

1                   A bill to be entitled  
2           An act relating to the Department of Economic  
3           Opportunity; creating s. 288.111, F.S.; requiring the  
4           department to create a web page accessible through its  
5           Internet website that provides comprehensive data and  
6           information that are relevant to the creation of new  
7           businesses, or the expansion of existing businesses,  
8           within the state; providing purposes of the web page;  
9           requiring the department to collect all local business  
10          information available to the department; requiring the  
11          department to request the relevant local government to  
12          provide any otherwise unavailable information;  
13          requiring local governments to provide notice of  
14          changes in information collected by the department;  
15          creating s. 288.112, F.S.; providing legislative  
16          findings; creating the Community of Economic  
17          Profitability Certification Program within the  
18          Department of Economic Opportunity; providing purpose  
19          of the program; providing for certification of program  
20          applicants by the department; requiring the department  
21          to develop and adopt rules; providing application  
22          requirement; creating the Community of Economic  
23          Profitability Advisory Council; providing requirements  
24          for applicants for certification as a Community of  
25          Economic Profitability; establishing allowable  
26          promotional uses of certification; authorizing the  
27          Department of Transportation to erect markers  
28          designating an applicant as a Community of Economic

29 Profitability; limiting the charge for such markers;  
 30 providing procedure with respect to an applicant's  
 31 failure to meet certification requirements; providing  
 32 for expiration of certification; providing an  
 33 effective date.

34

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

36

37 Section 1. Section 288.111, Florida Statutes, is created  
 38 to read:

39 (1) The Department of Economic Opportunity shall create a  
 40 web page, accessible through its Internet website, dedicated  
 41 solely to the collection and publication of data and information  
 42 that are relevant and of significance to the creation of new  
 43 businesses within the state or the expansion of existing  
 44 businesses within the state. The purpose of the web page is to:

45 (a) Provide a comprehensive overview of conditions that  
 46 exist within the various cities and counties of the state that  
 47 are conducive or advantageous to the creation of new businesses  
 48 or the expansion of existing businesses.

49 (b) Enable prospective employers both within and outside  
 50 the state to effectively and accurately evaluate the business  
 51 climate of cities and counties within the state.

52 (c) Provide prospective business owners and operators and  
 53 cities and counties within the state with immediate access to  
 54 specific charges and costs related to the establishment,  
 55 operation, and maintenance of a business in any city or county  
 56 within the state.

57 | (2) (a) The department shall, by January 1, 2014, collect  
58 | all relevant information from any sources that are reasonably  
59 | available to the department as to the conditions within cities  
60 | and counties that impact the creation or expansion of businesses  
61 | within the boundaries of a city or county. If that information  
62 | is not reasonably available to the department, the department  
63 | shall request the otherwise unavailable information from the  
64 | relevant heads of local government entities.

65 | (b) The department shall place all the collected  
66 | information on its webpage as soon as practicable.

67 | (c) Business information collected by the department shall  
68 | not include quality of life considerations. The information  
69 | collected by the department shall include, as applicable:

70 | 1. An indication as to whether the city or county, or a  
71 | portion of the city or county, is designated as or contained  
72 | within:

73 | a. A rural area of critical economic concern.

74 | b. A foreign trade zone.

75 | c. An enterprise zone.

76 | 2. Current millage rates for all relevant taxing  
77 | authorities, school districts, and special districts.

78 | 3. The rate of any local discretionary sales surtax.

79 | 4. The rate of any local option food and beverage tax.

80 | 5. The rate of any local option fuel tax.

81 | 6. The rate of any local public service tax.

82 | 7. A complete schedule for local business taxes, the  
83 | categories for which local business taxes are collected, any  
84 | cost difference or savings if more than one category of local

85 business tax is required for the same business, and the average  
 86 length of time for processing the application.

87 8. A complete schedule and explanation of any other fees  
 88 or taxes that may be imposed by the local government entity that  
 89 would impact the establishment or expansion of a new business or  
 90 new business location, and the average length of time for  
 91 processing an application, including the following:

92 a. Construction licensing fees.

93 b. Impact fees.

94 c. Water and sewer connection fees.

95 d. Stormwater fees and permits, specifically identifying  
 96 permitting requirements that exceed the requirements of the  
 97 water management districts.

98 e. Sign ordinance requirements, permits, and fees.

99 f. Tree and landscape ordinances, permits, and fees.

100 g. Local licenses required to perform any construction or  
 101 specialty trade within the local government entity's  
 102 jurisdiction, including the categories of licensure, fees  
 103 charged, requirements for competency and testing, and the  
 104 average length of time for processing an application.

105 h. A schedule of local fees charged for issuance of  
 106 building or demolition permits, including the categories of  
 107 permits and fees charged for each, and the average length of  
 108 time for reviewing and processing each type of application.

109 i. Local fees charged for any other applications for new  
 110 developments and the average length of time required for review  
 111 and processing of each type of application.

112 9. For each of the permits or fees imposed, whether the

113 application and fee information can be obtained from the local  
114 government entity's website.

115 (d) Local government entities must provide notice to the  
116 department of any factor, such as the elimination of, addition  
117 of, or change in any items specified in paragraph (c), as soon  
118 as practicable.

119 (e) Local government entities may provide to the  
120 department a summary of 1,500 words or less which shall be  
121 included on the web page, stating the advantages to business  
122 that exist within the area of the local government entity and  
123 including a link to the city's or county's website. The summary  
124 may include quality of life considerations or other factors that  
125 in the determination of the local government entity create  
126 conditions that are favorable to business creation or expansion.

127 Section 2. Section 288.112, Florida Statutes, is created  
128 to read:

129 288.112 Community of Economic Profitability Certification  
130 Program.-

131 (1) The Legislature finds that it is in the best interest  
132 of the public welfare to encourage communities in this state to  
133 become engaged in activities that will contribute to economic  
134 growth and job creation. In furtherance of these goals, the  
135 Community of Economic Profitability Certification Program is  
136 created within the Department of Economic Opportunity to promote  
137 economic development, job creation, business retention and  
138 expansion, and pro-business governing policies within this  
139 state.

140       (2) The department shall serve as the state agency for  
141 certifying an applicant as a Community of Economic  
142 Profitability. The department shall develop and adopt rules for  
143 the receipt and processing of applications for certification  
144 which shall include the receipt of online applications.  
145 Applications shall be narrative-based and must detail the  
146 applicant's demonstrated commitment to economic development, job  
147 creation, business retention and expansion, and pro-business  
148 governing policies.

149       (3) (a) There is created the Community of Economic  
150 Profitability Advisory Council which shall be located for  
151 administrative purposes within the Department of Economic  
152 Opportunity. The advisory council shall serve in an advisory  
153 capacity to the executive director of the department.

154       (b) The purpose of the advisory council is to review  
155 applications for certification as a Community of Economic  
156 Profitability and to make recommendations to the executive  
157 director based upon the council's determination that qualified  
158 applicants have demonstrated exemplary commitment to economic  
159 development, job creation, business retention and expansion and  
160 pro-business governing policies.

161       (c)1. The advisory council shall consist of seven members.  
162 Advisory council members must be residents of this state and  
163 shall be recommended to the Governor, the President of the  
164 Senate, and the Speaker of the House of Representatives by the  
165 department on the basis of their knowledge in the areas of  
166 economic development, job creation, business retention and  
167 expansion, and pro-business governing policies.

168        2. Advisory council members shall serve for 2-year terms.  
169        A member may be reappointed when his or her term expires. The  
170        seven members of the advisory council shall be appointed as  
171        follows:

172            a. The Governor shall appoint three members.  
173            b. The President of the Senate shall appoint two members.  
174            c. The Speaker of the House of Representatives shall  
175        appoint two members.

176        3. The Governor shall designate a chair of the advisory  
177        council every 2 years.

178        4. The advisory council shall meet biannually beginning in  
179        January 2014. The department shall provide notice of the  
180        scheduled meetings to the public on its website at least 120  
181        days before each meeting.

182        5. The department shall provide staff to assist the  
183        advisory council in the performance of its duties.

184        6. Members of the advisory council shall serve without  
185        compensation, but are entitled to reimbursement for travel and  
186        per diem expenses, as provided in s. 112.061, Florida Statutes,  
187        while performing their duties under this section.

188            (4) Before certifying an applicant as a Community of  
189        Economic Profitability, the department must determine that:

190            (a) An applicant is a unit of local government as defined  
191        in s. 218.369.

192            (b) An applicant has certified by resolution after public  
193        hearing that the application serves a public purpose.

194            (c) The advisory council has voted unanimously to  
195        recommend an applicant for certification.

196        (d) The application is received at least 60 days before  
197 the biannual advisory council meeting.

198        (e) An applicant has complied with all additional requests  
199 for information made by the department pursuant to s. 288.111.

200        (5) (a) A list of applicants certified by the department  
201 shall be prominently displayed on the department's website and  
202 certified applicants shall be eligible to use the term  
203 "Community of Economic Profitability" and any associated logos,  
204 displays, or signage.

205        (b) Certified applicants may purchase and have erected by  
206 the Department of Transportation suitable markers designating  
207 the applicant as a Community of Economic Profitability. The  
208 Department of Transportation may not charge the applicant more  
209 than \$500 per marker.

210        (6) Applicants failing to meet the requirements for  
211 certification shall be provided a summary prepared by the  
212 department explaining the reasons for denial of certification  
213 and detailing steps that may be taken by the applicant to  
214 improve economic development, job creation, business retention  
215 and expansion, pro-business governing policies, and compliance  
216 with all additional requests for information made by the  
217 department pursuant to s. 288.111, prior to reapplication.

218        (7) Certification as a Community of Economic Profitability  
219 shall expire 4 years after issuance of the certification.  
220 Previously certified applicants are eligible to reapply for  
221 certification upon expiration of their original certification.

222        Section 3. This act shall take effect July 1, 2013.