

Committee Substitute for
Committee Substitute for Senate Bill No. 1358

An act relating to enterprise zones; amending s. 290.0065, F.S.; authorizing certain counties or municipalities to apply to the Office of Tourism, Trade, and Economic Development to change enterprise zone boundaries; prescribing conditions and deadlines related to the boundary changes; amending s. 290.00675, F.S.; authorizing the office to approve requests to amend the boundaries of enterprise zones in two communities with specified populations; limiting the size by which the enterprise zones may increase; requiring that the applications for enterprise zone boundaries be filed by a specified date; amending s. 290.00688, F.S.; deleting census tract provisions relating to the boundaries of an enterprise zone in Leon County; creating ss. 290.00702, 290.00703, and 290.00704, F.S.; authorizing Osceola County or Osceola County and the City of Kissimmee jointly, the City of South Daytona, and the City of Lake Wales to apply to the office for designation of enterprise zones; providing requirements and conditions with respect thereto; authorizing Walton County, Miami-Dade County or Miami-Dade County and the City of West Miami jointly, and Miami-Dade County and the City of Hialeah jointly to apply to the office for designation of enterprise zones; providing requirements and conditions with respect thereto; authorizing the governing bodies of certain counties to apply to the office to change the boundaries of enterprise zones; requiring the office to approve the application under certain circumstances; providing requirements; prescribing conditions and deadlines related to the boundary changes; providing for severability of provisions in the act; providing effective dates.

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

Section 1. Subsection (11) of section 290.0065, Florida Statutes, is amended, and subsections (12) and (13) are added to that section, to read:

290.0065 State designation of enterprise zones.—

(11) Before ~~December 31, 2004~~ June 1, 2002, the governing body or governing bodies of a county or a municipality ~~in that is located within~~ a county having a population of more than 235,000 but less than 260,000 ~~225,000~~ and in which an enterprise zone is designated ~~under subparagraph (3)(a)2. is located~~ may apply to the Office of Tourism, Trade, and Economic Development to change the boundaries of the enterprise zone for the purpose of replacing areas not suitable for development. The Office of Tourism, Trade, and Economic Development shall approve the application made pursuant to this subsection if the boundary change is consistent with the categories, criteria, and limitations imposed upon the establishment of such ~~does not increase the overall size of the enterprise zone and if any territory added to the enterprise zone as a result of the boundary change is contiguous to the remaining area of the existing enterprise zone.~~

(12) Notwithstanding any provisions in s. 290.0055 regarding the size of an enterprise zone, any county defined by s. 125.011(1) may apply to the Office of Tourism, Trade, and Economic Development by October 1, 2004, to expand the boundary of an existing enterprise zone to include an additional 8.7 square miles. The area must also include areas to the north or east of the northeasternmost section of an existing enterprise zone. The expanded area may not include any area not described in this subsection. The Office of Tourism, Trade, and Economic Development shall approve an amendment to the boundary of an enterprise zone under this subsection by January 1, 2005, if the area proposed for addition to the enterprise zone is consistent with the criteria and conditions imposed by s. 290.0055 upon the establishment of enterprise zones, including the requirement that the area suffer from pervasive poverty, unemployment, and general distress.

(13) Before November 30, 2004, any county as defined in s. 125.011 may apply to the Office of Tourism, Trade, and Economic Development to change the boundaries of an existing enterprise zone for the purpose of replacing an area of not more than 75 acres within the enterprise zone as of January 1, 2004, with an area of the same number of acres outside the enterprise zone as of January 1, 2004. The replacement area must be contiguous to the existing enterprise zone and must be a part of a revitalization area that has been targeted for assistance by the county. The replacement area also must be contiguous to a zoo and the county must have previously completed a master plan for development of the area. The Office of Tourism, Trade, and Economic Development shall approve the amendment effective January 1, 2005, if the enterprise zone remains consistent with the criteria and conditions imposed by s. 290.0055 upon the establishment of enterprise zones, including the requirement that the area suffer from pervasive poverty, unemployment, and general distress.

Section 2. Section 290.00675, Florida Statutes, is amended to read:

290.00675 Amendment of certain enterprise zone boundaries.—

(1) Notwithstanding any other provisions of law, the Office of Tourism, Trade, and Economic Development may amend the boundaries of an area designated as an enterprise zone in a community having a population of 235,000 persons but less than 260,000, so long as the area does not increase the overall size of the zone by greater than 25 acres and the increased area is contiguous to the existing enterprise zone. The amendment must also be consistent with the limitations imposed by s. 290.0055 upon establishment of the enterprise zone.

(2) Notwithstanding any other provisions of law, the Office of Tourism, Trade, and Economic Development may approve requests to amend the boundaries of an area designated as an enterprise zone in a community having a population of 50,000 persons but fewer than 60,000, so long as the area does not increase the overall size of the zone by greater than 400 acres and the increased area is contiguous to the existing enterprise zone. The amendment must also be consistent with the limitations imposed by s. 290.0055 upon establishment of the enterprise zone. Such request must be submitted to the Office of Tourism, Trade, and Economic Development prior to December 31, 2004.

(3) Notwithstanding any other law, the Office of Tourism, Trade, and Economic Development may amend the boundaries of an area designated as The City of Brooksville/Hernando County Enterprise Zone # 2701. Hernando County is a community having a population greater than 140,000. The boundary amendment must not increase the overall size of the enterprise zone by more than 5 square miles. The increased area shall be contiguous to the existing enterprise zone. The boundary amendment must also be consistent with the limitations imposed by s. 290.0055. The application package for the boundary amendment must be submitted to the Office of Tourism, Trade, and Economic Development no later than December 31, 2004.

Section 3. Section 290.00688, Florida Statutes, is amended to read:

290.00688 Enterprise zone designation for Leon County.—Leon County, or Leon County and the City of Tallahassee jointly, may apply to the Office of Tourism, Trade, and Economic Development for designation of one enterprise zone, the selected area of which shall not exceed 20 square miles and shall have a continuous boundary, or consist of not more than three noncontiguous areas per s. 290.0055(4)(a). ~~The enterprise zone shall encompass an area or areas within the following census tracts for Leon County pursuant to the 1990 Census:~~

~~Census tract 1, block group 1; census tract 2, block group 1; census tract 2, block group 3; census tract 2, block group 4; census tract 3, block group 1; census tract 4, block group 1; census tract 4, block group 2; census tract 5, block group 1; census tract 5, block group 2; census tract 6, block group 1; census tract 6, block group 2; census tract 6, block group 3; census tract 6, block group 4; census tract 7, block group 1; census tract 7, block group 2; census tract 7, block group 3; census tract 10.01, block group 1; census tract 10.01, block group 2; census tract 10.01, block group 3; census tract 11.01, block group 1; census tract 11.01, block group 2; census tract 11.01, block group 3; census tract 11.02, block group 1; census tract 11.02, block group 3; census tract 12, block group 1; census tract 13, block group 1; census tract 13, block group 2; census tract 14, block group 1; census tract 14, block group 2; census tract 14, block group 3; census tract 14, block group 4; census tract 14, block group 5; census tract 15, block group 1; census tract 16.01, block group 1; census tract 18, block group 3; census tract 18, block group 4; census tract 19, block group 1; census tract 19, block group 3; census tract 19, block group 4; census tract 20.01, block group 1; census tract 20.01, block group 2; census tract 20.01, block group 3; census tract 20.01, block group 4; census tract 20.01, block group 5; census tract 20.02, block group 1; census tract 20.02, block group 2; census tract 20.02, block group 3; census tract 20.02, block group 5; census tract 21, block group 1; census tract 21, block group 3; census tract 21, block group 4; census tract 21, block group 5; census tract 21, block group 7; census tract 22.01, block group 1; census tract 23.01, block group 3; census tract 23.01, block group 5; census tract 26.02, block group 4.~~

The application must be submitted by December 31, 2002, and must comply with the requirements of s. 290.0055. Notwithstanding the provisions of s.

290.0065 limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the Office of Tourism, Trade, and Economic Development may designate one enterprise zone under this section. The Office of Tourism, Trade, and Economic Development shall establish the initial effective date of the enterprise zone designated pursuant to this section.

Section 4. Section 290.00702, Florida Statutes, is created to read:

290.00702 Enterprise zone designation for Osceola County or Osceola County and Kissimmee.—Osceola County, or Osceola County and the City of Kissimmee jointly, may apply to the Office of Tourism, Trade, and Economic Development for designation of one enterprise zone within the county, or within both the county and the city. The application must be submitted by December 31, 2004, and must comply with the requirements of s. 290.0055. Notwithstanding the provisions of s. 290.0065 limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the Office of Tourism, Trade, and Economic Development may designate one enterprise zone under this section. The Office of Tourism, Trade, and Economic Development shall establish the initial effective date of the enterprise zone designated under this section.

Section 5. Section 290.00703, Florida Statutes, is created to read:

290.00703 Enterprise zone designation for the City of South Daytona.—The City of South Daytona may apply to the Office of Tourism, Trade, and Economic Development for designation of one enterprise zone within the city. The application must be submitted by December 31, 2004, and must comply with the requirements of s. 290.0055. Notwithstanding the provisions of s. 290.0065 limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the Office of Tourism, Trade, and Economic Development may designate one enterprise zone under this section. The Office of Tourism, Trade, and Economic Development shall establish the initial effective date of the enterprise zone designated under this section.

Section 6. Section 290.00704, Florida Statutes, is created to read:

290.00704 Enterprise zone designation for the City of Lake Wales.—The City of Lake Wales may apply to the Office of Tourism, Trade, and Economic Development for designation of one enterprise zone for an area within the City of Lake Wales, which zone shall encompass an area up to 3 contiguous square miles. The application must be submitted by December 31, 2004, and must comply with the requirements of s. 290.0055. Notwithstanding the provisions of s. 290.0065, limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the Office of Tourism, Trade, and Economic Development may designate one enterprise zone under this section. The Office of Tourism, Trade, and Economic Development shall establish the initial effective date of the enterprise zone designated pursuant to this section.

Section 7. Enterprise zone designation for Walton County.—Walton County may apply to the Office of Tourism, Trade, and Economic Develop-

ment for designation of one enterprise zone within an area in Walton County which encompasses up to 6 square miles. The application must be submitted by December 31, 2004, and must comply with the requirements of section 290.0055, Florida Statutes, except subsection (3) thereof. Notwithstanding section 290.0065, Florida Statutes, limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the Office of Tourism, Trade, and Economic Development may designate one enterprise zone under this section. The Office of Tourism, Trade, and Economic Development shall establish the initial effective date of the enterprise zone designated pursuant to this section.

Section 8. Enterprise zone designation for the City of West Miami.— Miami-Dade County or Miami-Dade County, jointly with the City of West Miami, may apply to the Office of Tourism, Trade, and Economic Development for designation of one enterprise zone within the City of West Miami. The application must be submitted by December 31, 2004, and must comply with the requirements of section 290.0055, Florida Statutes. Notwithstanding the provisions of section 290.0065, Florida Statutes, limiting the total number of enterprise zones designated and the number of enterprise zones within a population category, the Office of Tourism, Trade, and Economic Development may designate one enterprise zone under this section. The Office of Tourism, Trade, and Economic Development shall establish the initial effective date of the enterprise zone designated under this section.

Section 9. (1) Notwithstanding the limitation in section 290.0065, Florida Statutes, on the number of enterprise zones within a population category, the Office of Tourism, Trade, and Economic Development shall designate, upon joint application by Miami-Dade County and the City of Hialeah, an area within the municipality of the City of Hialeah in an area bounded by 32nd Street, 21st Street, Palm Avenue, and East 4th Avenue as an enterprise zone. The application must be submitted by June 1, 2004, and must comply with the requirements of section 290.0055, Florida Statutes, except for paragraph (4)(d). The effective date of the enterprise zone is July 1, 2004.

(2) This section shall take effect upon becoming a law.

Section 10. Notwithstanding any other provision of law, a governing body located wholly within the boundaries of a consolidated government may apply to the Office of Tourism, Trade, and Economic Development to amend the boundary of its existing enterprise zone. The area proposed for addition to the enterprise zone must include the three noncontiguous areas designated as a federal empowerment zone under the 2000 Community Renewal Tax Relief Act without any limitations as to size. The Office of Tourism, Trade, and Economic Development may approve an amendment to the enterprise zone boundary lines if the application is submitted before December 31, 2004, and meets the requirements of this section.

Section 11. Notwithstanding any other provision of chapter 290, Florida Statutes, the governing body of any inland county, with a state-designated enterprise zone and a population greater than 500,000, may apply to the Office of Tourism, Trade, and Economic Development to amend the boundaries of such enterprise zone. The increased areas shall be contiguous to the

existing enterprise zone. The office shall approve the application as long as the amended area does not exceed 5 square miles and is consistent with the categories, criteria, and limitations imposed by section 290.0055, Florida Statutes, upon the establishment of such enterprise zone. The enterprise zone boundary amendment application must be received before December 31, 2004.

Section 12. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 13. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2004.

Approved by the Governor June 17, 2004.

Filed in Office Secretary of State June 17, 2004.