By the Fiscal Responsibility Council and Representatives
Davis, Haridopolos, Allen, Needelman and Kosmas

1   A bill to be entitled
2   An act relating to the qualified defense
3   contractor tax refund program; amending s.
4   288.1045, F.S.; revising a definition; revising
5   a qualification criterion; providing an
6   effective date.
7
8   Be It Enacted by the Legislature of the State of Florida:
9
10   Section 1. Paragraph (e) of subsection (1) and
11   paragraph (e) of subsection (3) of section 288.1045, Florida
12   Statutes, are amended to read:
13   288.1045 Qualified defense contractor tax refund
14   program.--
15   (1) DEFINITIONS.--As used in this section:
16   (e) "Department of Defense contract" means a
17   competitively bid Department of Defense contract or
18   subcontract or a competitively bid federal agency contract or
19   subcontract issued on behalf of the Department of Defense for
20   manufacturing, assembling, fabricating, research, development,
21   or design with a duration of 2 or more years, but excluding
22   any contract to provide goods, improvements to real or
23   tangible property, or services directly to or for any
24   particular military base or installation in this state. The
25   term includes contracts or subcontracts for products or
26   services for military use which contracts or subcontracts are
27   approved by the United States Department of Defense, the
28   United States Department of State, or the United States Coast
29   Guard.
30   (3) APPLICATION PROCESS; REQUIREMENTS; AGENCY
31   DETERMINATION.--

                              1

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1   (e) To qualify for review by the office, the
2   application of an applicant must, at a minimum, establish the
3   following to the satisfaction of the office:
4   1. The jobs proposed to be provided under the
5   application, pursuant to subparagraph (b)6. or subparagraph
6   (c)6., must pay an estimated annual average wage equaling at
7   least 115 percent of the average wage in the area where the
8   project is to be located.
9   2. The consolidation of a Department of Defense
10   contract must result in a net increase of at least 25 percent
11   in the number of jobs at the applicant's facilities in this
12   state or the addition of at least 80 jobs at the applicant's
13   facilities in this state.
14   3. The conversion of defense production jobs to
15   nondefense production jobs must result in net increases in
16   nondefense employment at the applicant's facilities in this
17   state.
18   4. The Department of Defense contract cannot allow the
19   business to include the costs of relocation or retooling in
20   its base as allowable costs under a cost-plus, or similar,
21   contract.
22   5. A business unit of the applicant must have derived
23   not less than 60 70 percent of its gross receipts in this
24   state from Department of Defense contracts over the
25   applicant's last fiscal year, and must have derived not less
26   than an average of 60 80 percent of its gross receipts in this
27   state from Department of Defense contracts over the 5 years
28   preceding the date an application is submitted pursuant to
29   this section. This subparagraph does not apply to any
30   application for certification based on a contract for reuse of
31   a defense-related facility.

1   6.   The reuse of a defense-related facility must result
2 in the creation of at least 100 jobs at such facility.
3   Section 2.   This act shall take effect upon becoming a
4 law.
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.