

1 A bill to be entitled
2 An act relating to enterprise zones; creating s.
3 290.201, F.S.; providing a short title; creating s.
4 290.203, F.S.; providing definitions for the Urban Job
5 Creation Investment Act; creating s. 290.205, F.S.;
6 creating the Florida Urban Investment Job Creation
7 Authority; providing for the authority's membership
8 and duties; requiring the authority to submit annual
9 reports and a fiscal impact study of each enterprise
10 program zone to specified officers and agencies;
11 creating s. 290.207, F.S.; creating a zone development
12 corporation for each enterprise program zone;
13 providing for the corporations' membership, officers,
14 and duties; requiring that certificates of appointment
15 be filed with the respective county or municipal
16 clerk; authorizing reimbursement of travel expenses
17 for board members; providing for employees and legal
18 services of zone development corporations; requiring
19 zone development corporations to submit annual reports
20 to specified officers and agencies; creating s.
21 290.209, F.S.; providing for the designation of
22 enterprise program zones; authorizing the authority to
23 periodically amend the boundary of an enterprise
24 program zone; requiring the authority to consider
25 certain factors when designating or amending zone
26 boundaries; creating s. 290.211, F.S.; specifying the
27 qualifications for businesses to receive state
28 enterprise program zone incentives; creating s.

29 | 290.213, F.S.; establishing enterprise program zone
30 | assistance funds; authorizing certain state incentives
31 | for the projects of qualified businesses; providing
32 | for project applications and the approval of projects;
33 | authorizing zone development corporations to use loan
34 | repayments and collected interest for specified
35 | purposes; providing that unexpended appropriations are
36 | to be retained in the Economic Development Trust Fund
37 | at the end of the fiscal year; authorizing
38 | administrative fees for zone development corporations;
39 | creating s. 290.215, F.S.; authorizing certain tax
40 | credits, exemptions from unemployment contributions,
41 | and other state incentives for qualified businesses;
42 | limiting the amount of available incentives in any
43 | fiscal year; providing for the carryforward of unused
44 | incentives; providing for the allocation of certain
45 | appropriations among zone development corporations;
46 | creating s. 290.217, F.S.; requiring the Office of
47 | Program Policy Analysis and Government Accountability
48 | to submit a report evaluating the Urban Job Creation
49 | and Investment Act to the Governor and Legislature;
50 | creating s. 290.219, F.S.; providing for expiration of
51 | the Urban Job Creation Investment Act; abolishing
52 | designated enterprise program zones; creating s.
53 | 212.0965, F.S.; reducing the rate of tax on sales and
54 | transactions conducted in enterprise program zones;
55 | creating ss. 212.0967 and 220.1815, F.S.; authorizing
56 | certain tax credits against the sales tax and

57 corporate income tax for qualified businesses located
58 in enterprise program zones; providing for application
59 and certification of tax credits; providing for
60 carryforward of unused corporate income tax credits;
61 providing for expiration of tax credits; amending s.
62 220.02, F.S.; revising legislative intent for the
63 order of applying corporate income tax credits;
64 amending s. 443.1217, F.S.; exempting wages paid by
65 qualified businesses to certain employees from
66 unemployment contributions; amending s. 290.016, F.S.;
67 revising the effective date of the repeal of the
68 Florida Enterprise Zone Act; reenacting ss.
69 166.231(8)(c), 193.077(4), 193.085(5)(b),
70 195.073(4)(b), 195.099(1)(b), 196.012(19), 205.022(4),
71 205.054(6), 212.02(6), 212.08(5)(g), 212.096(12),
72 220.02(6)(c) and (7)(c), 220.03(1), 220.13(1)(a),
73 220.181(9), and 220.182(14), F.S., relating to an
74 exemption from the public service tax, certain duties
75 of property appraisers and the Department of Revenue
76 with respect to property acquired for a new business
77 or a business expansion or restoration, definition of
78 the term "enterprise zone" for purposes of property
79 tax exemptions for homesteads, local business taxes,
80 and the sales and use tax, exemptions from local
81 business taxes and the sales and use tax, and
82 legislative intent, definitions, and tax credits for
83 the corporate income tax, to incorporate the amendment
84 to s. 290.016, F.S., in references thereto; providing

85 | an effective date.

86 |

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

88 |

89 | Section 1. Section 290.201, Florida Statutes, is created
 90 | to read:

91 | 290.201 Short title.—Sections 290.201-290.219 may be cited
 92 | as the "Urban Job Creation Investment Act."

93 | Section 2. Section 290.203, Florida Statutes, is created
 94 | to read:

95 | 290.203 Definitions.—As used in ss. 290.201-290.219, the
 96 | term:

97 | (1) "Authority" means the Florida Urban Investment Job
 98 | Creation Authority created under s. 290.205.

99 | (2) "Authorized local economic development agency" means a
 100 | public or private entity, including an economic development
 101 | agency as defined in s. 288.075, authorized by a county or
 102 | municipality to promote the general business or industrial
 103 | interests of the county or municipality.

104 | (3) "Business" has the same meaning as provided in s.
 105 | 212.02.

106 | (4) "Emergency" means occurrence of widespread or severe
 107 | damage, injury, or loss of life or property proclaimed under s.
 108 | 14.022 or declared under s. 252.36.

109 | (5) "Enterprise program zone" means an urban
 110 | revitalization zone designated under s. 290.209 which is located
 111 | in a legacy enterprise zone or federally designated empowerment
 112 | zone.

113 (6) "Enterprise program zone assistance fund" means a
114 program that provides loans, loan guarantees, loan-loss
115 reserves, or investments for projects of qualified businesses as
116 provided in s. 290.213.

117 (7) "Expansion of an existing business" means the
118 expansion of an existing business located in an enterprise
119 program zone by or through additions to real and personal
120 property, resulting in a net increase in employment of at least
121 10 percent at such business.

122 (8) "Federally designated empowerment zone" means a
123 geographic area of the state designated by the Federal
124 Government as an empowerment zone under the Federal Empowerment
125 Zone Program as defined in s. 290.0491.

126 (9) "Florida Enterprise Zone Act" has the same meaning as
127 provided in s. 290.001.

128 (10) "Legacy enterprise zone" means an enterprise zone
129 designated under the Florida Enterprise Zone Act.

130 (11) "New business" means a business that applies for
131 state incentives under ss. 290.201-290.219 before beginning
132 operations in an enterprise program zone and that is a legal
133 entity separate from any other commercial or industrial
134 operation owned by the same business.

135 (12) "Project" means the creation of a new business, or
136 the expansion or rebuilding of an existing business, located in
137 an enterprise program zone.

138 (13) "Qualified business" means a business that meets the
139 qualifications under s. 290.211 to receive assistance and state
140 incentives under ss. 290.213 and 290.215.

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141 (14) "Rebuilding of an existing business" means
142 replacement or restoration of real or tangible property
143 destroyed or damaged during an emergency in an enterprise
144 program zone by a business located in the zone.

145 (15) "Zone development corporation" means a corporation
146 not for profit created under s. 290.207 to administer an
147 enterprise program zone.

148 Section 3. Section 290.205, Florida Statutes, is created
149 to read:

150 290.205 Florida Urban Investment Job Creation Authority;
151 creation; membership and duties.-

152 (1) There is created within the Department of Economic
153 Opportunity the Florida Urban Investment Job Creation Authority.
154 The authority shall be composed of the following 11 members:

155 (a) Five public-sector members, who shall be appointed by
156 the Governor, at least three of whom must be employed or reside
157 in an enterprise program zone or, for the initial members, in a
158 legacy enterprise zone or federally designated empowerment zone.
159 The Governor may not appoint more than three public-sector
160 members of the same political party affiliation. Public-sector
161 members shall be appointed to terms of 4 years, except that the
162 Governor, to establish staggered terms, may appoint members to
163 initial terms of less than 4 years. The Governor shall fill the
164 vacancy of a public-sector member for the unexpired portion of
165 the member's term in the same manner as the original
166 appointment.

167 (b) One business owner, who shall be appointed by the
168 Governor, whose principal place of business is located in an

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169 enterprise program zone or, for the initial member, in a legacy
170 enterprise zone or federally designated empowerment zone.

171 (c) The Chief Financial Officer of the state or his or her
172 designee.

173 (d) The executive director of the department or his or her
174 designee.

175 (e) The president of Enterprise Florida, Inc., or his or
176 her designee.

177 (f) One member, who shall be appointed by the President of
178 the Senate, and one member, who shall be appointed by the
179 Speaker of the House of Representatives. Both members must have
180 training and experience in local government, finance, economic
181 development, or redevelopment or participate in volunteer,
182 civic, or community organizations.

183 (2) Each member shall hold office until his or her
184 successor is appointed and qualified, unless the member ceases
185 to be qualified or is removed from office.

186 (3) The department shall provide administrative and staff
187 support services for the authority.

188 (4) The authority shall:

189 (a) Designate enterprise program zones pursuant to s.
190 290.209.

191 (b) Approve or deny applications, based upon the
192 recommendations of the zone development corporations, for the
193 qualification of businesses to receive assistance and state
194 incentives under ss. 290.213 and 290.215.

195 (c) Certify annually to the Chief Financial Officer the
196 amounts to be paid from the enterprise program zone assistance

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197 funds to support proposed projects under s. 290.213.

198 (d) By February 15 of each year, submit an annual report
199 to the Governor, the President of the Senate, the Speaker of the
200 House of Representatives, and the department on the authority's
201 activities for the previous fiscal year. The report must include
202 a complete financial statement specifying the authority's
203 assets, liabilities, income, and operating expenses as of the
204 end of the fiscal year.

205 (5) One year after the designation of the enterprise
206 program zones under s. 290.209, the authority shall prepare a
207 fiscal impact study of each enterprise program zone. The report
208 must include, but need not be limited to, an analysis of the
209 effects of each enterprise program zone on the economy of the
210 county or municipality in which the enterprise program zone is
211 located and any recommendations for legislation to improve the
212 effectiveness of the enterprise program zones. By July 1, 2016,
213 the authority shall submit a copy of the report to the Governor,
214 the President of the Senate, the Speaker of the House of
215 Representatives, and the Chief Financial Officer. After
216 submitting the initial fiscal impact study, the authority shall
217 prepare such report annually. The authority may use a portion of
218 any funds provided for projects of qualified businesses by the
219 enterprise program zone assistance funds to pay the costs of
220 each study.

221 Section 4. Section 290.207, Florida Statutes, is created
222 to read:

223 290.207 Zone development corporations; creation; board of
224 directors; membership.-

225 (1) A zone development corporation shall be created within
226 each legacy enterprise zone and federally designated empowerment
227 zone in the state. Each zone development corporation shall be
228 organized as a corporation not for profit.

229 (2) The board of directors of each zone development
230 corporation shall be composed of the following members:

231 (a) One business owner, who shall be appointed by the
232 Governor, whose principal place of business is located in the
233 enterprise program zone or, for the initial member, in the
234 legacy enterprise zone or federally designated empowerment zone.

235 (b) Two business or community leaders whose residence or
236 principal place of business is located in the enterprise program
237 zone or, for the initial members, in the legacy enterprise zone
238 or federally designated empowerment zone. One leader shall be
239 appointed by the President of the Senate, and one leader shall
240 be appointed by the Speaker of the House of Representatives.

241 (c) For each county whose territory lies in part or in
242 whole within the enterprise program zone or, for the initial
243 members, within the legacy enterprise zone or federally
244 designated empowerment zone, one member, who shall be appointed
245 by the board of county commissioners of the county.

246 (d) For each municipality whose territory lies in part or
247 in whole within the enterprise program zone or, for the initial
248 members, within the legacy enterprise zone or federally
249 designated empowerment zone, one member, who shall be appointed
250 by the governing board of the municipality.

251 (3) (a) Board members shall be appointed to terms of 4
252 years, except that members appointed by the President of the

253 Senate and the Speaker of the House of Representatives shall be
254 appointed to terms of 2 years. A vacancy of the unexpired
255 portion of a member's term shall be filled in the same manner as
256 the original appointment. Each board member shall hold office
257 until his or her successor is appointed and qualified, unless
258 the member ceases to be qualified or is removed from office.

259 (b) Upon the appointment or reappointment of a board
260 member, the corporation must file a certificate of appointment
261 or reappointment with the clerk of the respective county or
262 municipality.

263 (c) Board members shall serve without compensation but are
264 entitled to reimbursement for per diem and travel expenses as
265 provided in s. 112.061.

266 (4) (a) Each zone development corporation shall select a
267 chair and vice chair from among its members.

268 (b) Subject to funding provided by a county, municipality,
269 or authorized local economic development agency, a zone
270 development corporation may employ or designate an executive
271 director, technical experts, and other agents and employees,
272 permanent and temporary, and determine their qualifications,
273 duties, and compensation. For legal services, a zone development
274 corporation may employ private counsel or use attorneys of the
275 county, municipality, or authorized local economic development
276 agency at the discretion of the county, municipality, or
277 authorized local economic development agency.

278 (5) Each zone development corporation shall:

279 (a) Adopt and administer a zone development plan that sets
280 forth the boundary of the enterprise program zone designated

281 under s. 290.209, the development goals of the enterprise
282 program zone, and direction for qualified businesses located in
283 the enterprise program zone.

284 (b) Conduct meetings of the board of directors at least
285 quarterly to evaluate applications for qualified businesses to
286 receive tax credits and other state incentives under s. 290.215.

287 (c) Administer an enterprise program zone assistance fund
288 to provide loans, loan guarantees, loan-loss reserves, and
289 investments for projects of qualified businesses located in the
290 enterprise program zone pursuant to s. 290.213.

291 (d) Conduct an open public forum at least quarterly during
292 which urban development projects and the use of enterprise
293 program zone assistance funds may be proposed and discussed.

294 (6) (a) By March 1 of each year, each zone development
295 corporation shall submit to the county or municipal clerk a
296 report of its activities for the previous fiscal year. The
297 report must include a complete financial statement setting forth
298 the corporation's assets, liabilities, income, and operating
299 expenses as of the end of the fiscal year. When filing the
300 report, each zone development corporation shall publish a notice
301 in a newspaper of general circulation in the enterprise program
302 zone that such report was filed with the respective county or
303 municipal clerk and is available for inspection during business
304 hours at the offices of the zone development corporation.

305 (b) By February 15 of each year, each zone development
306 corporation shall submit a report of its activities to the
307 Governor, the President of the Senate, the Speaker of the House
308 of Representatives, and the authority.

309 (c) Each zone development corporation shall annually
310 submit a report to the authority accounting for the expenditure
311 of enterprise program zone assistance funds.

312 Section 5. Section 290.209, Florida Statutes, is created
313 to read:

314 290.209 Designation of enterprise program zones.—

315 (1) The authority shall, in each legacy enterprise zone
316 and federally designated empowerment zone in the state,
317 establish an enterprise program zone and designate the
318 geographic boundary of the zone.

319 (2) By October 1, 2013, each zone development corporation
320 shall submit to the authority the following:

321 (a) An economic report prepared by the corporation for the
322 respective enterprise program zone. The report must include
323 current census data and other economic indicators that identify
324 the most economically distressed areas in the legacy enterprise
325 zone or federally designated empowerment zone.

326 (b) The corporation's written recommendations for the
327 initial boundary of the enterprise program zone based upon
328 findings of the economic report.

329 (3) Before establishing the initial boundary of an
330 enterprise program zone, the authority must consider:

331 (a) The zone development corporation's economic report and
332 recommendations for the initial boundary.

333 (b) The historical boundary of the legacy enterprise zone
334 or federally designated empowerment zone.

335 (4) A zone development corporation may periodically apply
336 to the authority for amendment of the enterprise program zone's

337 boundary. The application must be based on a revised economic
338 report and recommendations submitted to the authority in the
339 same manner as provided under paragraphs (2) (a) and (b) for the
340 initial boundary. Before amending the boundary, the authority
341 must consider the factors described in paragraphs (3) (a) and (b)
342 and the historical boundary of the enterprise program zone.

343 (5) The total area of an enterprise program zone may not
344 exceed 25 percent of the total area of the legacy enterprise
345 zone or federally designated empowerment zone.

346 Section 6. Section 290.211, Florida Statutes, is created
347 to read:

348 290.211 Qualified businesses.—

349 (1) Beginning July 1, 2014, a business is qualified to
350 receive the state incentives provided under s. 290.215 if:

351 (a) The business is authorized to transact business in the
352 state.

353 (b) The business is actively engaged in the conduct of a
354 trade or business located in an enterprise program zone
355 designated under s. 290.209.

356 (c) The business is not an adult entertainment
357 establishment as defined in s. 847.001.

358 (d) At least 25 percent of the business's full-time
359 employees:

360 1. Reside in the enterprise program zone;

361 2. Reside in the state and were totally unemployed as
362 defined in s. 443.036(45) (a) for at least 6 months before
363 employment by the business;

364 3. Were recipients of temporary cash assistance under s.

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365 414.045 for at least 6 months before employment by the business;

366 or

367 4. Are low-income individuals as defined in the federal
368 Workforce Investment Act, 29 U.S.C. s. 2801.

369 (2) A qualified business must maintain its qualifications
370 under subsection (1) to continue to receive the state incentives
371 provided under s. 290.215. Upon ceasing to meet the
372 qualifications, a business may not receive additional
373 incentives.

374 Section 7. Section 290.213, Florida Statutes, is created
375 to read:

376 290.213 Enterprise program zone assistance funds.—

377 (1) (a) Beginning July 1, 2014, and subject to legislative
378 appropriations, each zone development corporation shall
379 administer a separate assistance fund to provide loans, loan
380 guarantees, loan-loss reserves, and investments for projects of
381 qualified businesses located in the corporation's enterprise
382 program zone.

383 (b) Each zone development corporation shall develop
384 criteria for the approval of projects in its enterprise program
385 zone relating to comprehensive urban planning, neighborhood
386 aesthetics and compatibility, infrastructure, safety, workforce
387 training, the maximization of economic development and job
388 creation opportunities, and any other requirements the
389 corporation deems necessary.

390 (2) (a) To receive assistance for a project under this
391 section, a qualified business must apply to the zone development
392 corporation. The application shall be developed by the authority

393 in consultation with the department. The application must
394 demonstrate whether the business is a new business or an
395 expansion or rebuilding of an existing business located in the
396 enterprise program zone.

397 (b) The zone development corporation shall review and,
398 based upon the corporation's criteria, evaluate each submitted
399 application and recommend approval or disapproval to the
400 authority.

401 (c) Upon receipt of an application and recommendation from
402 the zone development corporation, the authority shall review,
403 evaluate, and determine whether to approve or deny the
404 application. The authority shall notify the applicant, the zone
405 development corporation, and the department of each approved
406 application.

407 (d) If the authority denies an application, it shall
408 notify the applicant and the zone development corporation and
409 describe the reasons for denial. The authority has the power to
410 grant final approval of projects under this section.

411 (3) A zone development corporation shall use any net
412 income to fund improvement of infrastructure in the enterprise
413 program zone.

414 (4) A zone development corporation shall use any loan
415 repayments and collected interest to provide additional
416 assistance to qualified businesses for projects under this
417 section.

418 (5) Unexpended balances of an appropriation provided for
419 assistance to qualified businesses under this section do not
420 revert to the fund from which the appropriation was made at the

421 end of the fiscal year, but shall be retained in the Economic
422 Development Trust Fund and be carried forward to provide
423 additional assistance to qualified businesses under this section
424 during the following fiscal year.

425 (6) A zone development corporation may collect an
426 administrative fee up to 10 percent of the assistance provided
427 to qualified businesses under this section.

428 Section 8. Section 290.215, Florida Statutes, is created
429 to read:

430 290.215 State incentives available for enterprise program
431 zones; tax increment financing.-

432 (1) Beginning July 1, 2014, the following state incentives
433 are available for qualified businesses located in an enterprise
434 program zone:

435 (a) The enterprise program zone sales and use tax credits
436 provided under s. 212.0967.

437 (b) The enterprise program zone corporate income tax
438 credits provided under s. 220.183.

439 (c) Loans, loan guarantees, loan-loss reserves, and
440 investments provided for projects by enterprise program zone
441 assistance funds under s. 290.213.

442 (d) A credit against unemployment contributions provided
443 under s. 443.1217(2)(h).

444 (2) By June 1, 2014, the authority, in consultation with
445 the department and the Department of Revenue, shall determine
446 the tax floor for each enterprise program zone designated under
447 s. 290.209. As used in this section, the term "tax floor" means
448 the aggregate amount of sales and use tax collections from all

449 businesses in an enterprise program zone for the 2012-2013
450 fiscal year.

451 (3) (a) By June 1 of each year, the authority, in
452 consultation with the department and the Department of Revenue,
453 shall calculate the maximum aggregate amount of state incentives
454 described in paragraphs (1) (a)-(c) which are available for each
455 enterprise program zone for the following fiscal year. Such
456 maximum amount may not exceed the aggregate amount of the sales
457 and use tax collections from all businesses in the enterprise
458 program zone during the previous fiscal year which exceed the
459 tax floor established for the enterprise program zone pursuant
460 to subsection (2).

461 (b) Any portion of the maximum amount of state incentives
462 established per fiscal year which is not used by the end of a
463 fiscal year shall be carried forward and made available for use
464 during the following 2 fiscal years in addition to the amounts
465 available for use under paragraph (a) for those fiscal years.

466 (4) (a) The authority shall annually allocate legislative
467 appropriations among the zone development corporations for the
468 enterprise program zone assistance funds provided to projects of
469 qualified businesses under s. 290.213. The authority shall
470 certify annually to the State Treasurer amounts to be paid from
471 the Economic Development Trust Fund to support the approved
472 projects.

473 (b) The amount available for state incentives in the
474 enterprise program zone, including tax credits, loans, loan
475 guarantees, loan-loss reserves, and investments authorized in
476 paragraphs (1) (a)-(c), may not exceed the maximum aggregate

477 amount calculated for these incentives under paragraph (3)(a).

478 Section 9. Section 290.217, Florida Statutes, is created
479 to read:

480 290.217 Review of enterprise program zones.—

481 (1) By January 15, 2023, the Office of Program Policy
482 Analysis and Government Accountability shall submit a report to
483 the Governor, the President of the Senate, and the Speaker of
484 the House of Representatives of its findings and recommendations
485 on the Urban Job Creation Investment Act. The report shall
486 review and evaluate the effectiveness of each enterprise program
487 zone using the annual fiscal reports prepared by the authority
488 under s. 290.205(5). The report shall also evaluate whether the
489 state incentives provided to businesses in each enterprise
490 program zone caused or contributed to:

491 (a) New investment and development in the enterprise
492 program zone;

493 (b) An increase in the number of jobs created or retained
494 in the enterprise program zone;

495 (c) The renovation, rehabilitation, restoration,
496 improvement, or new construction of businesses or housing in the
497 enterprise program zone; or

498 (d) The economic viability and profitability of businesses
499 and commerce in the enterprise program zone, including the
500 impact on businesses located in the zone before implementation
501 of the program.

502 (2) Before the 2023 Regular Session of the Legislature,
503 the appropriate committees of the Senate and House of
504 Representatives shall consider legislation to implement the

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505 report's recommendations.

506 Section 10. Section 290.219, Florida Statutes, is created
507 to read:

508 290.219 Expiration.—

509 (1) Sections 290.201-290.219 expire June 30, 2023.

510 (2) Beginning June 30, 2023, each enterprise program zone
511 designated under s. 290.209 is abolished, and a qualified
512 business may not claim or receive assistance or a state
513 incentive provided under s. 290.213 or s. 290.215 after that
514 date.

515 Section 11. Section 212.0965, Florida Statutes, is created
516 to read:

517 212.0965 Sales and transactions conducted in enterprise
518 program zones; reduced tax rate.—Notwithstanding any provision
519 of this chapter, the rate of the tax imposed by this chapter
520 upon sales and transactions conducted in an enterprise program
521 zone designated pursuant to s. 290.209 shall be reduced by 50
522 percent.

523 Section 12. Section 212.0967, Florida Statutes, is created
524 to read:

525 212.0967 Sales, rental, storage, use tax; enterprise
526 program zone credit against sales tax.—

527 (1) Effective July 1, 2013, there shall be allowed the
528 following credits against the tax imposed by this chapter for
529 any qualified business as defined in s. 290.203 located in an
530 enterprise program zone:

531 (a) A credit equal to 50 percent of the business's sales
532 and use tax liability imposed under this chapter, except for tax

533 liability resulting from the purchase of a new or used motor
534 vehicle or mobile home or the sale of obscene material as
535 defined in s. 847.0133.

536 (b) A credit equal to 50 percent of the business's sales
537 and use tax liability from the purchase of tangible personal
538 property that has a depreciable life of 3 years or more.

539 (c) A credit equal to the amount of sales and use tax paid
540 on purchases in the state by the qualified business for
541 products, equipment, and building materials used in the
542 enterprise program zone.

543 (2) (a) To be eligible to receive a tax credit provided
544 under paragraph (1) (a), paragraph (1) (b), or paragraph (1) (c), a
545 qualified business must initially apply to the zone development
546 corporation created under s. 290.207.

547 (b) An original certification is valid for 2 years. In
548 lieu of submitting a new application, the original certification
549 may be renewed biennially by submitting to the Florida Urban
550 Investment Job Creation Authority a statement, certified under
551 oath, that there has been no material change in the conditions
552 or circumstances entitling the qualified business to the
553 original certification. The initial application and the
554 certification renewal statement shall be developed by the
555 authority in consultation with the department.

556 (c) The zone development corporation shall review each
557 submitted initial application and determine whether the
558 application is complete. Once complete, the zone development
559 corporation shall evaluate the application and recommend
560 approval or disapproval to the authority.

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561 (d) Upon receipt of an initial application and
562 recommendation from the zone development corporation, or upon
563 receipt of a certification renewal statement, the authority
564 shall certify qualified businesses that meet the requirements of
565 s. 290.211 and notify the applicant, the zone development
566 corporation, and the department of the original certification or
567 certification renewal.

568 (e) If the authority finds that the applicant does not
569 meet the requirements of s. 290.211, it shall notify the
570 applicant and the zone development corporation that the
571 application for certification is denied and the reasons for
572 denial. The authority has the power to grant final approval for
573 certification under this section.

574 (3) This section expires on the date specified in s.
575 290.219 for the expiration of the Urban Job Creation Investment
576 Act.

577 Section 13. Section 220.1815, Florida Statutes, is created
578 to read:

579 220.1815 Enterprise program zone tax credits.—

580 (1) Beginning July 1, 2014, there shall be allowed the
581 following credits against the tax imposed by this chapter for
582 any qualified business as defined in s. 290.203 located in an
583 enterprise program zone:

584 (a) A credit equal to 8 percent of the business's
585 corporate income tax liability imposed under this chapter.

586 (b) A credit equal to \$1,500 of the business's corporate
587 income tax liability for hiring a new full-time employee who
588 resides in the enterprise program zone, if such employee

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589 received temporary cash assistance under s. 414.045, or was
590 totally unemployed as defined in s. 443.036(45)(a), for at least
591 90 days before such employment. The tax credit provided under
592 this paragraph may be claimed only once per new full-time
593 employee for the taxable year during which the business
594 initially hires such employee.

595 (2)(a) To be eligible to receive a tax credit provided
596 under paragraph (1)(a) or paragraph (1)(b), a qualified business
597 must initially apply to the zone development corporation created
598 under s. 290.207. The application shall be developed by the
599 Florida Urban Investment Job Creation Authority, in consultation
600 with the department.

601 (b) When claiming a tax credit under paragraph (1)(b), the
602 application must include a statement, filed under oath with the
603 zone development corporation, which includes for each new
604 employee for whom the credit is claimed, the employee's name and
605 residential address during the taxable year and, if applicable,
606 documentation that the employee received temporary cash
607 assistance or was totally unemployed for at least 90 days before
608 employment by the qualified business.

609 (c) The zone development corporation shall review each
610 submitted application and determine whether the application is
611 complete. Once complete, the zone development corporation shall
612 evaluate the application and recommend approval or disapproval
613 to the authority.

614 (d) Upon receipt of an application and recommendation from
615 the zone development corporation, the authority shall certify
616 qualified businesses that meet the requirements of s. 290.211

617 and this section and notify the applicant, the zone development
 618 corporation, and the department of the certification.

619 (e) If the authority finds that the applicant does not
 620 meet the requirements of s. 290.211 or this section, the
 621 authority must notify the applicant and the zone development
 622 corporation that the application for certification is denied and
 623 the reasons for denial. The authority has the power to grant
 624 final approval for certification under this section.

625 (3) If a tax credit certified under this section is not
 626 fully used in any one year, the unused amount may be carried
 627 forward for a period not to exceed 5 years. The carryover credit
 628 may be used in a subsequent year if the tax imposed by this
 629 chapter for such year exceeds the credit for such year after
 630 applying the other credits and unused credit carryovers in the
 631 order provided in s. 220.02(8).

632 (4) This section expires on the date specified in s.
 633 290.219 for the expiration of the Urban Job Creation Investment
 634 Act.

635 Section 14. Subsection (8) of section 220.02, Florida
 636 Statutes, is amended to read:

637 220.02 Legislative intent.—

638 (8) It is the intent of the Legislature that credits
 639 against either the corporate income tax or the franchise tax be
 640 applied in the following order: those enumerated in s. 631.828,
 641 those enumerated in s. 220.191, those enumerated in s. 220.181,
 642 those enumerated in s. 220.183, those enumerated in s. 220.182,
 643 those enumerated in s. 220.1895, those enumerated in s. 220.195,
 644 those enumerated in s. 220.184, those enumerated in s. 220.186,

645 those enumerated in s. 220.1845, those enumerated in s. 220.19,
 646 those enumerated in s. 220.185, those enumerated in s. 220.1875,
 647 those enumerated in s. 220.192, those enumerated in s. 220.193,
 648 those enumerated in s. 288.9916, those enumerated in s.
 649 220.1899, those enumerated in s. 220.1896, those enumerated in
 650 s. 220.194, ~~and~~ those enumerated in s. 220.196, and those
 651 enumerated in s. 220.1815.

652 Section 15. Paragraph (h) is added to subsection (2) of
 653 section 443.1217, Florida Statutes, to read:

654 443.1217 Wages.—

655 (2) For the purpose of determining an employer's
 656 contributions, the following wages are exempt from this chapter:

657 (h) Beginning July 1, 2014, remuneration paid by a
 658 qualified business as defined in s. 290.203 to an individual who
 659 earns less than \$4,500 during the calendar quarter.

660 Section 16. Section 290.016, Florida Statutes, is amended
 661 to read:

662 290.016 Repeal.—Sections 290.001-290.014 are repealed June
 663 30, 2014 ~~December 31, 2015.~~

664 Section 17. For the purpose of incorporating the amendment
 665 made by this act to section 290.016, Florida Statutes, in a
 666 reference thereto, paragraph (c) of subsection (8) of section
 667 166.231, Florida Statutes, is reenacted to read:

668 166.231 Municipalities; public service tax.—

669 (8)

670 (c) This subsection expires on the date specified in s.
 671 290.016 for the expiration of the Florida Enterprise Zone Act,
 672 except that any qualified business that has satisfied the

673 requirements of this subsection before that date shall be
 674 allowed the full benefit of the exemption allowed under this
 675 subsection as if this subsection had not expired on that date.

676 Section 18. For the purpose of incorporating the amendment
 677 made by this act to section 290.016, Florida Statutes, in a
 678 reference thereto, subsection (4) of section 193.077, Florida
 679 Statutes, is reenacted to read:

680 193.077 Notice of new, rebuilt, or expanded property.—

681 (4) This section expires on the date specified in s.
 682 290.016 for the expiration of the Florida Enterprise Zone Act.

683 Section 19. For the purpose of incorporating the amendment
 684 made by this act to section 290.016, Florida Statutes, in a
 685 reference thereto, paragraph (b) of subsection (5) of section
 686 193.085, Florida Statutes, is reenacted to read:

687 193.085 Listing all property.—

688 (5)

689 (b) This subsection expires on the date specified in s.
 690 290.016 for the expiration of the Florida Enterprise Zone Act.

691 Section 20. For the purpose of incorporating the amendment
 692 made by this act to section 290.016, Florida Statutes, in a
 693 reference thereto, paragraph (b) of subsection (4) of section
 694 195.073, Florida Statutes, is reenacted to read:

695 195.073 Classification of property.—All items required by
 696 law to be on the assessment rolls must receive a classification
 697 based upon the use of the property. The department shall
 698 promulgate uniform definitions for all classifications. The
 699 department may designate other subclassifications of property.
 700 No assessment roll may be approved by the department which does

701 | not show proper classifications.

702 | (4)

703 | (b) This subsection expires on the date specified in s.
704 | 290.016 for the expiration of the Florida Enterprise Zone Act.

705 | Section 21. For the purpose of incorporating the amendment
706 | made by this act to section 290.016, Florida Statutes, in a
707 | reference thereto, paragraph (b) of subsection (1) of section
708 | 195.099, Florida Statutes, is reenacted to read:

709 | 195.099 Periodic review.—

710 | (1)

711 | (b) This subsection shall expire on the date specified in
712 | s. 290.016 for the expiration of the Florida Enterprise Zone
713 | Act.

714 | Section 22. For the purpose of incorporating the amendment
715 | made by this act to section 290.016, Florida Statutes, in a
716 | reference thereto, subsection (19) of section 196.012, Florida
717 | Statutes, is reenacted to read:

718 | 196.012 Definitions.—For the purpose of this chapter, the
719 | following terms are defined as follows, except where the context
720 | clearly indicates otherwise:

721 | (19) "Enterprise zone" means an area designated as an
722 | enterprise zone pursuant to s. 290.0065. This subsection expires
723 | on the date specified in s. 290.016 for the expiration of the
724 | Florida Enterprise Zone Act.

725 | Section 23. For the purpose of incorporating the amendment
726 | made by this act to section 290.016, Florida Statutes, in a
727 | reference thereto, subsection (4) of section 205.022, Florida
728 | Statutes, is reenacted to read:

729 205.022 Definitions.—When used in this chapter, the
 730 following terms and phrases shall have the meanings ascribed to
 731 them in this section, except when the context clearly indicates
 732 a different meaning:

733 (4) "Enterprise zone" means an area designated as an
 734 enterprise zone pursuant to s. 290.0065. This subsection expires
 735 on the date specified in s. 290.016 for the expiration of the
 736 Florida Enterprise Zone Act.

737 Section 24. For the purpose of incorporating the amendment
 738 made by this act to section 290.016, Florida Statutes, in a
 739 reference thereto, subsection (6) of section 205.054, Florida
 740 Statutes, is reenacted to read:

741 205.054 Business tax; partial exemption for engaging in
 742 business or occupation in enterprise zone.—

743 (6) This section expires on the date specified in s.
 744 290.016 for the expiration of the Florida Enterprise Zone Act;
 745 and a receipt may not be issued with the exemption authorized in
 746 this section for any period beginning on or after that date.

747 Section 25. For the purpose of incorporating the amendment
 748 made by this act to section 290.016, Florida Statutes, in a
 749 reference thereto, subsection (6) of section 212.02, Florida
 750 Statutes, is reenacted to read:

751 212.02 Definitions.—The following terms and phrases when
 752 used in this chapter have the meanings ascribed to them in this
 753 section, except where the context clearly indicates a different
 754 meaning:

755 (6) "Enterprise zone" means an area of the state
 756 designated pursuant to s. 290.0065. This subsection expires on

757 | the date specified in s. 290.016 for the expiration of the
 758 | Florida Enterprise Zone Act.

759 | Section 26. For the purpose of incorporating the amendment
 760 | made by this act to section 290.016, Florida Statutes, in a
 761 | reference thereto, paragraph (g) of subsection (5) of section
 762 | 212.08, Florida Statutes, is reenacted to read:

763 | 212.08 Sales, rental, use, consumption, distribution, and
 764 | storage tax; specified exemptions.—The sale at retail, the
 765 | rental, the use, the consumption, the distribution, and the
 766 | storage to be used or consumed in this state of the following
 767 | are hereby specifically exempt from the tax imposed by this
 768 | chapter.

769 | (5) EXEMPTIONS; ACCOUNT OF USE.—

770 | (g) Building materials used in the rehabilitation of real
 771 | property located in an enterprise zone.—

772 | 1. Building materials used in the rehabilitation of real
 773 | property located in an enterprise zone are exempt from the tax
 774 | imposed by this chapter upon an affirmative showing to the
 775 | satisfaction of the department that the items have been used for
 776 | the rehabilitation of real property located in an enterprise
 777 | zone. Except as provided in subparagraph 2., this exemption
 778 | inures to the owner, lessee, or lessor at the time the real
 779 | property is rehabilitated, but only through a refund of
 780 | previously paid taxes. To receive a refund pursuant to this
 781 | paragraph, the owner, lessee, or lessor of the rehabilitated
 782 | real property must file an application under oath with the
 783 | governing body or enterprise zone development agency having
 784 | jurisdiction over the enterprise zone where the business is

785 located, as applicable. A single application for a refund may be
786 submitted for multiple, contiguous parcels that were part of a
787 single parcel that was divided as part of the rehabilitation of
788 the property. All other requirements of this paragraph apply to
789 each parcel on an individual basis. The application must
790 include:

791 a. The name and address of the person claiming the refund.

792 b. An address and assessment roll parcel number of the
793 rehabilitated real property for which a refund of previously
794 paid taxes is being sought.

795 c. A description of the improvements made to accomplish
796 the rehabilitation of the real property.

797 d. A copy of a valid building permit issued by the county
798 or municipal building department for the rehabilitation of the
799 real property.

800 e. A sworn statement, under penalty of perjury, from the
801 general contractor licensed in this state with whom the
802 applicant contracted to make the improvements necessary to
803 rehabilitate the real property, which lists the building
804 materials used to rehabilitate the real property, the actual
805 cost of the building materials, and the amount of sales tax paid
806 in this state on the building materials. If a general contractor
807 was not used, the applicant, not a general contractor, shall
808 make the sworn statement required by this sub-subparagraph.
809 Copies of the invoices that evidence the purchase of the
810 building materials used in the rehabilitation and the payment of
811 sales tax on the building materials must be attached to the
812 sworn statement provided by the general contractor or by the

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813 applicant. Unless the actual cost of building materials used in
814 the rehabilitation of real property and the payment of sales
815 taxes is documented by a general contractor or by the applicant
816 in this manner, the cost of the building materials is deemed to
817 be an amount equal to 40 percent of the increase in assessed
818 value for ad valorem tax purposes.

819 f. The identifying number assigned pursuant to s. 290.0065
820 to the enterprise zone in which the rehabilitated real property
821 is located.

822 g. A certification by the local building code inspector
823 that the improvements necessary to rehabilitate the real
824 property are substantially completed.

825 h. A statement of whether the business is a small business
826 as defined by s. 288.703.

827 i. If applicable, the name and address of each permanent
828 employee of the business, including, for each employee who is a
829 resident of an enterprise zone, the identifying number assigned
830 pursuant to s. 290.0065 to the enterprise zone in which the
831 employee resides.

832 2. This exemption inures to a municipality, county, other
833 governmental unit or agency, or nonprofit community-based
834 organization through a refund of previously paid taxes if the
835 building materials used in the rehabilitation are paid for from
836 the funds of a community development block grant, State Housing
837 Initiatives Partnership Program, or similar grant or loan
838 program. To receive a refund, a municipality, county, other
839 governmental unit or agency, or nonprofit community-based
840 organization must file an application that includes the same

841 information required in subparagraph 1. In addition, the
842 application must include a sworn statement signed by the chief
843 executive officer of the municipality, county, other
844 governmental unit or agency, or nonprofit community-based
845 organization seeking a refund which states that the building
846 materials for which a refund is sought were funded by a
847 community development block grant, State Housing Initiatives
848 Partnership Program, or similar grant or loan program.

849 3. Within 10 working days after receipt of an application,
850 the governing body or enterprise zone development agency shall
851 review the application to determine if it contains all the
852 information required by subparagraph 1. or subparagraph 2. and
853 meets the criteria set out in this paragraph. The governing body
854 or agency shall certify all applications that contain the
855 required information and are eligible to receive a refund. If
856 applicable, the governing body or agency shall also certify if
857 20 percent of the employees of the business are residents of an
858 enterprise zone, excluding temporary and part-time employees.
859 The certification must be in writing, and a copy of the
860 certification shall be transmitted to the executive director of
861 the department. The applicant is responsible for forwarding a
862 certified application to the department within the time
863 specified in subparagraph 4.

864 4. An application for a refund must be submitted to the
865 department within 6 months after the rehabilitation of the
866 property is deemed to be substantially completed by the local
867 building code inspector or by November 1 after the rehabilitated
868 property is first subject to assessment.

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869 5. Only one exemption through a refund of previously paid
870 taxes for the rehabilitation of real property is permitted for
871 any single parcel of property unless there is a change in
872 ownership, a new lessor, or a new lessee of the real property. A
873 refund may not be granted unless the amount to be refunded
874 exceeds \$500. A refund may not exceed the lesser of 97 percent
875 of the Florida sales or use tax paid on the cost of the building
876 materials used in the rehabilitation of the real property as
877 determined pursuant to sub-subparagraph 1.e. or \$5,000, or, if
878 at least 20 percent of the employees of the business are
879 residents of an enterprise zone, excluding temporary and part-
880 time employees, the amount of refund may not exceed the lesser
881 of 97 percent of the sales tax paid on the cost of the building
882 materials or \$10,000. A refund shall be made within 30 days
883 after formal approval by the department of the application for
884 the refund.

885 6. The department shall adopt rules governing the manner
886 and form of refund applications and may establish guidelines as
887 to the requisites for an affirmative showing of qualification
888 for exemption under this paragraph.

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

895 8. For the purposes of the exemption provided in this
896 paragraph, the term:

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

899 b. "Real property" has the same meaning as provided in s.
 900 192.001(12), except that the term does not include a condominium
 901 parcel or condominium property as defined in s. 718.103.

902 c. "Rehabilitation of real property" means the
 903 reconstruction, renovation, restoration, rehabilitation,
 904 construction, or expansion of improvements to real property.

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

907 9. This paragraph expires on the date specified in s.
 908 290.016 for the expiration of the Florida Enterprise Zone Act.

909 Section 27. For the purpose of incorporating the amendment
 910 made by this act to section 290.016, Florida Statutes, in a
 911 reference thereto, subsection (12) of section 212.096, Florida
 912 Statutes, is reenacted to read:

913 212.096 Sales, rental, storage, use tax; enterprise zone
 914 jobs credit against sales tax.—

915 (12) This section, except for subsection (11), expires on
 916 the date specified in s. 290.016 for the expiration of the
 917 Florida Enterprise Zone Act.

918 Section 28. For the purpose of incorporating the amendment
 919 made by this act to section 290.016, Florida Statutes, in
 920 references thereto, paragraph (c) of subsection (6) and
 921 paragraph (c) of subsection (7) of section 220.02, Florida
 922 Statutes, are reenacted to read:

923 220.02 Legislative intent.—

924 (6)

925 (c) This subsection expires on the date specified in s.
 926 290.016 for the expiration of the Florida Enterprise Zone Act.

927 (7)

928 (c) This subsection expires on the date specified in s.
 929 290.016 for the expiration of the Florida Enterprise Zone Act.

930 Section 29. For the purpose of incorporating the amendment
 931 made by this act to section 290.016, Florida Statutes, in
 932 references thereto, subsection (1) of section 220.03, Florida
 933 Statutes, is reenacted to read:

934 220.03 Definitions.—

935 (1) SPECIFIC TERMS.—When used in this code, and when not
 936 otherwise distinctly expressed or manifestly incompatible with
 937 the intent thereof, the following terms shall have the following
 938 meanings:

939 (a) "Ad valorem taxes paid" means 96 percent of property
 940 taxes levied for operating purposes and does not include
 941 interest, penalties, or discounts foregone. In addition, the
 942 term "ad valorem taxes paid," for purposes of the credit in s.
 943 220.182, means the ad valorem tax paid on new or additional real
 944 or personal property acquired to establish a new business or
 945 facilitate a business expansion, including pollution and waste
 946 control facilities, or any part thereof, and including one or
 947 more buildings or other structures, machinery, fixtures, and
 948 equipment. This paragraph expires on the date specified in s.
 949 290.016 for the expiration of the Florida Enterprise Zone Act.

950 (b) "Affiliated group of corporations" means two or more
 951 corporations which constitute an affiliated group of
 952 corporations as defined in s. 1504(a) of the Internal Revenue

953 Code.

954 (c) "Business" or "business firm" means any business
 955 entity authorized to do business in this state as defined in
 956 paragraph (e), and any bank or savings and loan association as
 957 defined in s. 220.62, subject to the tax imposed by the
 958 provisions of this chapter. This paragraph expires on the date
 959 specified in s. 290.016 for the expiration of the Florida
 960 Enterprise Zone Act.

961 (d) "Community contribution" means the grant by a business
 962 firm of any of the following items:

- 963 1. Cash or other liquid assets.
- 964 2. Real property.
- 965 3. Goods or inventory.
- 966 4. Other physical resources as identified by the
 967 department.

968
 969 This paragraph expires on the date specified in s. 290.016 for
 970 the expiration of the Florida Enterprise Zone Act.

971 (e) "Corporation" includes all domestic corporations;
 972 foreign corporations qualified to do business in this state or
 973 actually doing business in this state; joint-stock companies;
 974 limited liability companies, under chapter 608; common-law
 975 declarations of trust, under chapter 609; corporations not for
 976 profit, under chapter 617; agricultural cooperative marketing
 977 associations, under chapter 618; professional service
 978 corporations, under chapter 621; foreign unincorporated
 979 associations, under chapter 622; private school corporations,
 980 under chapter 623; foreign corporations not for profit which are

981 carrying on their activities in this state; and all other
982 organizations, associations, legal entities, and artificial
983 persons which are created by or pursuant to the statutes of this
984 state, the United States, or any other state, territory,
985 possession, or jurisdiction. The term "corporation" does not
986 include proprietorships, even if using a fictitious name;
987 partnerships of any type, as such; limited liability companies
988 that are taxable as partnerships for federal income tax
989 purposes; state or public fairs or expositions, under chapter
990 616; estates of decedents or incompetents; testamentary trusts;
991 or private trusts.

992 (f) "Department" means the Department of Revenue of this
993 state.

994 (g) "Director" means the executive director of the
995 Department of Revenue and, when there has been an appropriate
996 delegation of authority, the executive director's delegate.

997 (h) "Earned," "accrued," "paid," or "incurred" shall be
998 construed according to the method of accounting upon the basis
999 of which a taxpayer's income is computed under this code.

1000 (i) "Emergency," as used in s. 220.02 and in paragraph (u)
1001 of this subsection, means occurrence of widespread or severe
1002 damage, injury, or loss of life or property proclaimed pursuant
1003 to s. 14.022 or declared pursuant to s. 252.36. This paragraph
1004 expires on the date specified in s. 290.016 for the expiration
1005 of the Florida Enterprise Zone Act.

1006 (j) "Enterprise zone" means an area in the state
1007 designated pursuant to s. 290.0065. This paragraph expires on
1008 the date specified in s. 290.016 for the expiration of the

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1009 Florida Enterprise Zone Act.

1010 (k) "Expansion of an existing business," for the purposes
1011 of the enterprise zone property tax credit, means any business
1012 entity authorized to do business in this state as defined in
1013 paragraph (e), and any bank or savings and loan association as
1014 defined in s. 220.62, subject to the tax imposed by the
1015 provisions of this chapter, located in an enterprise zone, which
1016 expands by or through additions to real and personal property
1017 and which establishes five or more new jobs to employ five or
1018 more additional full-time employees at such location. This
1019 paragraph expires on the date specified in s. 290.016 for the
1020 expiration of the Florida Enterprise Zone Act.

1021 (l) "Fiscal year" means an accounting period of 12 months
1022 or less ending on the last day of any month other than December
1023 or, in the case of a taxpayer with an annual accounting period
1024 of 52-53 weeks under s. 441(f) of the Internal Revenue Code, the
1025 period determined under that subsection.

1026 (m) "Includes" or "including," when used in a definition
1027 contained in this code, shall not be deemed to exclude other
1028 things otherwise within the meaning of the term defined.

1029 (n) "Internal Revenue Code" means the United States
1030 Internal Revenue Code of 1986, as amended and in effect on
1031 January 1, 2012, except as provided in subsection (3).

1032 (o) "Local government" means any county or incorporated
1033 municipality in the state. This paragraph expires on the date
1034 specified in s. 290.016 for the expiration of the Florida
1035 Enterprise Zone Act.

1036 (p) "New business," for the purposes of the enterprise

1037 zone property tax credit, means any business entity authorized
 1038 to do business in this state as defined in paragraph (e), or any
 1039 bank or savings and loan association as defined in s. 220.62,
 1040 subject to the tax imposed by the provisions of this chapter,
 1041 first beginning operations on a site located in an enterprise
 1042 zone and clearly separate from any other commercial or
 1043 industrial operations owned by the same entity, bank, or savings
 1044 and loan association and which establishes five or more new jobs
 1045 to employ five or more additional full-time employees at such
 1046 location. This paragraph expires on the date specified in s.
 1047 290.016 for the expiration of the Florida Enterprise Zone Act.

1048 (q) "New employee," for the purposes of the enterprise
 1049 zone jobs credit, means a person residing in an enterprise zone
 1050 or a participant in the welfare transition program who is
 1051 employed at a business located in an enterprise zone who begins
 1052 employment in the operations of the business after July 1, 1995,
 1053 and who has not been previously employed full time within the
 1054 preceding 12 months by the business or a successor business
 1055 claiming the credit pursuant to s. 220.181. A person shall be
 1056 deemed to be employed by such a business if the person performs
 1057 duties in connection with the operations of the business on a
 1058 full-time basis, provided she or he is performing such duties
 1059 for an average of at least 36 hours per week each month. The
 1060 person must be performing such duties at a business site located
 1061 in an enterprise zone. This paragraph expires on the date
 1062 specified in s. 290.016 for the expiration of the Florida
 1063 Enterprise Zone Act.

1064 (r) "Nonbusiness income" means rents and royalties from

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1065 real or tangible personal property, capital gains, interest,
1066 dividends, and patent and copyright royalties, to the extent
1067 that they do not arise from transactions and activities in the
1068 regular course of the taxpayer's trade or business. The term
1069 "nonbusiness income" does not include income from tangible and
1070 intangible property if the acquisition, management, and
1071 disposition of the property constitute integral parts of the
1072 taxpayer's regular trade or business operations, or any amounts
1073 which could be included in apportionable income without
1074 violating the due process clause of the United States
1075 Constitution. For purposes of this definition, "income" means
1076 gross receipts less all expenses directly or indirectly
1077 attributable thereto. Functionally related dividends are
1078 presumed to be business income.

1079 (s) "Partnership" includes a syndicate, group, pool, joint
1080 venture, or other unincorporated organization through or by
1081 means of which any business, financial operation, or venture is
1082 carried on, including a limited partnership; and the term
1083 "partner" includes a member having a capital or a profits
1084 interest in a partnership.

1085 (t) "Project" means any activity undertaken by an eligible
1086 sponsor, as defined in s. 220.183(2)(c), which is designed to
1087 construct, improve, or substantially rehabilitate housing that
1088 is affordable to low-income or very-low-income households as
1089 defined in s. 420.9071(19) and (28); designed to provide
1090 commercial, industrial, or public resources and facilities; or
1091 designed to improve entrepreneurial and job-development
1092 opportunities for low-income persons. A project may be the

1093 investment necessary to increase access to high-speed broadband
 1094 capability in rural communities with enterprise zones, including
 1095 projects that result in improvements to communications assets
 1096 that are owned by a business. A project may include the
 1097 provision of museum educational programs and materials that are
 1098 directly related to any project approved between January 1,
 1099 1996, and December 31, 1999, and located in an enterprise zone
 1100 designated pursuant to s. 290.0065. This paragraph does not
 1101 preclude projects that propose to construct or rehabilitate low-
 1102 income or very-low-income housing on scattered sites. With
 1103 respect to housing, contributions may be used to pay the
 1104 following eligible project-related activities:

- 1105 1. Project development, impact, and management fees for
 1106 low-income or very-low-income housing projects;
- 1107 2. Down payment and closing costs for eligible persons, as
 1108 defined in s. 420.9071(19) and (28);
- 1109 3. Administrative costs, including housing counseling and
 1110 marketing fees, not to exceed 10 percent of the community
 1111 contribution, directly related to low-income or very-low-income
 1112 projects; and
- 1113 4. Removal of liens recorded against residential property
 1114 by municipal, county, or special-district local governments when
 1115 satisfaction of the lien is a necessary precedent to the
 1116 transfer of the property to an eligible person, as defined in s.
 1117 420.9071(19) and (28), for the purpose of promoting home
 1118 ownership. Contributions for lien removal must be received from
 1119 a nonrelated third party.

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1121 The provisions of this paragraph shall expire and be void on
1122 June 30, 2015.

1123 (u) "Rebuilding of an existing business" means replacement
1124 or restoration of real or tangible property destroyed or damaged
1125 in an emergency, as defined in paragraph (i), after July 1,
1126 1995, in an enterprise zone, by a business entity authorized to
1127 do business in this state as defined in paragraph (e), or a bank
1128 or savings and loan association as defined in s. 220.62, subject
1129 to the tax imposed by the provisions of this chapter, located in
1130 the enterprise zone. This paragraph expires on the date
1131 specified in s. 290.016 for the expiration of the Florida
1132 Enterprise Zone Act.

1133 (v) "Regulations" includes rules promulgated, and forms
1134 prescribed, by the department.

1135 (w) "Returns" includes declarations of estimated tax
1136 required under this code.

1137 (x) "State," when applied to a jurisdiction other than
1138 Florida, means any state of the United States, the District of
1139 Columbia, the Commonwealth of Puerto Rico, any territory or
1140 possession of the United States, and any foreign country, or any
1141 political subdivision of any of the foregoing.

1142 (y) "Taxable year" means the calendar or fiscal year upon
1143 the basis of which net income is computed under this code,
1144 including, in the case of a return made for a fractional part of
1145 a year, the period for which such return is made.

1146 (z) "Taxpayer" means any corporation subject to the tax
1147 imposed by this code, and includes all corporations for which a
1148 consolidated return is filed under s. 220.131. However,

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1149 "taxpayer" does not include a corporation having no individuals
1150 (including individuals employed by an affiliate) receiving
1151 compensation in this state as defined in s. 220.15 when the only
1152 property owned or leased by said corporation (including an
1153 affiliate) in this state is located at the premises of a printer
1154 with which it has contracted for printing, if such property
1155 consists of the final printed product, property which becomes a
1156 part of the final printed product, or property from which the
1157 printed product is produced.

1158 (aa) "Functionally related dividends" include the
1159 following types of dividends:

1160 1. Those received from a subsidiary of which the voting
1161 stock is more than 50 percent owned or controlled by the
1162 taxpayer or members of its affiliated group and which is engaged
1163 in the same general line of business.

1164 2. Those received from any corporation which is either a
1165 significant source of supply for the taxpayer or its affiliated
1166 group or a significant purchaser of the output of the taxpayer
1167 or its affiliated group, or which sells a significant part of
1168 its output or obtains a significant part of its raw materials or
1169 input from the taxpayer or its affiliated group. "Significant"
1170 means an amount of 15 percent or more.

1171 3. Those resulting from the investment of working capital
1172 or some other purpose in furtherance of the taxpayer or its
1173 affiliated group.

1174

1175 However, dividends not otherwise subject to tax under this
1176 chapter are excluded.

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1177 (bb) "Child care facility startup costs" means
1178 expenditures for substantial renovation, equipment, including
1179 playground equipment and kitchen appliances and cooking
1180 equipment, real property, including land and improvements, and
1181 for reduction of debt, made in connection with a child care
1182 facility as defined by s. 402.302, or any facility providing
1183 daily care to children who are mildly ill, which is located in
1184 this state on the taxpayer's premises and used by the employees
1185 of the taxpayer.

1186 (cc) "Operation of a child care facility" means operation
1187 of a child care facility as defined by s. 402.302, or any
1188 facility providing daily care to children who are mildly ill,
1189 which is located in this state within 5 miles of at least one
1190 place of business of the taxpayer and which is used by the
1191 employees of the taxpayer.

1192 (dd) "Citrus processing company" means a corporation
1193 which, during the 60-month period ending on December 31, 1997,
1194 had derived more than 50 percent of its total gross receipts
1195 from the processing of citrus products and the manufacture of
1196 juices.

1197 (ee) "New job has been created" means that, on the date of
1198 application, the total number of full-time jobs is greater than
1199 the total was 12 months prior to that date, as demonstrated to
1200 the department by a business located in the enterprise zone.

1201 (ff) "Job" means a full-time position, as consistent with
1202 terms used by the Department of Economic Opportunity and the
1203 United States Department of Labor for purposes of reemployment
1204 assistance tax administration and employment estimation

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1205 resulting directly from business operations in this state. The
1206 term may not include a temporary construction job involved with
1207 the construction of facilities or any job that has previously
1208 been included in any application for tax credits under s.
1209 212.096. The term also includes employment of an employee leased
1210 from an employee leasing company licensed under chapter 468 if
1211 the employee has been continuously leased to the employer for an
1212 average of at least 36 hours per week for more than 6 months.

1213 Section 30. For the purpose of incorporating the amendment
1214 made by this act to section 290.016, Florida Statutes, in
1215 references thereto, paragraph (a) of subsection (1) of section
1216 220.13, Florida Statutes, is reenacted to read:

1217 220.13 "Adjusted federal income" defined.—

1218 (1) The term "adjusted federal income" means an amount
1219 equal to the taxpayer's taxable income as defined in subsection
1220 (2), or such taxable income of more than one taxpayer as
1221 provided in s. 220.131, for the taxable year, adjusted as
1222 follows:

1223 (a) Additions.—There shall be added to such taxable
1224 income:

1225 1. The amount of any tax upon or measured by income,
1226 excluding taxes based on gross receipts or revenues, paid or
1227 accrued as a liability to the District of Columbia or any state
1228 of the United States which is deductible from gross income in
1229 the computation of taxable income for the taxable year.

1230 2. The amount of interest which is excluded from taxable
1231 income under s. 103(a) of the Internal Revenue Code or any other
1232 federal law, less the associated expenses disallowed in the

1233 computation of taxable income under s. 265 of the Internal
1234 Revenue Code or any other law, excluding 60 percent of any
1235 amounts included in alternative minimum taxable income, as
1236 defined in s. 55(b)(2) of the Internal Revenue Code, if the
1237 taxpayer pays tax under s. 220.11(3).

1238 3. In the case of a regulated investment company or real
1239 estate investment trust, an amount equal to the excess of the
1240 net long-term capital gain for the taxable year over the amount
1241 of the capital gain dividends attributable to the taxable year.

1242 4. That portion of the wages or salaries paid or incurred
1243 for the taxable year which is equal to the amount of the credit
1244 allowable for the taxable year under s. 220.181. This
1245 subparagraph shall expire on the date specified in s. 290.016
1246 for the expiration of the Florida Enterprise Zone Act.

1247 5. That portion of the ad valorem school taxes paid or
1248 incurred for the taxable year which is equal to the amount of
1249 the credit allowable for the taxable year under s. 220.182. This
1250 subparagraph shall expire on the date specified in s. 290.016
1251 for the expiration of the Florida Enterprise Zone Act.

1252 6. The amount taken as a credit under s. 220.195 which is
1253 deductible from gross income in the computation of taxable
1254 income for the taxable year.

1255 7. That portion of assessments to fund a guaranty
1256 association incurred for the taxable year which is equal to the
1257 amount of the credit allowable for the taxable year.

1258 8. In the case of a nonprofit corporation which holds a
1259 pari-mutuel permit and which is exempt from federal income tax
1260 as a farmers' cooperative, an amount equal to the excess of the

1261 gross income attributable to the pari-mutuel operations over the
 1262 attributable expenses for the taxable year.

1263 9. The amount taken as a credit for the taxable year under
 1264 s. 220.1895.

1265 10. Up to nine percent of the eligible basis of any
 1266 designated project which is equal to the credit allowable for
 1267 the taxable year under s. 220.185.

1268 11. The amount taken as a credit for the taxable year
 1269 under s. 220.1875. The addition in this subparagraph is intended
 1270 to ensure that the same amount is not allowed for the tax
 1271 purposes of this state as both a deduction from income and a
 1272 credit against the tax. This addition is not intended to result
 1273 in adding the same expense back to income more than once.

1274 12. The amount taken as a credit for the taxable year
 1275 under s. 220.192.

1276 13. The amount taken as a credit for the taxable year
 1277 under s. 220.193.

1278 14. Any portion of a qualified investment, as defined in
 1279 s. 288.9913, which is claimed as a deduction by the taxpayer and
 1280 taken as a credit against income tax pursuant to s. 288.9916.

1281 15. The costs to acquire a tax credit pursuant to s.
 1282 288.1254(5) that are deducted from or otherwise reduce federal
 1283 taxable income for the taxable year.

1284 16. The amount taken as a credit for the taxable year
 1285 pursuant to s. 220.194.

1286 17. The amount taken as a credit for the taxable year
 1287 under s. 220.196. The addition in this subparagraph is intended
 1288 to ensure that the same amount is not allowed for the tax

1289 | purposes of this state as both a deduction from income and a
 1290 | credit against the tax. The addition is not intended to result
 1291 | in adding the same expense back to income more than once.

1292 | Section 31. For the purpose of incorporating the amendment
 1293 | made by this act to section 290.016, Florida Statutes, in a
 1294 | reference thereto, subsection (9) of section 220.181, Florida
 1295 | Statutes, is reenacted to read:

1296 | 220.181 Enterprise zone jobs credit.—

1297 | (9) This section, except paragraph (1)(c) and subsection
 1298 | (8), expires on the date specified in s. 290.016 for the
 1299 | expiration of the Florida Enterprise Zone Act, and a business
 1300 | may not begin claiming the enterprise zone jobs credit after
 1301 | that date; however, the expiration of this section does not
 1302 | affect the operation of any credit for which a business has
 1303 | qualified under this section before that date, or any
 1304 | carryforward of unused credit amounts as provided in paragraph
 1305 | (1)(c).

1306 | Section 32. For the purpose of incorporating the amendment
 1307 | made by this act to section 290.016, Florida Statutes, in a
 1308 | reference thereto, subsection (14) of section 220.182, Florida
 1309 | Statutes, is reenacted to read:

1310 | 220.182 Enterprise zone property tax credit.—

1311 | (14) This section expires on the date specified in s.
 1312 | 290.016 for the expiration of the Florida Enterprise Zone Act,
 1313 | and a business may not begin claiming the enterprise zone
 1314 | property tax credit after that date; however, the expiration of
 1315 | this section does not affect the operation of any credit for
 1316 | which a business has qualified under this section before that

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1317 | date, or any carryforward of unused credit amounts as provided
1318 | in paragraph (1) (b) .

1319 | Section 33. This act shall take effect July 1, 2013.