



GOVERNOR GREG ABBOTT
ECONOMIC DEVELOPMENT & TOURISM

**Texas Enterprise Zone Program
Enterprise Project Application Instructions**

The program is administered by the Economic Development Bank (Bank) in the Office of the Governor Economic Development and Tourism Office (Office). The Texas Enterprise Zone Program promotes job creation and capital investment in economically distressed areas of Texas. The Texas Enterprise Zone Act (Act), Chapter 2303, Texas Government Code, encourages state and local incentives to induce private investment in these distressed areas.

The Bank designates enterprise projects on a competitive basis through quarterly application rounds. Applications may be submitted no earlier than seven days before and must be received through the online portal no later than 11:59 PM, the day of the application deadline. Application deadlines are the first business day of the following months: September, December, March, and June.

The application fee must be made payable to the **Office of the Governor** and received **no earlier than one week before, and no later than the application deadline**. Please mail or hand-deliver the application fee and the Application Fee Memorandum, to the following address:

Office of the Governor
Attn: Financial Services
1100 San Jacinto Blvd.
Austin, Texas 78701

The check must clearly state the name of the project and the nominating jurisdiction.

For additional information on the Texas Enterprise Zone Program, contact the Texas Economic Development Bank at (512) 936-0100.

Registration Instructions

The online portal can be accessed at <https://tez.gov.texas.gov>. To register, select either the "Register" button on the top right of the page, or Click Login and navigate to "Register as a new user". Fill out all the required fields and click "Submit Registration". An email will be sent to the address provided. In the email, select the "Confirm Email" link.

After the email is confirmed, contact the Program Specialist at enterprisezone@gov.texas.gov and inform them which community you would like to be added to. Please note that consultants may need to be added to multiple communities. After being added to a community, you may either begin or continue an application with that community.

Instructions for Submitting the Application

To begin a new application, login and navigate to the Applications section. Click "New Application". Fill in all fields and then select "Create". To continue an existing application, select "Applications" on the home page, then select the edit icon of the application you would like to continue.

As applications move through the approval process, they will be placed in one of seven categories on the dashboard. These categories include:

- In Process (Application is currently being drafted and has not yet been submitted)
- Payment Pending (Application has been submitted, program is waiting on payment to be confirmed)
- Under Review (Program is reviewing the application)
- Active (The project has been approved and is currently active)
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- Denied (Application was denied)
- Withdrawn (Application was withdrawn by the applicant)
- Expired (Approved project which has reached the end of its designation)

The following is an explanation of the sections of the application (Roman numerals), as well as an explanation of required items and the location of sample documents. If the information requested under a specific section is not applicable, select the "No" (or N/A) option next to that item.

Any item that is selected "Yes" but not included or does not meet requirements will be marked as a deficiency (material deficiency). An application that is submitted with **four or more material deficiencies will be denied as incomplete**. Material deficiencies include missing required documents or submitted documents that do not meet the given instructions.

It is imperative that information is consistent throughout the application. All sections are reviewed against each other and any sections that are inconsistent must be corrected.

IMPORTANT NOTE: Do not send documents separate from the application in the portal. If deficiencies need to be addressed, you will be notified and given the opportunity to resubmit documents in the portal. The submit button will be available one week before the application deadline and is on the last page of the application. The submit button will become available once all required fields are filled in.

Complete the application as instructed below:

Page 1: Application Details

I. Application Fee. This field is auto-populated and reflects the designation type selected when the application was created. The check submitted must clearly state the name of the project and the nominating jurisdiction. The fee must be received no earlier than one week before and no later than 5:00 PM the application deadline.

II. Public Hearing(s): Indicate if the project was nominated through the public hearing process. If "Yes", provide the relevant dates and attach supporting documentation.

If the project was nominated by resolution then answer "No". In this case, you will not need to complete the public hearing section, unless an Interlocal Agreement has been executed (only if applicable). Please note that a project may only be nominated by resolution if the nominating jurisdiction has already passed an ordinance or order designating a qualified business for enterprise project status, and the local incentives in the original ordinance or order are exactly the same as offered in the current resolution.

Selecting "" will trigger the resolution option to appear in the official action section.

Public Hearing Held. Enter the date the public hearing was held.

Government Posting. Enter the date that the government posting was posted and attach a scan of a certified copy of the government posting, posted at city hall or the county courthouse, as applicable.

Posting must occur **at least seven days prior to the public hearing** and must contain the following items:

- Date, time, and location of the hearing;
- the name and address of the proposed project being nominated;
- the designation being sought (half enterprise project, enterprise project, double jumbo enterprise project, or triple jumbo enterprise project); and
- notice that tax incentives will be discussed, if applicable.

Published in Newspaper of General Circulation. Enter the date that the notice was published in the newspaper and attach a scan of a publisher's affidavit and a copy of the public notice, published in a newspaper of general circulation for the area. By statute, the newspaper notice **must** occur **at least seven days prior to the public hearing** and must contain the following items:

- Date, time, and location of the hearing;
- the name and address of the proposed project being nominated;
- the designation being sought (half enterprise project, enterprise project, double jumbo enterprise project, or triple jumbo enterprise project); and
- notice that tax incentives will be discussed, if applicable.

Notice of Hearing to the Economic Development Bank. Enter the date the notice was received by the Bank and attach a copy of the notice of the public hearing sent to the Bank prior to the public hearing. The notice must be submitted to the Bank by the nominating governing body (municipality or county).

Minutes of all Public Hearings Held. Attach a scan of a certified copy of the minutes of all public hearings held with regard to the application. The public hearing must occur prior to the adoption of the ordinance or order, or the ordinance or order is null and void.

Interlocal Agreement. If a county is nominating a project that is inside the jurisdiction of a municipality within that county, an Interlocal Agreement must be completed and attached. The agreement must contain the following:

- A statement of which governing body has the administration authority under Section 2303.201, which states that the governing body of an enterprise zone is the governing body of the municipality or county with jurisdiction over the area designated as an enterprise zone;
- A statement that both the county in which the project or activity is located and the municipality in whose jurisdiction the project or activity is located approve the nomination of the project or activity;
- The active designation period of the agreement;
- The legal name of the company being considered for designation and the street address or metes and bounds of the qualified business site; and
- Signatures from the City Manager and the County Judge and attested by the City Secretary and the County Secretary as authorization from each governing body to the contract.

III. Official Action. If the project is nominated by ordinance or order, please enter the ordinance or order number, the date passed, and attach a scan of the ordinance or order with signatures or certification. If a nominating ordinance or order has been passed for a previous project on or after September 1, 2003, the nominating jurisdiction may nominate subsequent projects by resolution if the local incentives offered are the same as outlined in the ordinance or order. A sample ordinance/order, as well as a sample nominating resolution, may be found at the following website:

<https://gov.texas.gov/business/page/texas-enterprise-zone-program> under the "Application Materials"

heading. Any additional entity, including subsidiaries, may be allowed to participate in the designation through an Additional Participating Entity Form.

The first project nominated by the jurisdiction must either be by city ordinance or county court order, as applicable, and must:

- state that a public hearing was held and include the date the public hearing was held with regard to nomination of the project. The public hearing must occur prior to passing the nominating ordinance or order, or the ordinance or order is null and void;
- identify and summarize local incentives available within the governing body's jurisdiction (at least one local incentive must be offered by the nominating jurisdiction);
- designate a governing body liaison, by position title, to communicate and negotiate with the Office, enterprise project(s) and other entities affected by the enterprise zone program;
- state the exact legal name of the business;
- nominate the project or activity for half enterprise project, enterprise project, double jumbo enterprise project, or triple jumbo enterprise project designation, as applicable;
- state whether the project or activity to be nominated for project status is located in an enterprise zone under the Act, or outside of an enterprise zone; and
- state the date the project is scheduled to end.

If a resolution is passed to nominate the project or activity, the resolution must be a certified copy, with original signatures or original certification, as applicable, and must:

- state that the local incentives offered are the same as those made available in the previously issued ordinance or order;
- reference, by number, the original ordinance or order, with the date passed and approved;
- state the exact legal name of the business;
- nominate the project or activity for half enterprise project, enterprise project, double jumbo enterprise project, or triple jumbo enterprise project designation, as applicable;
- state whether the nominated project or activity is located in an enterprise zone under the Act, or outside of an enterprise zone; and
- state the date the project is scheduled to end.

IV. Designation Sought / Allocation(s) Available. Indicate the number of designations allowed for the jurisdiction. Jurisdictions with a population of less than 250,000 are allowed up to six designations during a state biennium. Jurisdictions with a population of 250,000 or more are allowed up to nine designations. Population is based upon the 2020 decennial census, and designations are limited to statewide availability. The designation type is auto-populated based on the designation type selected when creating the application.

Indicate how many nominations the jurisdiction has already used in the current biennium. The number of designations represented in this application will auto-populate. Indicate how many designations are being applied for in this round including the application in progress and any other applications submitted this round.

Indicate how many designations the nominating jurisdiction would be remaining if all applications applied for this round are approved.

Page 2: Qualified Business Site

V. Qualified Business Site.

Nominating Jurisdiction. Enter the name of the nominating jurisdiction and select the type of jurisdiction (municipality or county). Enter the population of the nominating jurisdiction at the 2020 census and the poverty level of nominating jurisdiction at the 2020 census. If nominated by a county, indicate if the qualified business site is located in a municipality's city limits or extraterritorial jurisdiction (ETJ).

Primary Business Address of the Qualified Business Site. Provide the main address for the qualified business site that is verifiable by the local appraisal district. This address will be used to verify the block group that determines enterprise zone status. Indicate the county in which the qualified business site is located in and the poverty level of the county at 2020 census (if nominating jurisdiction is a county these fields will auto-populate). Indicate the Texas House District and Texas Senate District the site is located in.

Census Map. Attach the appropriate map showing the location of the qualified business site. If the qualified business site is located within a municipality's city limits or ETJ, the municipality must nominate the qualified business for enterprise project designation. If the qualified business site is located outside of a municipality's city limits or ETJ, the qualified business must be nominated by the applicable county for enterprise project designation.

Exception: A county may nominate a project located inside a municipality's city limits or ETJ for designation if the municipality is located inside the county and an interlocal agreement has been executed between the county and the municipality.

Enterprise Zone Status. Indicate if the business site is located in an enterprise zone, distressed county, or not in a zone.

To determine if a qualified business site is located in an enterprise zone, navigate to the "Resources" section and open the "Enterprise Zone Finder". Fill in the address and zip code of the qualified business site. If the 2020 lookup states that the qualified business site is not in an enterprise zone, attach a screenshot of the map in the portal. If the 2020 lookup states that the qualified business site is in an enterprise zone, provide an official U.S 2020 Census map showing the entire location of the qualified business site. The census map must include all block groups that the site resides within. Please note that all block groups in a distressed county are enterprise zones.

Backup Documentation – 2020 Poverty Data. Provide backup documentation for the applicable category.

Criteria for distressed county. Documentation for distressed county criteria can be found at the following website: <https://gov.texas.gov/business/page/texas-enterprise-zone-program> under "Texas Enterprise Zones Data".

Poverty level for block group. Documentation for 2020 Census Block Group can be found at the following website: <https://gov.texas.gov/business/page/texas-enterprise-zone-program> under "Texas Enterprise Zones Data".

2020 Census Tract. Indicate what census tract and block group the qualified business site resides in. Also indicate the poverty level of the Census Block Group (with backup attached), additional census tract block group the qualified business site encompasses, and the unemployment rate for the county.

In determining the unemployment rate for the purposes of establishing which counties qualify under the definition of a distressed county, the American Community Survey for the last 5 years available should be used under the scoring section of the application for unemployment rate of the nominating jurisdiction.

Additional Locations. If there is more than one location in the jurisdiction to be included under the designation, Select "Yes." Enter the address of the additional site and provide an explanation how the activities that are performed at the additional location contribute to the project or activity at the qualified business site, as well as a map showing the proximity of all of the locations to be included in the designation to the qualified business site. Also include the Texas House District and Texas Senate District the additional location is located in.

Press the + button at the bottom of the screen to add the additional location. If the activity at the additional location does not **directly relate** to the project or activity at the qualified business site, a separate enterprise project application must be completed for the additional location within the jurisdiction and the activities cannot be combined between the two locations.

Please note: the address listed as the qualified business site on page 2 of the application is the only site that can be used to determine distress for purposes of qualification of the area as an enterprise zone. Only mark categories and include backup documentation for the qualified business site. The local business liaison **must** be located at the listed qualified business site.

Page 3: Revitalization Effort

VI. Community Effort. Briefly describe efforts by the **governing jurisdiction** within the last year to encourage participation by residents, neighborhood groups and other businesses in the area. Identify community efforts to revitalize the area by implementing or supporting programs such as rebuilding neighborhoods or creating public-private partnership programs, etc.

VII. Business Activity in the Area. Briefly describe the **business activity** that has occurred within the last two years to revitalize the area of the qualified business site. In addition, estimate and describe the privately sponsored investment or in-kind services used to improve the area or create jobs (i.e. infrastructure, day care facilities, adopt-a-school, paint fix-up programs, literacy, or other special training).

Page 4: Business Information

VIII. Business Information & Structure. Enter the exact legal name under which the business is seeking designation. It must correspond with the nominating ordinance, order, or resolution and match the corporate resolution. Provide the requested information regarding structure and ownership of the business, as well as participation in the project or activity.

Provide the Federal Tax ID Number, Comptroller of Public Accounts Number, and the Texas SOS File Number.

Certificate of Corporate Resolution authorizing the Enterprise Project Application. Provide a fully executed Certificate of Corporate Resolution. A sample Corporate Resolution may be found at the following website: <https://gov.texas.gov/business/page/texas-enterprise-zone-program> under the "Application Materials" heading. The corporate resolution must:

- approve the enterprise project application;
- name the primary business representative authorized to sign on behalf of the business any contracts or forms for the enterprise project application;
- authorize and direct person to certify to any interested party that the resolution has been duly adopted, is in full force and effect, and is in accordance with the provisions of the charter and by-laws of the business; and
- contain a corporate seal or be notarized.

Answer "Yes" or "No" to the following questions:

- Does the Qualified Business have a State Sales and Use Tax liability?
- Is business current on tax payments with the State of Texas? (If no, you will be asked to provide an explanation as to why.)
- Does the company have the authority to do business in Texas?

Applicable Documents indicating authority to do business in Texas from the Texas Secretary of State. Provide the document which indicates the authority to do business in Texas by the Texas Secretary of State.

Years in Business and Number of Employees Worldwide. Enter in the number of years in business and the number of employees worldwide.

Business Structure. Indicate the structure of the company from the provided list.

Other Owners. If any person or entity has over 5% ownership in the business, select the "Yes" button and indicate their name and their ownership percentage. Use the "+" button to add them. You may include as many owners as needed.

Parent Company Information. If the Business has a parent company, select "Yes". Provide the name and location of the parent company, as well as how long the parent company has been in business.

Page 5: Additional Participating Entities.

IX. Additional Participating Entities. Indicate if the qualified business is a franchise or a subsidiary. Complete an Additional Participating Entities form for each entity in the business controlled group that will have a role in the project or activity, either by making capital investment at the qualified business site for the project or activity, paying state sales and use taxes at the qualified business site for the project or activity, or hiring employees at the qualified business site for the project or activity in the name of the participating entity.

Only complete the form for the parent company if the parent company will be directly making capital investment at the qualified business site for the project or activity, paying state sales and use taxes for the project or activity at the qualified business site, or directly hiring employees for the project or activity at the qualified business site.

Provide an Organization Chart showing the legal business structure which includes each additional participating entity in the business-controlled group that will have a role in the project or activity, either by paying state sales and use taxes on qualifying items or hiring employees in the name of the participating entity. **NOTE:** expenditures made and new and/or retained jobs for benefit by an additional participating entity must be located at the qualified business site and must be directly related to the project or activity in order to qualify.

To fill out the form, select the "Add Participating Entity" drop-down arrow. Provide the business representative info for the additional participating entity, including Name, Title, Organization, Website Address, Phone Number, and Email Address. Also provide the federal Tax ID Number, Comptroller of Public Accounts Number, Texas SOS File Number, and a description of the role the company will be playing.

If the company will be making capital investment at the business site, direct payment of State Sales and Use Tax, or Employment of employees at the qualified business site, select "Yes" next to the applicable option and provide a brief explanation, then select "Save." This section can be repeated as many times as necessary.

Page 6: Other Business Details

X. Business Type. Indicate applicable type of business and provide NAICS (website: <http://www.census.gov/naics>). Also include a brief description of the primary product or service being provided.

XI. Industry Cluster. Indicate whether the business falls within one of the cluster categories. Definitions of targeted industry clusters can be found at the following website: <https://gov.texas.gov/business/page/target-industries>

XII. Market for Product or Activity. Indicate the market for the product or activity and whether the business exports the product internationally.

XIII. Existing Jobs at Other Texas Locations. If the business has other Texas locations, select "Yes". Enter the city and the number of jobs, then click the "+" button. This may be repeated for every city the business has locations in.

Page 7: Representatives

Business Representatives will have to register an account and be added to a community before they may be added to the application.

Navigate down to "Register as New User." Fill out the required fields and click "Submit Registration.". An email will be sent to the addresses captured. In the email, click the "Confirm Email" link.

After email is confirmed, contact the program specialist with your information and what community you would like to be added to at enterprisezone@gov.texas.gov. Once added to the appropriate community, the application preparer can add the respective business representatives to the application on this page.

XIV. Primary Business Representative. Provide the requested information for the business representative that has the authority to act on behalf of the business. Designation of the primary business representative must be granted by corporate resolution, articles of incorporation, power of attorney, or other legal instrument approved by the business.

XV. Local Business Representative. Provide the requested information for the contact person that is to be located at the qualified business site. The local business representative must work for the qualified business, be located at the qualified business site. If the local business rep is not currently located at the site, select "No" and provide the date that they will locate. **Note:** if the local business representative has not yet been hired, provide the applicable information for the qualified business site, indicate the job title for the intended local business representative, and indicate that the position is currently vacant. However, please be aware that the local business representative must be filled and located at the qualified business site as soon as the site is available.

Page 8: Project Details.

XVI. Project Description. Provide a scan of the description and introduction of the project or activity in the form of a letter addressed to the governing body representative and the Bank on company letterhead and **signed by the primary business representative**. The letter **must** include:

- a general description of the business structure;
- the location of the parent company and/or corporate headquarters, if applicable;
- a summary of location(s) currently in Texas, including the current number of employees statewide;

- history and description of the qualified business and its products and/or services;
- the nature of the business, including markets and transportation needs;
- a description of the company's export history, if applicable;
- total sales/revenue;
- the number of employees currently located at the qualified business site;
- a description of the project location (qualified business site) and intended use;
- a description of each additional location within the nominating jurisdiction that is to be included in the designation, including proximity to the qualified business site, with an explanation how the activities that are performed at the additional location(s) contribute to the project or activity at the qualified business site, if applicable;
- a summary of short and long-term plans for expansion at the qualified business site;
- projected dates;
- a detailed description of expected capital investment;
- a summary of jobs to be created and/or retained for benefit during the designation period;
- a detailed description of each additional participating entity's role within the corporate structure and their role with regard to the project or activity (list each participating entity, how they relate to each other, and what their role is within the project or activity), if applicable; and
- a statement from a franchise or subsidiary, if applicable, that the business will maintain separate payroll and tax records of the business activity conducted at the qualified business site.

XVII. Project. Check **all** categories that apply to the project or activity. Statute does not allow benefit for jobs moved from one Texas jurisdiction to another Texas jurisdiction. Note: some categories will ask you to provide a description of the related capital expenditure for each category.

XVIII. Project Characteristics. Check **all** categories that apply to the project or activity.

XIX. Projected Dates and Milestones. Provide projected dates for each category as applicable. Activity that occurs outside of the 90-day window may not be claimed for benefit.

XX. Projected Capital Investment. Provide projected dollar amounts for each category with a detailed description of each category of capital investment for the proposed project or activity. Expenditures for routine and planned maintenance required to maintain regular business operations are only considered qualified capital investment if there will be a measurable increase in production capacity or if the expenditures will result in increased productivity, which may be expressed as a decrease in the overall cost per unit produced and may not exceed 40% of capital investment.

The designated qualified business must make the investment, pay state sales and use taxes, and create the jobs in order to receive benefit. **NOTE:** if using a contractor to construct the facility, a "**separate contract**," or a contract in which the agreed contract price is divided into separately stated prices for materials and labor, must be executed. If a "lump sum contract" is executed, a claim for refund of taxes invoiced to, and paid by, a third party will not qualify for a refund under this Program. Please call the Comptroller of Public Accounts' Office at 1-800-531-5441 ext. 33900 if you have any questions regarding this issue.

Page 9: Jobs and Commitments

XXI. Existing Jobs at the Qualified Business Site. Provide the total number of positions for each category: full time, part time, and seasonal. This information will be used as a baseline for the project or activity.

Existing Jobs at the Qualified Business Site. Provide a breakdown of the types of existing full-time jobs at the qualified business site to be used for baseline purposes only. The breakdown must include:

- six-digit Standard Occupational Code (website: <http://www.bls.gov/soc/>) and/or categories of existing jobs by detailed job titles;
- number of positions in each category; and
- salary range or hourly rate for each. **If using salary range, please include a column with the average wage.**

XXII. Full-time Jobs for Benefit. Indicate by checking the appropriate box or boxes the type of jobs for benefit. Provide the information requested for new jobs to be created as a result of the project or activity. To receive a designation for the retained jobs benefit, a qualified business must submit to the governing body liaison a written request, signed by the primary business representative, for the retained jobs benefit including documentation verifying which retained jobs criteria is being met and how it qualifies.

NOTE: Part-time, leased, contract, seasonal, temporary, construction jobs, or any jobs transferred from one jurisdiction in Texas to another jurisdiction in Texas do not qualify as new jobs and will not be eligible to receive state benefits. All employees must be residents of the State of Texas to qualify for program benefits.

New Jobs for Benefit. Provide a breakdown of the types of new jobs to be created at the qualified business site. Also provide how many new jobs will be created and the total annual payroll for new jobs. All jobs must meet the statutory requirement that they perform at least 50% of their time at the qualified business site unless the person's job responsibility is to transport or deliver the enterprise project's goods or services. The breakdown must include:

- six-digit Standard Occupational Code (website: <http://www.bls.gov/soc/>) and/or categories of existing jobs by detailed job titles;
- number of positions in each category; and
- salary range or hourly rate for each. **If using salary range, please include a column with the average wage.**

Retained Jobs for Benefit. Provide a breakdown of the types of jobs to be retained at the qualified business site for benefit. Also provide the number of retained jobs and the total amount of annual payroll. All jobs must meet the statutory requirement that they perform at least 50% of their time at the qualified business site unless the person's job responsibility is to transport or deliver the enterprise project's goods or services. **Important note:** if the project is nominated as a double jumbo enterprise project or triple jumbo enterprise project, this section will not appear in the application and does not need to be completed. The breakdown must include:

- six-digit Standard Occupational Code (website: <http://www.bls.gov/soc/>) and/or categories of existing jobs by detailed job titles;
- number of positions in each category; and
- salary range or hourly rate for each. **If using salary range, please include a column with the average wage.**

If "Business facility has been legitimately destroyed or impaired due to fire, flood, tornado, hurricane, or any other natural disaster (Chapter 2303.406(a)(4)(E))," is selected, include the projected dollar amount of damage to the facility as a direct result of the natural disaster and outline any additional projected expenditures relating to upgrade of the facility outside repairs related to the natural disaster.

Once the governing body liaison has verified the documentation and has determined that a retained job criteria has been met, the governing body liaison must complete this section of the application and e-sign the verification. Documentation will be reviewed by the Bank during the application review process for qualification.

XXIII. Commitment to the Community. Indicate by checking “Yes” or “No” whether the business commits to the program-targeted activities.

To receive 3 points for any program below, please provide a description of the program and contact name and number in the backup documentation section. Points **will not** be awarded if the program description and contact name and numbers are not present in the commitment to the community section. In the program description, please provide a detailed summary about the focus of the program and how it helps the local community.

If the project has made a donation to a program that fits the criteria of this section, please provide documentation that the donation was made in the commitment to the community section. The Bank reserves the right to adjust scores based upon the verified documentation.

XXIV. Additional Project Commitments. Outline the company’s commitment to the community by specific recipient and dollar value of anticipated contribution(s) **during the designation period.**

Page 10: Funding and Property Access

XXV. Source of Funding. Indicate if the project is being funded internally, externally, or both. Also indicate if the project is receiving benefit from the listed State of Texas government programs. Provide a brief narrative regarding the method of funding. The nominating body (city or county) is responsible for determining financial viability of the project or activity.

XXVI. Property Access. Check the appropriate box to correspond with the documentation provided. Provide a copy of the **executed** documents which indicate access to the qualified business site property.

Page 11: Permits and Designations.

XXVII. Status of Permits. Check the appropriate box regarding the status of permits and provide an explanation of any pending permits and when they are expected to be received.

XXVIII. Concurrent Designation. A qualified business that is currently designated as an enterprise project may apply for an additional enterprise project designation at the same qualified business site. Records regarding capital investment, jobs created and/or retained, and state sales and use taxes on qualifying items must be kept separate.

Each designation must qualify under separate investment and jobs. Capital investment and jobs cannot be counted under more than one designation. For example, benefit cannot be received for new jobs (or retained jobs) under one designation and then the same jobs qualify as retained jobs under a concurrent designation.

Concurrent Designation. Provide a brief explanation of the capital investment and new and/or retained jobs for each designation, delineating what capital investment and jobs will apply to which designation with timelines for all.

In the boxes provided, please enter the Baseline Jobs, Date Approved, Date Project Expires, Date Jobs Certified, Capital Investment, New Jobs, and Retained Jobs.

If no jobs have been certified, provide an explanation as to why not and when application for certification of jobs is expected to occur. Provide a breakdown of the types of jobs to be created and/or

retained at the qualified business site for benefit under each concurrent designation. The breakdown must include:

- six-digit Standard Occupational Code (website: <http://www.bls.gov/soc/>) and/or categories of existing jobs by detailed job titles;
- number of positions in each category; and
- salary range or hourly rate for each. **If using salary range, please include a column with the average wage.**

Page 12: Scoring

XXIX. Scoring. Complete the scoring section of the application. The score will be determined by the Bank using information provided in this section and the rest of the application. **All scoring documentation must be included in the initial application, otherwise no points will be awarded for this section.**

By statute, each project round is a competition, with each application being scored based on three categories. As a result of the statutory structure of the scoring mechanism, the Bank not only looks at the total score of the prospective project, but also at the score of each category, weighed against other nominated projects in the round.

Scores will be reviewed and verified by the Bank, and state priority points will be awarded based upon ranking within the round. The Bank reserves the right to adjust scores based upon the application content and verified documentation. Points will be deducted if instructions are not followed for each section.

Scoring. Provide backup documentation for each applicable category under the scoring section. Backup that has been uploaded previously in the application will be auto-populated in the respective field. If backup documentation is not present in the scoring section, points will not be awarded. Points for any local incentive checked may only be received if the local incentive is outlined in the nominating ordinance or order as an incentive as provided in the scoring section. If the local incentive is not present in the nominating ordinance or order, points will not be awarded. For Local Incentives that may have an executed incentive contract, an upload button will appear to the right of the incentive. Please provide a copy of the executed incentive agreement(s) if applicable. If a copy of the executed incentive agreement(s) is not present in scoring section, points will not be awarded.

The maximum number of points that may be earned under **Distress of the Area is 85**. The distress section is based on population, poverty, unemployment, and other factors.

The maximum number of points that may be earned under **Local Effort is 53**. The local effort demonstrates the community's commitment to the qualified business through the community's willingness to offer local incentives. **The average weekly wage for the jobs for benefit MUST be at or above the average weekly wage for the county for the application to be considered.**

To find the County Average Weekly wage, go to the following website <https://texaslmi.com/LMIbyCategory/QCEW>, and follow the instructions below.

Section 1: Select **COUNTY**

Section 2: Select the County you are researching i.e. **"ANDERSON"**

Click **CONTINUE**

Section 3: Select year – **"20##"** (use the most recent year for which all four quarters are available)

Section 4: Select Time Period – select **ALL**

Click **CONTINUE**

Section 5: Select Industry Code – **NAICS**

Section 6: Select Ownerships – select **ALL**

Section 7: Select Division – select **ALL**

Click **CONTINUE**

Section 8: Select Industries – select **TOTAL, ALL INDUSTRIES**

Section 9: Select Data Series – select **AVG WEEKLY WAGES**

Order by: select **AREA**

VIEW DATA

The maximum number of points available **for Private Effort** is 75 and is based on Commitment to the Community, Average Weekly Wage, Number of Jobs for Benefit, Projected Capital Investment, Employee Benefits Provided, Type of Jobs (based on NAICS), and Industry Cluster.

Page 13: Certification and Agreements

XXX. Certification of Application. Provide the requested information for the Governing Body Liaison. The Liaison must create an account, confirm their account, and contact the program specialist at enterprisezone@gov.texas.gov to inform them what Community and Applications they need to be added to. After completing these steps, the Liaison may then be added to the correct application(s). The liaison must download, complete, sign, and have the certification notarized. Then, they must upload a scanned copy of the signed and notarized document. The person assigned the role of governing body liaison in the nominating ordinance or order must sign the certification of the application, further certifying that they have read the Act and the Rules and are familiar with the provisions contained therein.

XXXIa and XXXIb. Qualified Business Certification and Agreement. The Primary Business Representative and the Local Business Liaison must review the listed commitments, then download, complete, sign, and have the certification notarized. They will then upload a scan of the notarized Certification and Agreement. The representatives confirm that the commitments made are understood, that they have read the Texas Enterprise Zone Act ([Chapter 2303, Texas Government Code](#)) and the Enterprise Zone Program Rules ([10 TAC 176](#)), and are familiar with the provisions therein, and that the application is true and correct. The local business liaison must work for the qualified business (not the governing jurisdiction) and must be located at the qualified business site. If the local business liaison has not been hired at the time of application the Local Business Certification and Agreement will not need to be completed and will not be visible.

Page 14: Finalize

XXXII. Participating Consultant Form. Complete the Participating Consultant Form (If Applicable). Provide a brief overview of the Consultant's role in creating the application. This page must be e-signed by both the Consultant and the Primary Business Representative who authorized the Consultant to work on the application.

XXXIII. Application Fee Memorandum. Download and complete the Non-Refundable Application Fee Memorandum and provide it to the bank with the non-refundable fee. The application fee must be received by the application deadline in order for the application to be considered for designation during the round. Also indicate who the Program Specialist should contact if they have questions regarding the application.

Page 15: Submit

The final page will allow you to submit the application when it is completed and within the appropriate submission timeframe. If there is information missing, this section will state "Application cannot be submitted" and will show the missing sections. The outline on the left will also show a red X next to the incomplete sections.

Do not submit the application until the Business, Community, and any Consultants have agreed that the application is complete and correct. Once the application is submitted, you can no longer edit it unless deficiencies need to be addressed.