in this subsection as eligible to receive an exemption. ~~If~~
303 ~~applicable, the agency shall also certify if 20 percent of the~~
304 ~~employees of the business are residents of an enterprise zone,~~
305 ~~excluding temporary and part-time employees. The certification~~
306 ~~shall be in writing, and a copy of the certification shall be~~
307 ~~transmitted to the executive director of the Department of~~
308 ~~Revenue.~~ The applicant shall be responsible for forwarding a
309 certified application to the department within 6 months after
310 the occurrence of the appropriate qualifying provision set out
311 in paragraph (f).

312 (d) If, in a subsequent audit conducted by the department,
313 it is determined that the business did not meet the criteria
314 mandated in this subsection, the amount of taxes exempted shall
315 immediately be due and payable to the department by the
316 business, together with the appropriate interest and penalty,
317 computed from the due date of each bill for the electrical
318 energy, natural gas, or propane purchased as exempt under this
319 subsection, in the manner prescribed by this chapter.

320 (e) The department shall adopt rules governing
321 applications for, issuance of, and the form of applications for
322 the exemption authorized in this subsection and provisions for
323 recapture of taxes exempted under this subsection, and the
324 department may establish guidelines as to qualifications for
325 exemption.

326 (f) For the purpose of the exemption provided in this
 327 subsection, the term "qualified business" means a business which
 328 is:

329 1. First occupying a new structure to which electrical,
 330 natural gas, or propane service, other than that used for
 331 construction purposes, has not been previously provided or
 332 furnished;

333 2. Newly occupying an existing, remodeled, renovated, or
 334 rehabilitated structure to which electrical, natural gas, or
 335 propane service, other than that used for remodeling,
 336 renovation, or rehabilitation of the structure, has not been
 337 provided or furnished in the three preceding billing periods; or

338 3. Occupying a new, remodeled, rebuilt, renovated, or
 339 rehabilitated structure for which a refund has been granted
 340 pursuant to paragraph (5) (g).

341 ~~(g) This subsection expires on the date specified in s.~~
 342 ~~290.016 for the expiration of the Florida Enterprise Zone Act,~~
 343 ~~except that:~~

344 ~~1. Paragraph (d) shall not expire; and~~

345 ~~2. Any qualified business which has been granted an~~
 346 ~~exemption under this subsection prior to that date shall be~~
 347 ~~allowed the full benefit of this exemption as if this subsection~~
 348 ~~had not expired on that date.~~

349 Section 3. Subsections (2) and (3) of section 212.098,
 350 Florida Statutes, are amended to read:

351 212.098 Rural Job Tax Credit Program.—

352 (2) A new eligible business may apply for a tax credit
 353 under this subsection once at any time during its first year of
 354 operation. A new eligible business in a qualified area that has
 355 ~~at least 10~~ qualified employees on the date of application shall
 356 receive a \$2,500 ~~\$1,000~~ tax credit for each such employee.

357 (3) An existing eligible business may apply for a tax
 358 credit under this subsection at any time it is entitled to such
 359 credit, except as restricted by this subsection. An existing
 360 eligible business with fewer than 50 employees in a qualified
 361 area that on the date of application has at least 10 ~~20~~ percent
 362 more qualified employees than it had 1 year before ~~prior to~~ its
 363 date of application shall receive a \$2,000 ~~\$1,000~~ tax credit for
 364 each such additional employee. An existing eligible business
 365 that has 50 employees or more in a qualified area that, on the
 366 date of application, has at least 5 ~~10~~ more qualified employees
 367 than it had 1 year before ~~prior to~~ its date of application shall
 368 receive a \$1,500 ~~\$1,000~~ tax credit for each additional employee.
 369 Any existing eligible business that received a credit under
 370 subsection (2) may not apply for the credit under this
 371 subsection sooner than 12 months after the application date for
 372 the credit under subsection (2).

373 Section 4. Paragraph (d) of subsection (1) of section
 374 288.018, Florida Statutes, is amended to read:

375 288.018 Regional Rural Development Grants Program.—

376 (1)
 377 (d) Grant funds received by a regional economic
 378 development organization must be matched each year by nonstate
 379 resources in an amount equal to 15 ~~25~~ percent of the state
 380 contribution.

381 Section 5. Paragraph (b) of subsection (3) of section
 382 288.019, Florida Statutes, is amended to read:

383 288.019 Rural considerations in grant review and
 384 evaluation processes.—Notwithstanding any other law, and to the
 385 fullest extent possible, the member agencies and organizations
 386 of the Rural Economic Development Initiative (REDI) as defined
 387 in s. 288.0656(6) (a) shall review all grant and loan application
 388 evaluation criteria to ensure the fullest access for rural
 389 counties as defined in s. 288.0656(2) to resources available
 390 throughout the state.

391 (3) Evaluation criteria and scoring procedures must
 392 recognize the disparity of available fiscal resources for an
 393 equal level of financial support from an urban county and a
 394 rural county.

395 (b) In-kind match should be allowed and applied as
 396 financial match ~~when a county is experiencing financial distress~~
 397 ~~through elevated unemployment at a rate in excess of the state's~~
 398 ~~average by 5 percentage points or because of the loss of its ad~~
 399 ~~valorem base.~~

400 Section 6. Subsection (4) of section 288.047, Florida

401 Statutes, is amended to read:

402 288.047 Quick-response training for economic development.—

403 (4) For the first 3 ~~6~~ months of each fiscal year,
 404 CareerSource Florida, Inc., shall set aside 30 percent of the
 405 amount appropriated by the Legislature for the Quick-Response
 406 Training Program to fund instructional programs for businesses
 407 located in a rural area of opportunity ~~an enterprise zone or~~
 408 ~~brownfield area~~. Any unencumbered funds remaining undisbursed
 409 from this set-aside at the end of the 3-month ~~6-month~~ period may
 410 be used to provide funding for a program that qualifies for
 411 funding pursuant to this section.

412 Section 7. Paragraph (c) of subsection (2) of section
 413 288.065, Florida Statutes, is amended to read:

414 288.065 Rural Community Development Revolving Loan Fund.—

415 (2)

416 (c) All repayments of principal and interest shall be
 417 returned to the loan fund and made available for loans to other
 418 applicants. However, in a rural area of opportunity designated
 419 by the Governor, and upon approval by the department, repayments
 420 of principal and interest may be retained by the applicant if
 421 such repayments are dedicated ~~and matched~~ to fund regionally
 422 based economic development organizations representing the rural
 423 area of opportunity.

424 Section 8. Subsection (1), paragraphs (b), (c), and (e) of
 425 subsection (2), and subsection (3) of section 288.0655, Florida

426 Statutes, are amended to read:

427 288.0655 Rural Infrastructure Fund.—

428 (1) There is created within the department the Rural
 429 Infrastructure Fund to facilitate the planning, preparing, and
 430 financing of infrastructure ~~projects~~ in rural communities which
 431 will encourage job creation, capital investment, and the
 432 strengthening and diversification of rural economies by
 433 promoting tourism, trade, and economic development.

434 (2)

435 (b) To facilitate access of rural communities and rural
 436 areas of opportunity as defined by the Rural Economic
 437 Development Initiative to infrastructure funding programs of the
 438 Federal Government, such as those offered by the United States
 439 Department of Agriculture and the United States Department of
 440 Commerce, and state programs, including those offered by Rural
 441 Economic Development Initiative agencies, and to facilitate
 442 local government or private infrastructure funding efforts, the
 443 department may award grants for up to 75 ~~50~~ percent of the total
 444 infrastructure ~~project~~ cost. ~~Eligible projects must be related~~
 445 ~~to specific job creation or job retention opportunities.~~
 446 Eligible uses of funds ~~projects~~ may also include improving any
 447 inadequate infrastructure that has resulted in regulatory action
 448 that prohibits economic or community growth, reducing the costs
 449 to community users of proposed infrastructure improvements that
 450 exceed such costs in comparable communities, and improving

451 access to and the availability of broadband Internet service.
452 Eligible uses of funds shall include improvements to public
453 infrastructure for industrial or commercial sites, upgrades to
454 or development of public tourism infrastructure, and
455 improvements to broadband Internet service and access in
456 unserved or underserved rural communities. Improvements to
457 broadband Internet service and access must be conducted through
458 a partnership or partnerships with one or more dealers, as
459 defined in s. 202.11(2), and the partnership or partnerships
460 must be established through a competitive selection process that
461 is publicly noticed. Authorized infrastructure may include the
462 following public or public-private partnership facilities: storm
463 water systems; telecommunications facilities; broadband
464 facilities; roads or other remedies to transportation
465 impediments; nature-based tourism facilities; or other physical
466 requirements necessary to facilitate tourism, trade, and
467 economic development activities in the community. Authorized
468 infrastructure may also include publicly or privately owned
469 self-powered nature-based tourism facilities, publicly owned
470 telecommunications facilities, and broadband facilities, and
471 additions to the distribution facilities of the existing natural
472 gas utility as defined in s. 366.04(3)(c), the existing electric
473 utility as defined in s. 366.02, or the existing water or
474 wastewater utility as defined in s. 367.021(12), or any other
475 existing water or wastewater facility, which owns a gas or

476 electric distribution system or a water or wastewater system in
 477 this state where:

478 1. A contribution-in-aid of construction is required to
 479 serve public or public-private partnership facilities under the
 480 tariffs of any natural gas, electric, water, or wastewater
 481 utility as defined herein; and

482 2. Such utilities as defined herein are willing and able
 483 to provide such service.

484 (c) ~~To facilitate timely response and induce the location~~
 485 ~~or expansion of specific job creating opportunities,~~ The
 486 department may award grants of up to \$300,000 for infrastructure
 487 feasibility studies, design and engineering activities, or other
 488 infrastructure planning and preparation activities. ~~Authorized~~
 489 ~~grants shall be up to \$50,000 for an employment project with a~~
 490 ~~business committed to create at least 100 jobs; up to \$150,000~~
 491 ~~for an employment project with a business committed to create at~~
 492 ~~least 300 jobs; and up to \$300,000 for a project in a rural area~~
 493 ~~of opportunity.~~ Grants awarded under this paragraph may be used
 494 in conjunction with grants awarded under paragraph (b), ~~provided~~
 495 ~~that the total amount of both grants does not exceed 30 percent~~
 496 ~~of the total project cost.~~ In evaluating applications under this
 497 paragraph, the department shall consider the extent to which the
 498 application seeks to minimize administrative and consultant
 499 expenses.

500 (e) To enable local governments to access the resources

501 available pursuant to s. 403.973(18), the department may award
502 grants for surveys, feasibility studies, and other activities
503 related to the identification and preclearance review of land
504 which is suitable for preclearance review. Authorized grants
505 under this paragraph do not require a local match and may not
506 exceed \$75,000 each, except in the case of a project in a rural
507 area of opportunity, in which case the grant may not exceed
508 \$300,000. ~~Any funds awarded under this paragraph must be matched~~
509 ~~at a level of 50 percent with local funds, except that any funds~~
510 ~~awarded for a project in a rural area of opportunity must be~~
511 ~~matched at a level of 33 percent with local funds. If an~~
512 ~~application for funding is for a catalyst site, as defined in s.~~
513 ~~288.0656, the requirement for local match may be waived pursuant~~
514 ~~to the process in s. 288.06561.~~ In evaluating applications under
515 this paragraph, the department shall consider the extent to
516 which the application seeks to minimize administrative and
517 consultant expenses.

518 (3) The department, in consultation with Enterprise
519 Florida, Inc., the Florida Tourism Industry Marketing
520 Corporation, the Department of Environmental Protection, and the
521 Florida Fish and Wildlife Conservation Commission, as
522 appropriate, shall review and certify applications pursuant to
523 s. 288.061. The review shall include an evaluation of the
524 economic benefit ~~of the projects and their~~ long-term viability.
525 The department shall have final approval for any grant under

526 | this section.

527 | Section 9. Subsections (1), (4), and (5), paragraph (a) of
528 | subsection (6), and paragraph (d) of subsection (8) of section
529 | 288.0656, Florida Statutes, are amended to read:

530 | 288.0656 Rural Economic Development Initiative.—

531 | (1)(a) Recognizing that rural communities and regions
532 | continue to face extraordinary challenges in their efforts to
533 | significantly improve their economies, specifically in terms of
534 | personal income, job creation, average wages, and strong tax
535 | bases, it is the intent of the Legislature to encourage and
536 | facilitate ~~the location and expansion of major~~ economic
537 | development ~~projects of significant scale~~ in such rural
538 | communities.

539 | (b) The Rural Economic Development Initiative, known as
540 | "REDI," is created within the department, and the participation
541 | of state and regional agencies in this initiative is authorized.
542 | In order to facilitate REDI review of rural communities and
543 | regions, the department shall collect data, at least annually,
544 | and report on state programs and their utilization and success
545 | or lack thereof in rural communities or rural areas of
546 | opportunity. The department shall use existing state agency data
547 | when possible.

548 | (4) Beginning October 1, 2022, REDI shall review and
549 | evaluate biannually the impact of statutes and rules on rural
550 | communities and shall work to minimize any adverse impact and

551 undertake outreach and capacity-building efforts. Upon the
552 request of a rural community or rural area of opportunity, REDI
553 shall review a department determination regarding using state
554 programs and whether a business qualifies to use state programs.
555 REDI may override a department determination that a business is
556 not qualified to use state programs, and the department must
557 accept such decision.

558 (5) Each REDI agency shall facilitate better access to
559 state resources for rural communities by providing a designated
560 agency contract for ~~promoting~~ direct access and ~~referrals to~~
561 ~~appropriate state and regional agencies and statewide~~
562 ~~organizations.~~ REDI may undertake outreach, capacity-building,
563 and other advocacy efforts to improve conditions in rural
564 communities. These activities may include sponsorship of
565 conferences and achievement awards. REDI shall establish,
566 through the department, a direct-support organization to provide
567 such sponsorships and may raise private funds for such
568 activities.

569 (6) (a) By August 1 of each year, the head of each of the
570 following agencies and organizations shall designate a deputy
571 secretary or higher-level staff person from within the agency or
572 organization to serve as the REDI representative for the agency
573 or organization:

- 574 1. The Department of Transportation.
575 2. The Department of Environmental Protection.

- 576 | 3. The Department of Agriculture and Consumer Services.
- 577 | 4. The Department of State.
- 578 | 5. The Department of Health.
- 579 | 6. The Department of Children and Families.
- 580 | 7. The Department of Corrections.
- 581 | 8. The Department of Education.
- 582 | 9. The Department of Juvenile Justice.
- 583 | 10. The Fish and Wildlife Conservation Commission.
- 584 | 11. Each water management district.
- 585 | 12. Enterprise Florida, Inc.
- 586 | 13. CareerSource Florida, Inc.
- 587 | 14. VISIT Florida.
- 588 | 15. The Florida Regional Planning Council Association.
- 589 | 16. The Agency for Health Care Administration.
- 590 | 17. The Institute of Food and Agricultural Sciences
- 591 | (IFAS).

592 |

593 | ~~An alternate for each designee shall also be chosen, and the~~

594 | ~~names of the designees and alternates shall be sent to the~~

595 | ~~Secretary of Economic Opportunity.~~

596 | (8) REDI shall submit a report to the department on all

597 | REDI activities for the previous fiscal year as a supplement to

598 | the department's annual report required under s. 20.60. This

599 | supplementary report must include:

600 | (d) Recommendations based on the review and evaluation of

601 state programs and recommendations on statutes and rules having
 602 an adverse impact on rural communities and proposals to mitigate
 603 such adverse impacts.

604 Section 10. Paragraph (b) of subsection (1) of section
 605 288.1201, Florida Statutes, is amended to read:

606 288.1201 State Economic Enhancement and Development Trust
 607 Fund.—

608 (1) There is created within the Department of Economic
 609 Opportunity the State Economic Enhancement and Development Trust
 610 Fund. Moneys deposited in the trust fund shall be used for
 611 infrastructure and job creation opportunities and for the
 612 following purposes or programs:

613 (b) Affordable housing programs and projects in accordance
 614 with chapter 420, of which at least 10 percent of the funds
 615 must be used for affordable housing programs in rural
 616 communities;

617 Section 11. Section 288.9941, Florida Statutes, is created
 618 to read:

619 288.9941 Legislative findings and intent.—

620 (1) The Legislature finds that while it is vital to the
 621 overall health and growth of rural Florida's economy that small
 622 businesses located in rural communities have access to capital,
 623 that access is severely restricted by the lack of availability
 624 of information and technical and financial assistance for those
 625 small businesses.

626 (2) The Legislature further finds that small businesses
 627 located in rural communities can be assisted through the
 628 establishment of a Florida Microfinance Corporation designed to
 629 work with the federal Small Business Administration and other
 630 federal, state, local, and private agencies and institutions to
 631 provide small businesses with information and technical and
 632 financial assistance.

633 (3) It is the intent of the Legislature to expand job
 634 opportunities for Florida's workforce.

635 (4) Furthermore, it is the intent of the Legislature to
 636 avoid duplicating existing programs and to coordinate, assist,
 637 augment, and improve the access to existing programs by small
 638 businesses located in rural communities.

639 Section 12. Section 288.9942, Florida Statutes, is created
 640 to read:

641 288.9942 Definitions.—For purposes of ss. 288.9943-
 642 288.9948, the term:

643 (1) "Account" means the Florida Microfinance Corporation
 644 Guarantee Account.

645 (2) "Applicant" means a small business requesting the
 646 assistance of the corporation through the corporation's program.

647 (3) "Board" means the board of directors of the
 648 corporation.

649 (4) "Corporation" means the Florida Microfinance
 650 Corporation.

651 (5) "Department" means the Department of Economic
 652 Opportunity.

653 (6) "Financial institution" has the same meaning as in s.
 654 655.005(1).

655 (7) "President" means the chief executive officer of the
 656 corporation.

657 (8) "Small business" or "business" means any business,
 658 regardless of corporate structure, that is domiciled in the
 659 state, is located in a rural community as defined in s.
 660 288.0656(2), employs fewer than 25 people, and has a net worth
 661 of less than \$6 million. As used in this subsection, the term
 662 "domiciled in the state" means authorized to do business in the
 663 state.

664 Section 13. Section 288.9943, Florida Statutes, is created
 665 to read:

666 288.9943 Florida Microfinance Corporation.—

667 (1) The Florida Microfinance Corporation is created as a
 668 nonprofit corporation under chapter 617 and must be organized on
 669 a nonstock basis.

670 (2) The purpose of the corporation is to expand employment
 671 and income opportunities for residents in rural communities by:

672 (a) Increasing small businesses' access to capital.

673 (b) Providing small businesses with information and
 674 technical assistance relating to business and financing
 675 opportunities and business techniques.

676 (c) Providing small businesses with financial assistance
677 through loan guarantees, direct loans, and other supporting
678 investments.

679 (3) The corporation must create a program to:

680 (a) Provide small businesses with access to capital to
681 increase job opportunities and productivity.

682 (b) Coordinate its efforts with programs and goals of the
683 federal Small Business Administration and other federal or state
684 agencies and private organizations designed to provide technical
685 assistance and access to capital to small businesses.

686 (c) Establish a network of contacts among public and
687 private organizations to provide information, technical
688 assistance, and access to capital to small businesses.

689 (d) Assemble, publish, and disseminate information to
690 provide small businesses with access to capital, technical
691 assistance, and sources of public and private financial
692 assistance.

693 (e) Organize and host seminars to provide technical
694 assistance to small businesses.

695 (f) Insure, coinsure, lend, guarantee loans, make
696 investments, offer microloans, and originate for sale microloans
697 extended to small businesses pursuant to criteria set forth in
698 bylaws and policies adopted by the board.

699 (4) The corporation may charge fees, as determined by the
700 board, to defray the operating expenses of the program. The

701 financial operations of the corporation must be managed to
 702 promote financial self-sufficiency for the corporation.

703 (5) In determining the total amount of funds to be
 704 released from the account for loans, guarantees, investments,
 705 direct loan originations for sale, and insured transactions, the
 706 corporation may not release more than four times the amount of
 707 the balance of the account.

708 Section 14. Section 288.9944, Florida Statutes, is created
 709 to read:

710 288.9944 Board of directors; powers; duties.-

711 (1) (a) The corporation shall have a board of directors
 712 consisting of 10 members representing various geographic areas
 713 of the state. Minority and gender representation shall be
 714 considered when making appointments to the board. At least one-
 715 third of the members must have experience in direct lending to
 716 small businesses. The board membership must include:

717 1. The president or chief executive officer of a statewide
 718 economic development lender with experience in direct lending to
 719 small businesses, appointed by the Governor.

720 2. The president or chief executive officer of two small
 721 businesses from rural communities, appointed by the Governor.

722 3. The president or chief executive officer of a statewide
 723 entity devoted to providing assistance to small businesses,
 724 appointed by the Governor.

725 4. Seven other members, appointed by the board.

726 (b) Board members shall serve 4-year terms and shall be
727 eligible for reappointment. Vacancies on the board shall be
728 filled by the board within 30 days after the effective date of
729 the vacancy.

730 (c) Board members shall serve without compensation but may
731 be reimbursed for all necessary expenses in the performance of
732 their duties, including attending board meetings and conducting
733 board business.

734 (d) The board shall hold regularly scheduled meetings, at
735 least quarterly, to carry out the objectives and
736 responsibilities of the corporation.

737 (2)(a) The board must develop an application and review
738 process for small businesses to use in applying for insurance,
739 coinsurance, loans, loan guarantees, investments, or direct loan
740 originations for sale.

741 (b) The board must approve any extension of insurance,
742 coinsurance, loans, loan guarantees, investments, or direct loan
743 originations for sale that is made under this part if an
744 applicant meets the criteria established by the board.

745 (3) The board must ensure that the program it establishes,
746 to the extent practicable, is not duplicative of existing,
747 complementary programs and makes full use of the resources of
748 those other programs.

749 (4) The board must work to secure delegated authority from
750 appropriate federal or state agencies and private organizations

751 in order to take advantage of other sources of assistance for
752 small businesses.

753 Section 15. Section 288.9945, Florida Statutes, is created
754 to read:

755 288.9945 President of the corporation; powers; duties.-

756 (1) The board shall appoint a president of the
757 corporation. The president must be knowledgeable of public and
758 private small business financial assistance programs.

759 (2) The president serves at the pleasure of the board and
760 shall receive a salary and benefits as shall be fixed by the
761 board.

762 (3) The president shall administer the program of the
763 corporation and perform such duties as shall be delegated by the
764 board.

765 (4) The president may, upon approval of the board:

766 (a) Contract for services.

767 (b) Hold public hearings.

768 (c) Call upon and reimburse any state agency or department
769 for services rendered in assisting or carrying out the program.

770 (d) Participate in public and private programs that offer
771 technical assistance, loans, technology transfer, or any other
772 related services

773 (e) Undertake or commission studies on methods to increase
774 financial assistance resources available to small businesses.

775 (f) Hire staff and provide small business finance training

776 for the staff and other individuals involved in small business
777 financial assistance, including such training sessions as may be
778 provided by the federal Small Business Administration and other
779 federal or state agencies and private organizations.

780 (g) Exercise any other powers as may be necessary to carry
781 out the purposes of this part.

782 (5) The president shall provide staff to the board as
783 requested.

784 (6) The president must submit an annual budget to be
785 approved by the board.

786 Section 16. Section 288.9946, Florida Statutes, is created
787 to read:

788 288.9946 Board policies and bylaws.—The board shall adopt:

789 (1) Policies and bylaws necessary to carry out its
790 responsibilities relating to the implementation of the
791 corporation's program to insure, coinsure, lend, invest, provide
792 loan guarantees, and make direct, guaranteed, or collateralized
793 loans to small businesses before the corporation releases funds
794 from the account.

795 (2) Policies to establish eligibility criteria for small
796 businesses to receive assistance from the corporation, including
797 policies to:

798 (a) Ensure that an individual signing on behalf of an
799 applicant has equity in the applicant.

800 (b) Ensure that the program exclusively supports small

801 businesses and that a small business's funding from the
802 corporation remains unaffected if the small business changes its
803 name or experiences personnel changes.

804 (c) Ensure the full repayment of loans and loan
805 guarantees, plus accrued interest, full-recourse claims, and
806 indemnities on direct loan originations sold by the corporation,
807 appropriate liquidation of any investments, and the solvency of
808 any insurance and coinsurance program extended under this part.

809 (d) Establish the terms and limits for loans, guarantees,
810 investments, and direct loan originations. However, a loan
811 guarantee may not exceed 90 percent of the guaranteed loan, and
812 outstanding direct loans or investments may not exceed \$50,000
813 per small business.

814 (e) Ensure that small businesses receiving assistance
815 through the program do not receive more than \$100,000 in funds
816 over any 5-year period. On a case-by-case basis, the board may
817 exempt small businesses from this limitation if the small
818 business demonstrates that it cannot secure financing from other
819 sources.

820 Section 17. Section 288.9947, Florida Statutes, is created
821 to read:

822 288.9947 Florida Microfinance Corporation Guarantee
823 Account.—

824 (1) The board shall create the Florida Microfinance
825 Corporation Guarantee Account to receive federal, state, and

826 private financial resources, to receive returns from loans or
827 investments previously granted or issued, and for other purposes
828 consistent with this part. The account is under the exclusive
829 control of the board.

830 (2) Funds in the account shall be allocated for operating
831 expenses of the corporation and for other purposes authorized in
832 this part.

833 (3) All funds for the corporation shall be deposited into
834 the account.

835 (a) The board may deposit a portion of the funds in the
836 account with the state or any state or federally chartered
837 financial institution in the state and may invest the remaining
838 portion in permissible securities.

839 (b) At all times, the board must attempt to maximize the
840 returns on funds.

841 (c) The board must redeposit into the account all funds it
842 receives from any activity of the corporation, which must be
843 reallocated exclusively to support the purposes of this part.

844 (4) Claims against the account shall be paid solely from
845 the account. The credit of the state may not be pledged, other
846 than funds appropriated by law to the account, and the state is
847 not liable or obligated in any way for claims on the account or
848 against the corporation.

849 Section 18. Section 288.9948, Florida Statutes, is created
850 to read:

851 288.9948 Annual report.—By March 31 of each year, the
 852 corporation shall submit an annual report to the department that
 853 evaluates the activities of the corporation and makes
 854 recommendations for changes. The report must also include the
 855 corporation's impact on the following:

856 (1) Participation of financial institutions and other
 857 private organizations and individuals in the corporation's small
 858 business financing program.

859 (2) The success of small businesses in the state in
 860 accessing federal financing programs.

861 (3) A summary of the financial and employment results of
 862 small businesses that utilize the corporation's program.

863 (4) The corporation's assets and liabilities at the end of
 864 its most recent fiscal year.

865 (5) Other economic and social benefits provided by the
 866 corporation.

867 Section 19. Paragraph (a) of subsection (9) of section
 868 290.0056, Florida Statutes, is amended to read:

869 290.0056 Enterprise zone development agency.—

870 (9) The following powers and responsibilities shall be
 871 performed by the governing body creating the enterprise zone
 872 development agency acting as the managing agent of the
 873 enterprise zone development agency, or, contingent upon approval
 874 by such governing body, such powers and responsibilities shall
 875 be performed by the enterprise zone development agency:

876 (a) To review, process, and certify applications for state
 877 enterprise zone tax incentives pursuant to ss. 212.08(5) ~~(g)~~,
 878 (h) ~~τ~~ and (15) τ 212.096, τ 220.181, τ and 220.182.

879 Section 20. Section 290.007, Florida Statutes, is amended
 880 to read:

881 290.007 State incentives available in enterprise and
 882 opportunity zones.—The following incentives are provided by the
 883 state to encourage the revitalization of enterprise and
 884 opportunity zones:

885 (1) The enterprise zone jobs credit provided in s.
 886 220.181.

887 (2) The enterprise zone property tax credit provided in s.
 888 220.182.

889 (3) The community contribution tax credits provided in ss.
 890 212.08, 220.183, and 624.5105.

891 (4) The sales tax exemption for building materials used in
 892 the rehabilitation of real property in opportunity ~~enterprise~~
 893 zones provided in s. 212.08(5)(g).

894 (5) The sales tax exemption for business equipment used in
 895 an enterprise zone provided in s. 212.08(5)(h).

896 (6) The sales tax exemption for electrical energy, natural
 897 gas, or propane used in an opportunity ~~enterprise~~ zone provided
 898 in s. 212.08(15).

899 (7) The enterprise zone jobs credit against the sales tax
 900 provided in s. 212.096.

901 (8) Notwithstanding any law to the contrary, the Public
902 Service Commission may allow public utilities and
903 telecommunications companies to grant discounts of up to 50
904 percent on tariffed rates for services to small businesses
905 located in an enterprise zone designated pursuant to s.
906 290.0065. Such discounts may be granted for a period not to
907 exceed 5 years. For purposes of this subsection, the term
908 "public utility" has the same meaning as in s. 366.02(1) and the
909 term "telecommunications company" has the same meaning as in s.
910 364.02(13).

911 Section 21. This act shall take effect July 1, 2022.