Representative Eskamani offered the following:

Amendment (with title amendment)

Between lines 1531 and 1532, insert:

Section 22. Paragraph (z) of subsection (1) of section 220.03, Florida Statutes, is amended, and paragraphs (gg), (hh), and (ii) are added to that subsection, to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:
(z) "Taxpayer" means any corporation subject to the tax imposed by this code, and includes all corporations that are members of a water's edge group for which a consolidated return is filed under s. 220.131. However, the term "taxpayer" does not include a corporation having no individuals (including individuals employed by an affiliate) receiving compensation in this state as defined in s. 220.15 when the only property owned or leased by the said corporation (including an affiliate) in this state is located at the premises of a printer with which it has contracted for printing, if such property consists of the final printed product, property which becomes a part of the final printed product, or property from which the printed product is produced.

(gg) "Tax haven" means a jurisdiction to which any of the following apply for a particular taxable year:

1. It is identified by the Organization for Economic Cooperation and Development as a tax haven or as having harmful tax practices or a preferential tax regime.

2. It is a jurisdiction that does not impose any, or imposes only a nominal, effective tax on relevant income.

3. It has laws or practices that prevent the effective exchange of information with other governments for tax purposes, regarding taxpayers who are subject to, or are benefiting from, the tax regime.
4. It lacks transparency. For purposes of this subparagraph, a tax regime lacks transparency if the details of legislative, legal, or administrative requirements are not open to public scrutiny and apparent or are not consistently applied among similarly situated taxpayers.

5. It facilitates the establishment of foreign-owned entities without the need for a local substantive presence or prohibits the entities from having any commercial impact on the local economy.

6. It explicitly or implicitly excludes the jurisdiction's resident taxpayers from taking advantage of the tax regime's benefits or prohibits enterprises that benefit from the regime from operating in the jurisdiction's domestic market.

7. It has created a tax regime that is favorable for tax avoidance based on an overall assessment of relevant factors, including whether the jurisdiction has a significant untaxed offshore financial or other services sector relative to its overall economy.

(hh) "Tax regime" means a set or system of rules, laws, regulations, or practices by which taxes are imposed on any person, corporation, or entity or on any income, property, incident, indicia, or activity pursuant to government authority.

(ii) "Water's edge group" means a group of corporations related through common ownership whose business activities are

Approved For Filing: 5/24/2022 6:07:34 PM

Page 3 of 52
integrated with, dependent upon, or contribute to a flow of
value among members of the group.

Section 23. Section 220.13, Florida Statutes, is amended
to read:

220.13 "Adjusted federal income" defined.—

(1) The term "adjusted federal income" means an amount
equal to the taxpayer's taxable income as defined in subsection
(2), or such taxable income of a water's edge group more than
one taxpayer as provided in s. 220.1363 s. 220.131, for the

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

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

b. Notwithstanding sub-subparagraph a., if a credit taken
under s. 220.1875, s. 220.1876, or s. 220.1877 is added to
taxable income in a previous taxable year under subparagraph 11.
and is taken as a deduction for federal tax purposes in the
current taxable year, the amount of the deduction allowed shall
not be added to taxable income in the current year. The
exception in this sub-subparagraph is intended to ensure that
the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is

Approved For Filing: 5/24/2022 6:07:34 PM
Page 4 of 52
2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

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

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

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.
6. The amount taken as a credit under s. 220.195 which is deductible from gross income in the computation of taxable income for the taxable year.

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

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

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

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

11. Any amount taken as a credit for the taxable year under s. 220.1875, s. 220.1876, or s. 220.1877. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. This addition is not intended to result in adding the same expense back to income more than once.

12. The amount taken as a credit for the taxable year under s. 220.193.
13. Any portion of a qualified investment, as defined in s. 288.9913, which is claimed as a deduction by the taxpayer and taken as a credit against income tax pursuant to s. 288.9916.

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

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

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

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

(b) Subtractions.—

1. There shall be subtracted from such taxable income:

a. The net operating loss deduction allowable for federal income tax purposes under s. 172 of the Internal Revenue Code for the taxable year, except that any net operating loss that is transferred pursuant to s. 220.194(6) may not be deducted by the seller,
b. The net capital loss allowable for federal income tax purposes under s. 1212 of the Internal Revenue Code for the taxable year,

c. The excess charitable contribution deduction allowable for federal income tax purposes under s. 170(d)(2) of the Internal Revenue Code for the taxable year, and

d. The excess contributions deductions allowable for federal income tax purposes under s. 404 of the Internal Revenue Code for the taxable year.

However, a net operating loss and a capital loss shall never be carried back as a deduction to a prior taxable year, but all deductions attributable to such losses shall be deemed net operating loss carryovers and capital loss carryovers, respectively, and treated in the same manner, to the same extent, and for the same time periods as are prescribed for such carryovers in ss. 172 and 1212, respectively, of the Internal Revenue Code. A deduction is not allowed for net operating losses, net capital losses, or excess contribution deductions under 26 U.S.C. ss. 170(d)(2), 172, 1212, and 404 for a member of a water's edge group which is not a United States member.

Carryovers of net operating losses, net capital losses, or excess contribution deductions under 26 U.S.C. ss. 170(d)(2), 172, 1212, and 404 may be subtracted only by the member of the water's edge group which generates a carryover.
2. There shall be subtracted from such taxable income any amount to the extent included therein the following:
   a. Dividends treated as received from sources without the United States, as determined under s. 862 of the Internal Revenue Code.
   b. All amounts included in taxable income under s. 78, s. 951, or s. 951A of the Internal Revenue Code.

However, any amount subtracted under this subparagraph is allowed only to the extent such amount is not deductible in determining federal taxable income. As to any amount subtracted under this subparagraph, there shall be added to such taxable income all expenses deducted on the taxpayer's return for the taxable year which are attributable, directly or indirectly, to such subtracted amount. Further, no amount shall be subtracted with respect to dividends paid or deemed paid by a Domestic International Sales Corporation.

3. Amounts received by a member of a water's edge group as dividends paid by another member of the water's edge group must be subtracted from the taxable income to the extent that the dividends are included in the taxable income.

4. In computing "adjusted federal income" for taxable years beginning after December 31, 1976, there shall be allowed as a deduction the amount of wages and salaries paid or incurred within this state for the taxable year for which no deduction is

Approved For Filing: 5/24/2022 6:07:34 PM
Page 9 of 52
allowed pursuant to s. 280C(a) of the Internal Revenue Code (relating to credit for employment of certain new employees).

5.4. There shall be subtracted from such taxable income any amount of nonbusiness income included therein.

6.5. There shall be subtracted any amount of taxes of foreign countries allowable as credits for taxable years beginning on or after September 1, 1985, under s. 901 of the Internal Revenue Code to any corporation which derived less than 20 percent of its gross income or loss for its taxable year ended in 1984 from sources within the United States, as described in s. 861(a)(2)(A) of the Internal Revenue Code, not including credits allowed under ss. 902 and 960 of the Internal Revenue Code, withholding taxes on dividends within the meaning of sub-subparagraph 2.a., and withholding taxes on royalties, interest, technical service fees, and capital gains.

7.6. Notwithstanding any other provision of this code, except with respect to amounts subtracted pursuant to subparagraphs 1. and 4. 7., any increment of any apportionment factor which is directly related to an increment of gross receipts or income which is deducted, subtracted, or otherwise excluded in determining adjusted federal income shall be excluded from both the numerator and denominator of such apportionment factor. Further, all valuations made for apportionment factor purposes shall be made on a basis
consistent with the taxpayer's method of accounting for federal income tax purposes.

(c) Installment sales occurring after October 19, 1980.—

1. In the case of any disposition made after October 19, 1980, the income from an installment sale shall be taken into account for the purposes of this code in the same manner that such income is taken into account for federal income tax purposes.

2. Any taxpayer who regularly sells or otherwise disposes of personal property on the installment plan and reports the income therefrom on the installment method for federal income tax purposes under s. 453(a) of the Internal Revenue Code shall report such income in the same manner under this code.

(d) Nonallowable deductions.—A deduction for net operating losses, net capital losses, or excess contributions deductions under ss. 170(d)(2), 172, 1212, and 404 of the Internal Revenue Code which has been allowed in a prior taxable year for Florida tax purposes shall not be allowed for Florida tax purposes, notwithstanding the fact that such deduction has not been fully utilized for federal tax purposes.

(e) Adjustments related to federal acts.—Taxpayers shall be required to make the adjustments prescribed in this paragraph for Florida tax purposes with respect to certain tax benefits received pursuant to the Economic Stimulus Act of 2008; the American Recovery and Reinvestment Act of 2009; the Small


b. For the taxable year and for each of the 6 subsequent taxable years, there shall be subtracted from such taxable income an amount equal to one-seventh of the amount by which taxable income was increased pursuant to this subparagraph, notwithstanding any sale or other disposition of the property that is the subject of the adjustments and regardless of whether such property remains in service in the hands of the taxpayer.

c. The provisions of sub-subparagraph b. do not apply to amounts by which taxable income was increased pursuant to this
subparagraph for amounts deducted for federal income tax
purposes as bonus depreciation for qualified improvement
property as defined in s. 168(e)(6) of the Internal Revenue Code

2. There shall be added to such taxable income an amount
equal to 100 percent of any amount in excess of $128,000
deducted for federal income tax purposes for the taxable year
pursuant to s. 179 of the Internal Revenue Code of 1986, as
111-312; s. 315 of Pub. L. No. 112-240; and s. 127 of Pub. L.
No. 113-295, for taxable years beginning after December 31,
2007, and before January 1, 2015. For the taxable year and for
each of the 6 subsequent taxable years, there shall be
subtracted from such taxable income one-seventh of the amount by
which taxable income was increased pursuant to this
subparagraph, notwithstanding any sale or other disposition of
the property that is the subject of the adjustments and
regardless of whether such property remains in service in the
hands of the taxpayer.

3. There shall be added to such taxable income an amount
equal to the amount of deferred income not included in such
taxable income pursuant to s. 108(i)(1) of the Internal Revenue
Code of 1986, as amended by s. 1231 of Pub. L. No. 111-5. There
shall be subtracted from such taxable income an amount equal to
the amount of deferred income included in such taxable income pursuant to s. 108(i)(1) of the Internal Revenue Code of 1986, as amended by s. 1231 of Pub. L. No. 111-5.

4. For taxable years beginning after December 31, 2018, and before January 1, 2021, there shall be added to such taxable income an amount equal to the excess, if any, of:
   a. One hundred percent of any amount deducted for federal income tax purposes as business interest expense for the taxable year pursuant to s. 163(j) of the Internal Revenue Code of 1986, as amended by s. 2306 of Pub. L. No. 116-136; over
   b. One hundred percent of the amount that would be deductible for federal income tax purposes as business interest expense for the taxable year if calculated pursuant to s. 163(j) of the Internal Revenue Code of 1986, as amended by s. 13301 of Pub. L. No. 115-97.

Any expense added back pursuant to this subparagraph shall be treated as a disallowed business expense carryforward from prior years for the year or years following the addition, until such time as the expense has been used.

5. With respect to qualified improvement property as defined in s. 168(e)(6) of the Internal Revenue Code of 1986, as amended by s. 13204 of Pub. L. No. 115-97, that was placed in service on or after January 1, 2018:
a. There shall be added to such taxable income an amount equal to 100 percent of any amount deducted for federal income tax purposes under s. 167(a) of the Internal Revenue Code of 1986. There shall be subtracted an amount equal to the amount of depreciation that would have been deductible pursuant to s. 167(a) of the Internal Revenue Code of 1986 in effect on January 1, 2020 and without regard to s. 2307 of Pub. L. No. 116-136, notwithstanding any sale or other disposition of the property that is the subject of the adjustments and regardless of whether such property remains in service in the hands of the taxpayer.

b. The department may adopt rules necessary to administer the provisions of this subparagraph, including rules, forms, and guidelines for computing depreciation on qualified improvement property, as defined in s. 168(e)(6) of the Internal Revenue Code of 1986.

6. For taxable years beginning after December 31, 2020, and before January 1, 2026, the changes made to the Internal Revenue Code by Pub. L. No. 116-260, Division EE, Title I, s. 116 and Title II, s. 210 shall not apply to this chapter. Taxable income under this section shall be calculated as though changes made by those sections were not made to the Internal Revenue Code. The Department of Revenue may adopt rules necessary to administer the provisions of this subparagraph,
including rules, forms, and guidelines for treatment of expenses and depreciation related to these changes.

7. Subtractions available under this paragraph may be transferred to the surviving or acquiring entity following a merger or acquisition and used in the same manner and with the same limitations as specified by this paragraph.

8. The additions and subtractions specified in this paragraph are intended to adjust taxable income for Florida tax purposes, and, notwithstanding any other provision of this code, such additions and subtractions shall be permitted to change a taxpayer's net operating loss for Florida tax purposes.

(2) For purposes of this section, a taxpayer's taxable income for the taxable year means taxable income as defined in s. 63 of the Internal Revenue Code and properly reportable for federal income tax purposes for the taxable year, but subject to the limitations set forth in paragraph (1)(b) with respect to the deductions provided by ss. 172 (relating to net operating losses), 170(d)(2) (relating to excess charitable contributions), 404(a)(1)(D) (relating to excess pension trust contributions), 404(a)(3)(A) and (B) (to the extent relating to excess stock bonus and profit-sharing trust contributions), and 1212 (relating to capital losses) of the Internal Revenue Code, except that, subject to the same limitations, the term:

(a) "Taxable income," in the case of a life insurance company subject to the tax imposed by s. 801 of the Internal Revenue Code,
Revenue Code, means life insurance company taxable income;
however, for purposes of this code, the total of any amounts
subject to tax under s. 815(a)(2) of the Internal Revenue Code
pursuant to s. 801(c) of the Internal Revenue Code shall not
exceed, cumulatively, the total of any amounts determined under
s. 815(c)(2) of the Internal Revenue Code of 1954, as amended,
from January 1, 1972, to December 31, 1983;

(b) "Taxable income," in the case of an insurance company
subject to the tax imposed by s. 831(b) of the Internal Revenue
Code, means taxable investment income;

(c) "Taxable income," in the case of an insurance company
subject to the tax imposed by s. 831(a) of the Internal Revenue
Code, means insurance company taxable income;

(d) "Taxable income," in the case of a regulated
investment company subject to the tax imposed by s. 852 of the
Internal Revenue Code, means investment company taxable income;

(e) "Taxable income," in the case of a real estate
investment trust subject to the tax imposed by s. 857 of the
Internal Revenue Code, means the income subject to tax, computed
as provided in s. 857 of the Internal Revenue Code;

(f) "Taxable income," in the case of a corporation which
is a member of an affiliated group of corporations filing a
consolidated income tax return for the taxable year for federal
income tax purposes, means taxable income of such corporation
for federal income tax purposes as if such corporation had filed
a separate federal income tax return for the taxable year and
each preceding taxable year for which it was a member of an
affiliated group, unless a consolidated return for the taxpayer
and others is required or elected under s. 220.131;

(g) "Taxable income," in the case of a cooperative
corporation or association, means the taxable income of such
organization determined in accordance with the provisions of ss.
1381-1388 of the Internal Revenue Code;

(h) "Taxable income," in the case of an organization which
is exempt from the federal income tax by reason of s. 501(a) of
the Internal Revenue Code, means its unrelated business taxable
income as determined under s. 512 of the Internal Revenue Code;

(i) "Taxable income," in the case of a corporation for
which there is in effect for the taxable year an election under
s. 1362(a) of the Internal Revenue Code, means the amounts
subject to tax under s. 1374 or s. 1375 of the Internal Revenue
Code for each taxable year;

(j) "Taxable income," in the case of a limited liability
company, other than a limited liability company classified as a
partnership for federal income tax purposes, as defined in and
organized pursuant to chapter 605 or qualified to do business in
this state as a foreign limited liability company or other than
a similar limited liability company classified as a partnership
for federal income tax purposes and created as an artificial
entity pursuant to the statutes of the United States or any
other state, territory, possession, or jurisdiction, if such
limited liability company or similar entity is taxable as a
corporation for federal income tax purposes, means taxable
income determined as if such limited liability company were
required to file or had filed a federal corporate income tax
return under the Internal Revenue Code;
(k) "Taxable income," in the case of a taxpayer liable for
the alternative minimum tax as defined in s. 55 of the Internal
Revenue Code, means the alternative minimum taxable income as
defined in s. 55(b)(2) of the Internal Revenue Code, less the
exemption amount computed under s. 55(d) of the Internal Revenue
Code. A taxpayer is not liable for the alternative minimum tax
unless the taxpayer's federal tax return, or related federal
consolidated tax return, if included in a consolidated return
for federal tax purposes, reflect a liability on the return
filed for the alternative minimum tax as defined in s. 55(b)(2)
of the Internal Revenue Code;
(l) "Taxable income," in the case of a taxpayer whose
taxable income is not otherwise defined in this subsection,
means the sum of amounts to which a tax rate specified in s. 11
of the Internal Revenue Code plus the amount to which a tax rate
specified in s. 1201(a)(2) of the Internal Revenue Code are
applied for federal income tax purposes.

Section 24. Section 220.131, Florida Statutes, is
repealed.
Section 25. Section 220.136, Florida Statutes, is created to read:

220.136 Determination of the members of a water’s edge group.—

(1) A corporation having 50 percent or more of its outstanding voting stock directly or indirectly owned or controlled by a water’s edge group is presumed to be a member of the water’s edge group. A corporation having less than 50 percent of its outstanding voting stock directly or indirectly owned or controlled by a water’s edge group is a member of the water’s edge group if the business activities of the corporation show that the corporation is a member of the water’s edge group. All of the income of a corporation that is a member of a water’s edge group is presumed to be unitary. For purposes of this subsection, the attribution rules of 26 U.S.C. s. 318 must be used to determine whether voting stock is indirectly owned.

(2)(a) A corporation that conducts business outside the United States is not a member of a water's edge group if 80 percent or more of the corporation's property and payroll, as determined by the apportionment factors described in ss. 220.15 and 220.1363, may be assigned to locations outside of the United States. However, such corporations that are incorporated in a tax haven may be a member of a water's edge group pursuant to subsection (1). This subsection does not exempt a corporation that is not a member of a water's edge group from this chapter.
(b) As used in this subsection, the term "United States" means the 50 states, the District of Columbia, and Puerto Rico.

(c) The apportionment factors described in ss. 220.1363 and 220.15 must be used to determine whether a special industry corporation has engaged in a sufficient amount of activities outside of the United States to exclude it from treatment as a member of a water's edge group.

Section 26. Section 220.1363, Florida Statutes, is created to read:

220.1363 Water's edge groups; special requirements.—
(1) For purposes of this section, the term "water's edge reporting method" is a method to determine the taxable business profits of a group of entities conducting a unitary business. Under this method, the net income of the entities must be added together, along with the additions and subtractions under s. 220.13, and apportioned to this state as a single taxpayer under ss. 220.15 and 220.151. However, each special industry member included in a water's edge group return, which would otherwise be permitted to use a special method of apportionment under s. 220.151, shall convert its single-factor apportionment to a three-factor apportionment of property, payroll, and sales. The special industry member shall calculate the denominator of its property, payroll, and sales factors in the same manner as those denominators are calculated by members that are not special industry members. The numerator of its sales, property, and
payroll factors is the product of the denominator of each factor multiplied by the premiums or revenue-miles-factor ratio otherwise applicable under s. 220.151.

(2) All members of a water's edge group must use the water's edge reporting method, under which:

(a) Adjusted federal income, for purposes of s. 220.12, means the sum of adjusted federal income of all members of the water's edge group as determined for a concurrent taxable year.

(b) The numerators and denominators of the apportionment factors must be calculated for all members of the water's edge group combined.

(c) Intercompany sales transactions between members of the water's edge group are not included in the numerator or denominator of the sales factor under ss. 220.15 and 220.151, regardless of whether indicia of a sale exist.

(d) For sales of intangibles, including, but not limited to, accounts receivable, notes, bonds, and stock, which are made to entities outside the group, only the net proceeds are included in the numerator and denominator of the sales factor.

(e) The income attributable to the Florida activities of a corporation that is exempt from taxation under the Interstate Income Act of 1959, Pub. L. No. 86-272, is excluded from the apportionment factor numerators in the calculation of corporate income tax, even if another member of the water's edge group has nexus with this state and is subject to tax.
As used in this subsection, the term "sale" includes, but is not limited to, loans, payments for the use of intangibles, dividends, and management fees.

(3)(a) If a parent corporation is a member of the water's edge group and has nexus with this state, a single water's edge group return must be filed in the name and under the federal employer identification number of the parent corporation. If the water's edge group does not have a parent corporation, if the parent corporation is not a member of the water's edge group, or if the parent corporation does not have nexus with this state, then the members of the water's edge group must choose a member subject to the tax imposed by this chapter to file the return. The members of the water's edge group may not choose another member to file a corporate income tax return in subsequent years unless the filing member does not maintain nexus with this state or does not remain a member of the water's edge group. The return must be signed by an authorized officer of the filing member as the agent for the water's edge group.

(b) If members of a water's edge group have different taxable years, the taxable year of a majority of the members of the water's edge group is the taxable year of the water's edge group. If the taxable years of a majority of the members of a water's edge group do not correspond, the taxable year of the
member that must file the return for the water's edge group is
the taxable year of the water's edge group.

(c)1. A member of a water's edge group having a taxable
year that does not correspond to the taxable year of the water's
dge group shall determine its income for inclusion on the tax
return for the water's edge group. The member shall use:
a. The precise amount of taxable income received during
the months corresponding to the taxable year of the water's edge
group, if the precise amount can be readily determined from the
member's books and records.
b. The taxable income of the member converted to conform
to the taxable year of the water's edge group on the basis of
the number of months falling within the taxable year of the
water's edge group. For example, if the taxable year of the
water's edge group is a calendar year and a member operates on a
fiscal year ending on April 30, the income of the member must
include 8/12 of the income from the current taxable year and
4/12 of the income from the preceding taxable year. This method
to determine the income of a member may be used only if the
return can be timely filed after the end of the taxable year of
the water's edge group.
c. The taxable income of the member during its taxable
year that ends within the taxable year of the water's edge
group.
2. The method of determining the income of a member of a water's edge group whose taxable year does not correspond to the taxable year of the water's edge group may not change as long as the member remains a member of the water's edge group. The apportionment factors for the member must be applied to the income of the member for the taxable year of the water's edge group.

(4)(a) A water's edge group return must include a computational schedule that:

1. Combines the federal income of all members of the water's edge group;
2. Shows all intercompany eliminations;
3. Shows Florida additions and subtractions under s. 220.13; and
4. Shows the calculation of the combined apportionment factors.

(b) In addition to its return, a water's edge group shall also file a domestic disclosure spreadsheet. The spreadsheet must fully disclose:

1. The income reported to each state;
2. The state tax liability;
3. The method used for apportioning or allocating income to the various states; and
4. Other information required by department rule in order to determine the proper amount of tax due to each state and to identify the water's edge group.

(5) The department may adopt rules and forms to administer this section. The Legislature intends to grant the department extensive authority to adopt rules and forms describing and defining principles for determining the existence of a water's edge business, definitions of common control, methods of reporting, and related forms, principles, and other definitions.

Section 27. Section 220.14, Florida Statutes, is amended to read:

220.14 Exemption.—

(1) In computing a taxpayer's liability for tax under this code, there shall be exempt from the tax $50,000 of net income as defined in s. 220.12 or such lesser amount as will, without increasing the taxpayer's federal income tax liability, provide the state with an amount under this code which is equal to the maximum federal income tax credit which may be available from time to time under federal law.

(2) In the case of a taxable year for a period of less than 12 months, the exemption allowed by this section must be prorated on the basis of the number of days in such year to 365 days, or, in a leap year, 366 days.

(3) Only one exemption shall be allowed to taxpayers filing a water's edge group consolidated return under this code.
(4) Notwithstanding any other provision of this code, not more than one exemption under this section may be allowed to the Florida members of a controlled group of corporations, as defined in s. 1563 of the Internal Revenue Code with respect to taxable years ending on or after December 31, 1970, filing separate returns under this code. The exemption described in this section shall be divided equally among such Florida members of the group unless all of such members consent, at such time and in such manner as the department shall by regulation prescribe, to an apportionment plan providing for an unequal allocation of such exemption.

Section 28. Paragraph (c) of subsection (5) of section 220.15, Florida Statutes, is amended to read:

220.15 Apportionment of adjusted federal income.—
(5) The sales factor is a fraction the numerator of which is the total sales of the taxpayer in this state during the taxable year or period and the denominator of which is the total sales of the taxpayer everywhere during the taxable year or period.

(c) Sales of a financial organization, including, but not limited to, banking and savings institutions, investment companies, real estate investment trusts, and brokerage companies, occur in this state if derived from:

1. Fees, commissions, or other compensation for financial services rendered within this state;
2. Gross profits from trading in stocks, bonds, or other securities managed within this state;

3. Interest received within this state, other than interest from loans secured by mortgages, deeds of trust, or other liens upon real or tangible personal property located without this state, and dividends received within this state;

4. Interest charged to customers at places of business maintained within this state for carrying debit balances of margin accounts, without deduction of any costs incurred in carrying such accounts;

5. Interest, fees, commissions, or other charges or gains from loans secured by mortgages, deeds of trust, or other liens upon real or tangible personal property located in this state or from installment sale agreements originally executed by a taxpayer or the taxpayer's agent to sell real or tangible personal property located in this state;

6. Rents from real or tangible personal property located in this state; or

7. Any other gross income, including other interest, resulting from the operation as a financial organization within this state.

In computing the amounts under this paragraph, any amount received by a member of an affiliated group (determined under s. 1504(a) of the Internal Revenue Code, but without reference to...
whether any such corporation is an "includable corporation" under s. 1504(b) of the Internal Revenue Code) from another member of such group shall be included only to the extent such amount exceeds expenses of the recipient directly related thereto.

Section 29. Paragraph (f) of subsection (1) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

(f) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis.

Section 30. Paragraphs (b), (c), and (d) of subsection (2) of section 220.1845, Florida Statutes, are amended to read:

220.1845 Contaminated site rehabilitation tax credit.—

(2) AUTHORIZATION FOR TAX CREDIT; LIMITATIONS.—

(b) A tax credit applicant, or multiple tax credit applicants working jointly to clean up a single site, may not be granted more than $500,000 per year in tax credits for each site voluntarily rehabilitated. Multiple tax credit applicants shall be granted tax credits in the same proportion as their contribution to payment of cleanup costs. Subject to the same conditions and limitations as provided in this section, a
municipality, county, or other tax credit applicant which
voluntarily rehabilitates a site may receive not more than
$500,000 per year in tax credits which it can subsequently
transfer subject to the provisions in paragraph (f) (g).

(c) If the credit granted under this section is not fully
used in any one year because of insufficient tax liability on
the part of the corporation, the unused amount may be carried
forward for up to 5 years. The carryover credit may be used in a
subsequent year if the tax imposed by this chapter for that year
exceeds the credit for which the corporation is eligible in that
year after applying the other credits and unused carryovers in
the order provided by s. 220.02(8). If during the 5-year period
the credit is transferred, in whole or in part, pursuant to
paragraph (f) (g), each transferee has 5 years after the date of
transfer to use its credit.

(d) A taxpayer that files a consolidated return in this
state as a member of an affiliated group under s. 220.131(1) may
be allowed the credit on a consolidated return basis up to the
amount of tax imposed upon the consolidated group.

Section 31. Subsection (2) of section 220.1875, Florida
Statutes, is amended to read:

220.1875 Credit for contributions to eligible nonprofit
scholarship-funding organizations.—

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

Section 32. Subsection (2) of section 220.1876, Florida Statutes, is amended to read:

220.1876 Credit for contributions to the New Worlds Reading Initiative.—

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

Section 33. Subsection (2) of section 220.1877, Florida Statutes, is amended to read:

220.1877 Credit for contributions to eligible charitable organizations.—

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

Section 34. Paragraphs (a) and (c) of subsection (3) of section 220.191, Florida Statutes, are amended to read:

220.191 Capital investment tax credit.—
(3)(a) Notwithstanding subsection (2), an annual credit against the tax imposed by this chapter shall be granted to a qualifying business which establishes a qualifying project pursuant to subparagraph (1)(g)3., in an amount equal to the lesser of $15 million or 5 percent of the eligible capital costs made in connection with a qualifying project, for a period not to exceed 20 years beginning with the commencement of operations of the project. The tax credit shall be granted against the corporate income tax liability of the qualifying business and as further provided in paragraph (c). The total tax credit provided pursuant to this subsection shall be equal to no more than 100 percent of the eligible capital costs of the qualifying project.

(c) The credit granted under this subsection may be used in whole or in part by the qualifying business or any corporation that is either a member of that qualifying business's affiliated group of corporations, is a related entity taxable as a cooperative under subchapter T of the Internal Revenue Code, or, if the qualifying business is an entity taxable as a cooperative under subchapter T of the Internal Revenue Code, is related to the qualifying business. Any entity related to the qualifying business may continue to file as a member of a Florida-nexus consolidated group pursuant to a prior election made under s. 220.131(1), Florida Statutes (1985), even if the parent of the group changes due to a direct or indirect acquisition of the former common parent of the group. Any credit
can be used by any of the affiliated companies or related entities referenced in this paragraph to the same extent as it could have been used by the qualifying business. However, any such use shall not operate to increase the amount of the credit or extend the period within which the credit must be used.

Section 35. Subsection (2) of section 220.192, Florida Statutes, is amended to read:

220.192 Renewable energy technologies investment tax credit.—

(2) TAX CREDIT.—For tax years beginning on or after January 1, 2013, a credit against the tax imposed by this chapter shall be granted in an amount equal to the eligible costs. Credits may be used in tax years beginning January 1, 2013, and ending December 31, 2016, after which the credit shall expire. If the credit is not fully used in any one tax year because of insufficient tax liability on the part of the corporation, the unused amount may be carried forward and used in tax years beginning January 1, 2013, and ending December 31, 2018, after which the credit carryover expires and may not be used. A taxpayer that files a consolidated return in this state as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis up to the amount of tax imposed upon the consolidated group. Any eligible cost for which a credit is claimed and which is deducted or
otherwise reduces federal taxable income shall be added back in computing adjusted federal income under s. 220.13.

Section 36. Paragraphs (c) and (e) of subsection (3) of section 220.193, Florida Statutes, are amended to read:

220.193 Florida renewable energy production credit.—

(3) An annual credit against the tax imposed by this section shall be allowed to a taxpayer, based on the taxpayer's production and sale of electricity from a new or expanded Florida renewable energy facility. For a new facility, the credit shall be based on the taxpayer's sale of the facility's entire electrical production. For an expanded facility, the credit shall be based on the increases in the facility's electrical production that are achieved after May 1, 2012.

(c) If the amount of credits applied for each year exceeds the amount authorized in paragraph (f), the Department of Agriculture and Consumer Services shall allocate credits to qualified applicants based on the following priority:

1. An applicant who places a new facility in operation after May 1, 2012, shall be allocated credits first, up to a maximum of $250,000 each, with any remaining credits to be granted pursuant to subparagraph 3., but if the claims for credits under this subparagraph exceed the state fiscal year cap in paragraph (f), credits shall be allocated pursuant to this subparagraph on a prorated basis based upon each applicant's qualified production and sales as a percentage of
total production and sales for all applicants in this category for the fiscal year.

2. An applicant who does not qualify under subparagraph 1. but who claims a credit of $50,000 or less shall be allocated credits next, but if the claims for credits under this subparagraph, combined with credits allocated in subparagraph 1., exceed the state fiscal year cap in paragraph (f) (+g), credits shall be allocated pursuant to this subparagraph on a prorated basis based upon each applicant's qualified production and sales as a percentage of total qualified production and sales for all applicants in this category for the fiscal year.

3. An applicant who does not qualify under subparagraph 1. or subparagraph 2. and an applicant whose credits have not been fully allocated under subparagraph 1. shall be allocated credits next. If there is insufficient capacity within the amount authorized for the state fiscal year in paragraph (f) (+g), and after allocations pursuant to subparagraphs 1. and 2., the credits allocated under this subparagraph shall be prorated based upon each applicant's unallocated claims for qualified production and sales as a percentage of total unallocated claims for qualified production and sales of all applicants in this category, up to a maximum of $1 million per taxpayer per state fiscal year. If, after application of this $1 million cap, there is excess capacity under the state fiscal year cap in paragraph (f) (+g) in any state fiscal year, that remaining capacity shall
be used to allocate additional credits with priority given in
the order set forth in this subparagraph and without regard to
the $1 million per taxpayer cap.

(e) A taxpayer that files a consolidated return in this
state as a member of an affiliated group under s. 220.131(1) may
be allowed the credit on a consolidated return basis up to the
amount of tax imposed upon the consolidated group.

Section 37. Paragraph (a) of subsection (1) of section
220.27, Florida Statutes, is amended to read:

220.27 Additional required information.—
(1)(a) Every taxpayer that is required to file a return
under s. 220.22(1) for a taxable year beginning during the 2018
or 2019 calendar years, must submit to the department the
following information for those taxable years using the
application form on the department's website:

1. The taxpayer's name, federal taxpayer identification
number, taxable year beginning date, and taxable year ending
date, and whether a consolidated return for the taxpayer is
required or elected under s. 220.131.

2. The taxpayer's NAICS code for business activity that
generates the greatest proportion of gross receipts of the
taxpayer. As used in this paragraph, the term "NAICS" means
those classifications contained in the North American Industry
Classification System, as published in 2007 by the Office of
Management and Budget, Executive Office of the President.
3. The taxpayer's taxable income as that term is defined in s. 220.13(2) and the taxpayer's state apportionment fraction pursuant to s. 220.15 for the taxable year.

4. The amount of global intangible low-taxed income included in federal taxable income under s. 951A of the Internal Revenue Code, and the amount of the related deduction under s. 250 of the Internal Revenue Code, as it pertains to s. 951A of the Internal Revenue Code.

5. The amount of foreign-derived intangible income computed for the federal return for the taxable year and the amount of the related deduction under s. 250 of the Internal Revenue Code, as it pertains to foreign-derived intangible income.

6. The amount of business interest expense deducted on the federal return under s. 163 of the Internal Revenue Code, including any carryover; the amount of current year business interest expense, including any carryover, that was not deducted due to the limitation in s. 163(j) of the Internal Revenue Code; and the amount of business interest expense carried over from previous taxable years.

7. The amount of federal net operating loss deduction under s. 172 of the Internal Revenue Code, applied in determining federal taxable income and the amount of federal net operating loss carryover that was not applied due to the limitation in s. 172(a)(2) of the Internal Revenue Code.
8. The total amount of state net operating loss carryover available after the filing of the return for the taxable year.

9. The total amount of the state alternative minimum tax credit carryover available after the filing of the return for the taxable year.

Section 38. Section 220.51, Florida Statutes, is amended to read:

220.51 *Adoption* Promulgation of rules and regulations.—In accordance with the Administrative Procedure Act, chapter 120, the department is authorized to make, adopt promulgate, and enforce such reasonable rules and regulations, and to prescribe such forms relating to the administration and enforcement of the provisions of this code, as it may deem appropriate, including:

(1) Rules for initial implementation of this code and for taxpayers' transitional taxable years commencing before and ending after January 1, 1972; and

(2) Rules or regulations to clarify whether certain groups, organizations, or associations formed under the laws of this state or any other state, country, or jurisdiction shall be deemed "taxpayers" for the purposes of this code, in accordance with the legislative declarations of intent in s. 220.02; and

(3) Regulations relating to consolidated reporting for affiliated groups of corporations, in order to provide for an equitable and just administration of this code with respect to multicorporate taxpayers.
Section 39. Section 220.64, Florida Statutes, is amended to read:

220.64 Other provisions applicable to franchise tax.—To the extent that they are not manifestly incompatible with the provisions of this part, parts I, III, IV, V, VI, VIII, IX, and X of this code and ss. 220.12, 220.13, 220.136, 220.1363, 220.15, and 220.16 apply to the franchise tax imposed by this part. Under rules prescribed by the department in s. 220.131, a consolidated return may be filed by any affiliated group of corporations composed of one or more banks or savings associations, its or their Florida parent corporations, and any nonbank or nonsavings subsidiaries of such parent corporations.

Section 40. Paragraph (f) of subsection (4) and paragraph (a) of subsection (5) of section 288.1254, Florida Statutes, are amended to read:

288.1254 Entertainment industry financial incentive program.—

(4) TAX CREDIT ELIGIBILITY; TAX CREDIT AWARDS; QUEUES; ELECTION AND DISTRIBUTION; CARRYFORWARD; CONSOLIDATED RETURNS; PARTNERSHIP AND NONCORPORATE DISTRIBUTIONS; MERGERS AND ACQUISITIONS.—

(f) Consolidated returns.—A certified production company that files a Florida consolidated return as a member of an affiliated group under s. 220.131(1) may be allowed the credit...
on a consolidated return basis up to the amount of the tax imposed upon the consolidated group under chapter 220.

(5) TRANSFER OF TAX CREDITS.—
(a) Authorization.—Upon application to the Office of Film and Entertainment and approval by the department, a certified production company, or a partner or member that has received a distribution under paragraph (4)(f) (4)(g), may elect to transfer, in whole or in part, any unused credit amount granted under this section. An election to transfer any unused tax credit amount under chapter 212 or chapter 220 must be made no later than 5 years after the date the credit is awarded, after which period the credit expires and may not be used. The department shall notify the Department of Revenue of the election and transfer.

Section 41. Subsections (9) and (10) of section 376.30781, Florida Statutes, are amended to read:

376.30781 Tax credits for rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; application process; rulemaking authority; revocation authority.—

(9) On or before May 1, the Department of Environmental Protection shall inform each tax credit applicant that is subject to the January 31 annual application deadline of the applicant's eligibility status and the amount of any tax credit due. The department shall provide each eligible tax credit
applicant with a tax credit certificate that must be submitted
with its tax return to the Department of Revenue to claim the
tax credit or be transferred pursuant to s. 220.1845(2)(f) s-
220.1845(2)(g). The May 1 deadline for annual site
rehabilitation tax credit certificate awards shall not apply to
any tax credit application for which the department has issued a
notice of deficiency pursuant to subsection (8). The department
shall respond within 90 days after receiving a response from the
tax credit applicant to such a notice of deficiency. Credits may
not result in the payment of refunds if total credits exceed the
amount of tax owed.

(10) For solid waste removal, new health care facility or
health care provider, and affordable housing tax credit
applications, the Department of Environmental Protection shall
inform the applicant of the department's determination within 90
days after the application is deemed complete. Each eligible tax
credit applicant shall be informed of the amount of its tax
credit and provided with a tax credit certificate that must be
submitted with its tax return to the Department of Revenue to
claim the tax credit or be transferred pursuant to s.
220.1845(2)(f) s. 220.1845(2)(g). Credits may not result in the
payment of refunds if total credits exceed the amount of tax
owed.

Section 42. Transitional rules.—
HOUSE AMENDMENT

Bill No. CS/SB 2-D, 1st Eng. (2022D)

Amendment No.

(1) For the first taxable year beginning on or after January 1, 2023, a taxpayer that filed a Florida corporate income tax return in the preceding taxable year and that is a member of a water's edge group shall compute its income together with all members of its water's edge group and file a combined Florida corporate income tax return with all members of its water's edge group.

(2) An affiliated group of corporations which filed a Florida consolidated corporate income tax return pursuant to an election provided in former s. 220.131, Florida Statutes, shall cease filing a Florida consolidated return for taxable years beginning on or after January 1, 2023, and shall file a combined Florida corporate income tax return with all members of its water's edge group.

(3) An affiliated group of corporations which filed a Florida consolidated corporate income tax return pursuant to the election in s. 220.131(1), Florida Statutes (1985), which allowed the affiliated group to make an election within 90 days after December 20, 1984, or upon filing the taxpayer's first return after December 20, 1984, whichever was later, shall cease filing a Florida consolidated corporate income tax return using that method for taxable years beginning on or after January 1, 2023 and shall file a combined Florida corporate income tax return with all members of its water's edge group.
(4) A taxpayer that is not a member of a water's edge group remains subject to chapter 220, Florida Statutes, and shall file a separate Florida corporate income tax return as previously required.

(5) For taxable years beginning on or after January 1, 2023, a tax return for a member of a water's edge group must be a combined Florida corporate income tax return that includes tax information for all members of the water's edge group. The tax return must be filed by a member that has a nexus with this state.

Section 43. Any additional revenue received as a result of the enactment of sections 22 through 42 of this act must be used to create rebate programs for roof hardening activities for Florida homeowners.

---

**TITLE AMENDMENT**

Remove lines 2-164 and insert:

An act relating to property insurance and corporate income tax; creating s. 215.5551, F.S.; creating the Reinsurance to Assist Policyholders program to be administered by the State Board of Administration; defining terms; requiring certain property insurers to obtain coverage under the program; requiring the board to provide reimbursement to property insurers under
the program; requiring the board and property insurers to enter into contracts to provide certain insurance reimbursement; providing requirements for the contracts; providing construction; providing calculations for specified amounts of losses to determine reimbursement under the program; authorizing the board to inspect, examine, and verify insurer records; providing insurer eligibility qualifications for the program; providing for disqualification; requiring certain insurers to notify the board under a specified circumstance; providing for deferral of coverage under the program; prohibiting premiums from being charged for participation in the program; providing that the program does not affect the claims-paying capacity of the Florida Hurricane Catastrophe Fund; requiring the program to pay reimbursements directly to the applicable state guaranty fund in the event of insolvency; specifying requirements for the Florida Hurricane Catastrophe Fund if an insurer or the Citizens Property Insurance Corporation accept assignments of unsound insurers; providing that certain violations are violations of the insurance code; authorizing the board to enforce certain requirements; authorizing the board to adopt nonemergency rules and emergency rules; providing
Amendment No.

legislative findings; specifying conditions and limitations for any emergency rules adopted; providing legislative intent; requiring the board to submit a written notice within a certain timeframe to the Executive Office of the Governor relating to the program funds, under certain circumstances; providing a requirement for the notice and subsequent requests; requiring the Executive Office of the Governor to instruct the Chief Financial Officer to draw a warrant for a transfer to the board for the program under certain circumstances and to provide notification to specified persons within a certain timeframe; prohibiting cumulative transfers from exceeding a specified amount; providing reporting requirements; providing for expiration and transfer of unencumbered funds; requiring certain property insurers to reduce rates to reflect certain cost savings through rate filings by a specified date; prohibiting such insurers from making other rate changes; requiring the Office of Insurance Regulation to expedite the review of certain filings; amending s. 215.5586, F.S.; revising homeowner eligibility criteria for mitigation grants; specifying matching requirements for grants; revising reporting requirements; providing an appropriation; requiring the Department of Financial Services to
submit budget amendments; specifying requirements for
budget amendments; providing for reversion and
appropriation of any unexpended balance; authorizing
the Department of Financial Services to adopt
emergency rules; providing legislative findings;
providing that such rules remain in effect until
replaced by rules adopted using nonemergency
rulemaking procedures; providing for expiration;
amending s. 489.147, F.S.; revising the definition of
the term "prohibited advertisement"; creating s.
624.1551, F.S.; requiring claimants to establish that
property insurers have breached the insurance contract
to prevail in certain claims for damages; amending s.
624.307, F.S.; requiring the office to publish certain
information on its website; amending s. 624.313, F.S.;
revising the information the office must include in a
certain annual report; amending s. 624.315, F.S.;
revising the information the office must include in
certain reports; amending s. 624.424, F.S.; requiring
the Office of Insurance Regulation to aggregate on a
statewide basis and make publicly available certain
data submitted by insurers and insurer groups;
specifying requirements for publishing such data;
providing that such information is not a trade secret
and is not subject to a certain public records
Amendment No.

exemption; amending s. 626.9373, F.S.; revising conditions for the award of reasonable attorney fees to apply to all suits brought under residential or commercial property insurance policies, rather than those not brought by assignees; limiting the transfer, assignment, or acquisition of rights to attorney fees in certain property insurance suits; amending s. 627.428, F.S.; revising conditions for the award of reasonable attorney fees to apply to all suits brought under residential or commercial property insurance policies, rather than those not brought by assignees; limiting the transfer, assignment, or acquisition of rights to attorney fees in certain property insurance suits; amending s. 627.701, F.S.; revising a prohibition against the issuance of insurance policies containing certain deductible provisions; revising the conditions a personal lines residential property insurance policy covering certain risks must meet under certain circumstances; requiring personal lines residential property insurance policies containing separate roof deductibles to include specified information; authorizing property insurers to include separate roof deductibles if certain requirements are met; providing requirements for policyholders in rejecting such deductibles under certain

Approved For Filing: 5/24/2022 6:07:34 PM

Page 47 of 52
circumstances; requiring the office to expedite the
review of filing of certain forms; authorizing the
commission to adopt certain model forms or guidelines;
requiring the office to review certain filings within
a specified timeframe; providing that roof deductible
portions of the filing are not subject to a specified
extension for review; amending s. 627.7011, F.S.;
authorizing property insurers to limit certain roof
claim payments under certain circumstances; defining
the term "authorized inspector"; prohibiting insurers
from refusing to issue or renew homeowners' policies
insuring certain structures; requiring insurers to
allow homeowners to have roof inspections performed
before requiring roof replacement; specifying the
manner of calculating the age of certain roofs;
providing applicability; amending s. 627.70131, F.S.;
requiring insurers to conduct physical inspections for
certain claims within a specified timeframe; requiring
property insurers to notify and provide certain
detailed estimates to policyholders; providing
construction; requiring property insurers to provide
reasonable explanations related to claims under
certain circumstances; amending s. 627.70152, F.S.;
making a technical change; authorizing property
insurers to be awarded attorney fees in certain suit
dismissals; providing that a strong presumption is
created that a lodestar fee is sufficient and
reasonable; providing that such presumption may be
rebutted only under certain circumstances; amending s.
627.7142, F.S.; conforming a cross-reference; amending
s. 627.7152, F.S.; revising the definition of the term
"assignment agreement"; deleting the definitions of
the terms "disputed amount" and "judgment obtained";
revising a requirement for assignment agreements;
revising the requirement for assignees to indemnify
and hold harmless assignors; specifying a timeframe
during which and the addresses to which a notice of
intent must be served; deleting certain limitations on
the recovery and award of attorney fees in suits
related to assignment agreements; creating s.
627.7154, F.S.; creating a property insurer stability
unit within the office for a specified purpose;
specifying the duties of the unit; requiring the unit
to provide a specified report biannually; specifying
requirements for such report; specifying events that
trigger referrals to the unit; requiring the unit's
supervisors to review such referrals for a certain
determination; requiring unit expenses be paid from a
specified fund; requiring costs of examinations to be
paid by examined persons in a specified circumstance;
amending s. 631.031, F.S.; requiring certain notifications by the office to the department of grounds for delinquency proceedings to include an affidavit; specifying contents of such affidavit; amending s. 631.398, F.S.; specifying duties of the department for insurer insolvency proceedings; amending s. 220.03, F.S.; revising the definition of the term "taxpayer"; defining terms; amending s. 220.13, F.S.; revising the definition of the term "adjusted federal income" to prohibit specified deductions, to limit certain carryovers, and to require subtractions of certain dividends paid and received within a water's edge group for the purpose of determining subtractions from taxable income; conforming provisions to changes made by the act; repealing s. 220.131, F.S., relating to the adjusted federal income of affiliated groups; creating s. 220.136, F.S.; specifying circumstances under which a corporation is presumed to be, deemed to be, or deemed not to be a member of a water's edge group; providing construction; defining the term "United States"; creating s. 220.1363, F.S.; defining the term "water's edge reporting method"; specifying requirements for, limitations on, and prohibitions in calculating and reporting income in a water's edge group return;
requiring all members of a water's edge group to use the water's edge reporting method; defining the term "sale"; specifying requirements for designating the filing member and the taxable year of the water's edge group; specifying income reporting requirements for certain members of the water's edge group; requiring that a water's edge group return include a specified computational schedule and domestic disclosure spreadsheet; authorizing the Department of Revenue to adopt rules; providing legislative intent regarding the adoption of rules; amending s. 220.14, F.S.; revising the calculation for prorating a certain corporate income tax exemption to reflect leap years; conforming a provision to changes made by the act; amending ss. 220.15, 220.183, 220.1845, 220.1875, 220.1876, 220.187, 220.191, 220.192, 220.193, 220.27, and 220.51, F.S.; conforming provisions to changes made by the act; amending s. 220.64, F.S.; providing applicability of water's edge group provisions to the franchise tax; conforming provisions to changes made by the act; amending ss. 288.1254 and 376.30781, F.S.; conforming provisions to changes made by the act; specifying, beginning on a specified date, requirements for corporate tax return filings for
certain taxpayers; requiring that recaptured funds be
used for a certain purpose;