

[REDACTED]

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: RULE TITLE:
 12CER24-3 Individuals with Unique Abilities Tax Credit Program

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 61, Chapter 2024-158, L.O.F., authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of section 220.1992, F.S., Individuals with Unique Abilities Tax Credit Program, as created by section 41, Chapter 2024-158, L.O.F., effective July 1, 2024. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the requirements for applying for a corporate income tax credit under this Program.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of section 41, Chapter 2024-158, L.O.F., which creates section 220.1992, F.S., Individuals with Unique Abilities Tax Credit Program. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

Emergency Rule 12CER24-3, Individuals with Unique Abilities Tax Credit Program, as adopted on July 1, 2024, and noticed in the Florida Administrative Register on June 27, 2024

(Vol. 50, No. 126, pp. 2282-2283). On August 1, 2024 (Vol. 50, No. 150, pp. 2765-2766), the Department published a Notice of Rule Development for Rule 12C-1.051, F.A.C., pursuant to Section 120.54(2), F.S. Proposed Rule 12C-1.051, F.A.C., if adopted, would address the same topic as Emergency Rule 12CER24-3. Section 61, Chapter 2024-158, L.O.F., specifically provides for the renewal of the emergency rule pending procedures to revise the permanent rule addressing the same subject of the emergency rule. Therefore, pursuant to the provisions of section 61, Chapter 2024-158, L.O.F., Emergency Rule 12CER24-3 is renewed.

SUMMARY: Emergency Rule 12CER24-3, Individuals with Unique Abilities Tax Credit Program, incorporates, by reference, a form to implement the provisions of section 220.1992, F.S., created by section 41, Chapter 2024-158, L.O.F., effective July 1, 2024. This form allows corporations that employ individuals with disabilities in Florida to apply for an allocation of the available tax credit and provides how the tax credit is calculated, the maximum amount for each disabled employee, and the maximum amount of tax credit that may be taken by a corporation each taxable year.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Martha Gregory, Office of Technical Assistance, telephone (850)717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12CER24-3 Individuals with Unique Abilities Tax Credit Program.

(1)(a) The following form is used by the Department in its administration of the Individuals with Unique Abilities Tax Credit Program. This form is hereby incorporated by reference in this rule.

(b) Copies of the form are available, without cost, by one or more of the following methods: 1) downloading the form from the Department’s website at floridarevenue.com/forms; or, 2) calling the Department at (850)488-6800, Monday through Friday, (excluding holidays); or, 3) writing the Florida Department of Revenue, 5050 West Tennessee Street, Tallahassee, Florida 32399-0100. Persons with hearing or speech impairments may call the Florida Relay Service at 1(800)955-8770 (Voice) and 1(800)955-8771 (TTY).

<u>Form Number</u>	<u>Title</u>	<u>Effective Date</u>
<u>(2) F-11992</u>	<u>Florida Individuals with Unique Abilities Tax Credit Program Application for Tax Credit</u>	<u>07/24</u>

PROPOSED EFFECTIVE DATE: January 1, 2025
Rulemaking Authority s. 61, Ch. 2024-158, LOF. Law Implemented s. 41, Ch. 2024-158, LOF. History—New 7-1-24, Renewed 1-1-25.

