

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**COMMERCE AND TOURISM**  
**Senator Montford, Chair**  
**Senator Gainer, Vice Chair**

**MEETING DATE:** Wednesday, June 7, 2017  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** *Toni Jennings Committee Room*, 110 Senate Office Building

**MEMBERS:** Senator Montford, Chair; Senator Gainer, Vice Chair; Senators Gibson, Hutson, Latvala, Passidomo, Rodriguez, and Young

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 2-A</b> Latvala (Similar H 1-A)	Economic Programs; Creating the Florida Job Growth Grant Fund within the Department of Economic Opportunity; requiring the Department of Economic Opportunity to retain state funds for specified programs in the State Economic Enhancement and Development Trust Fund until certain conditions are met; creating the Targeted Marketing Assistance Program to enhance the tourism business marketing of small, minority, rural, and agritourism businesses in the state; terminating the Displaced Homemaker Trust Fund within the Department of Economic Opportunity, etc.  CM     06/07/2017 Fav/2 Amendments AP	Fav/2 Amendments Yeas 6 Nays 2

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Commerce and Tourism

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BILL: SB 2-A

INTRODUCER: Senator Latvala

SUBJECT: Economic Programs

DATE: June 7, 2017

REVISED: 06/07/2017

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Askey</u>	<u>McKay</u>	<u>CM</u>	<u>Fav/2 amendments</u>
2.	<u></u>	<u></u>	<u>AP</u>	<u></u>

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**Please see Section IX. for Additional Information:**

AMENDMENTS - Significant amendments were recommended

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**I. Summary:**

SB 2-A specifies new accountability and transparency measures for VISIT FLORIDA and Enterprise Florida, Inc. (EFI), including the following:

- Requires compliance with state travel and per diem laws;
- Requires officers and board members to file annual conflict of interest disclosures;
- Subjects proposed contracts of \$750,000 or more to a 14-day legislative consultation period prior to approval;
- Caps state-paid salaries and benefits at the salary and benefits authorized to be paid to the Governor;
- Prohibits performance bonuses or severance pay paid from state funds unless specifically authorized by law;
- Specifies limitations on the giving and receiving of gifts;
- Limits lodging expenses;
- Requires the submission of proposed operating budgets;
- Requires that contracts, and financial, expenditure, and meeting information be posted on websites; and
- Requires that entities receiving a majority of their revenues from VISIT FLORIDA, Enterprise Florida, Inc., or from certain taxes, must post and report specified financial information.

The bill also amends the one-to-one public/private match requirements for VISIT FLORIDA.

The bill creates the Florida Job Growth Grant Fund to award funds for public infrastructure projects and workforce training, and the Targeted Marketing Assistance Program to enhance the tourism business marketing of small, minority, rural, and agritourism businesses in Florida.

The bill requires funds held in a Department of Economic Opportunity (DEO) escrow account to be returned to a state trust fund, and redirects \$75 million of revenue from the State Economic Enhancement and Development Trust Fund to the General Revenue Fund.

## II. Present Situation:

### Department of Economic Opportunity

The Department of Economic Opportunity (DEO) is the primary state agency responsible for implementing the state's goals and policies related to economic development, workforce development, community planning and development, and affordable housing.<sup>1</sup> Within the DEO, the Division of Strategic Business Development provides support for attracting out-of-state businesses, promoting the creation and expansion of in-state businesses, furthering economic development across the state, and facilitating the state's economic development partnerships.

The DEO partners contractually with Enterprise Florida, Inc. (EFI), the Florida Tourism Industry Marketing Corporation (VISIT FLORIDA), the Florida Sports Foundation, Space Florida, CareerSource Florida, Inc., (CareerSource Florida) and the Florida Institute for Commercialization of Public Research.<sup>2</sup> Additionally, the DEO has community partnerships with the film and entertainment industry, Florida's seaports, economic development councils (EDCs), chambers of commerce, and other economic development organizations. The DEO also facilitates the deliberative processes regarding numerous state economic development incentives, maintains the Economic Development Incentives Portal, and develops the Annual Incentives Report in coordination with EFI.<sup>3</sup>

### Enterprise Florida, Inc.

EFI is a public-private partnership between Florida's business and government leaders and is the principal economic development organization for Florida.<sup>4</sup> Initially created in 1992, EFI had only two responsibilities: to assist in the state's economic development efforts and to develop a strategic plan to improve the state's economic development.

Important legislative updates have occurred frequently since EFI's inception, including the 1996 legislation that created the Office of Tourism, Trade, and Economic Development, which recognized EFI as the lead economic development entity (broadening its responsibilities) and required an incremental increase in private funding of EFI operations.<sup>5</sup> Legislative changes from the 2011 governmental reorganization include establishing EFI as a direct-support organization

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<sup>1</sup> See generally, <http://www.floridajobs.org/> (last visited June 6, 2017).

<sup>2</sup> Section 20.60, F.S.

<sup>3</sup> See <http://www.floridajobs.org/news-center/reports-and-legislative-presentations> and <http://www.floridajobs.org/office-directory/division-of-strategic-business-development/economic-development-incentives-portal> (last visited June 6, 2017)

<sup>4</sup> Section 288.901, F.S.

<sup>5</sup> Chapter 96-320, Laws of Fla.

to the DEO.<sup>6</sup> Currently, EFI also serves as the state's economic development strategist, business recruiter, and facilitator of public-private investment for business ventures.

EFI is statutorily required to maintain at least five divisions related to the following areas:

- International Trade and Business Development;
- Business Retention and Recruitment;
- Tourism Marketing;
- Minority Business Development; and
- Sports Industry Development.<sup>7</sup>

Additionally, EFI administers the Florida Development Finance Corporation, the Florida Small Business Technology Growth Program, and the Florida Opportunity Fund. EFI is supported in its tourism marketing efforts by VISIT FLORIDA, and in its sports industry development by the Florida Sports Foundation. EFI is also required to coordinate state workforce policy with CareerSource Florida, and assist the Department of Economic Opportunity with the statutorily required economic development strategic blueprint. EFI is the main source of contact and initiation for businesses in regards to the state's economic development incentive programs.<sup>8</sup>

A board of directors (of at least 19 members) oversees EFI, which is comprised of appointed members and a group of investors representing notable corporations in Florida. Appointed members include all four members of the Florida Cabinet, the Commissioner of Education, the chairperson of the board of directors of CareerSource Florida, the Secretary of State, and 12 private sector members, six of whom are appointed by the Governor, three by the President of the Senate, and three by the Speaker of the House of Representatives.<sup>9</sup> The Governor serves as the chairperson of EFI's board of directors.<sup>10</sup> The board may also appoint at-large members from the private sector. Additionally, one member from each chamber of the Legislature is appointed by its respective leader to serve as ex officio board members. The board of directors is required to meet at least four times a year, and currently has 64 members.<sup>11</sup> The board of directors also appoints a president, who serves at the pleasure of the Governor, and is known as the "secretary of commerce."<sup>12</sup>

### ***Recent Changes and Reported Information***

EFI's board of directors adopted several recommendations from an internal review (conducted by DTW Strategies, Tallahassee) in June 2016.<sup>13</sup> Some of the recommendations were:

- Consolidating and redesigning EFI's organizational structure;

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<sup>6</sup> Chapter 2011-142, Laws of Fla.

<sup>7</sup> Section 288.92, F.S.

<sup>8</sup> See Department of Economic Opportunity, *Agency Review 2011-2016*, July 2016. Available at: <http://sitefinity.floridajobs.org/docs/default-source/communicationsfiles/agency-review-2011-2016.pdf> (last visited June 6, 2017).

<sup>9</sup> Section 288.901(5), F.S.

<sup>10</sup> Section 288.901(4), F.S.

<sup>11</sup> See EFI website, <https://www.enterpriseflorida.com/about-efi/board-of-directors/>, (last visited June 6, 2017).

<sup>12</sup> Section 288.905, F.S.

<sup>13</sup> DTW Strategies, *Report on Enterprise Florida*, June 2016. On file with the Committee on Commerce and Tourism (June 6, 2017).

- Transitioning management of the State Small Business Credit Initiative and military/defense grants to DEO;
- Preparing a legislative proposal to move VISIT FLORIDA, the Florida Sports Foundation, and minority and small business programs to the DEO;
- Eliminating 27 positions throughout EFI;
- Reducing operational, program, travel, and professional fee expenses; and
- Preparing an investment strategy for the \$6 million savings identified in the review.

Additionally, the Office of Program Policy Analysis and Government Accountability (OPPAGA) identified optional changes that the Legislature and EFI could consider related to streamlining EFI operations, improving EFI programs and activities, modifying EFI's funding mechanisms, and consolidating the state's economic development system.<sup>14</sup>

For the 2016-17 Fiscal Year, EFI received a legislative appropriation of \$23.5 million for a total operating budget of \$34 million. For Fiscal Years 2011-12 through 2016-17, EFI received a total of \$113.6 million in legislative appropriations.<sup>15</sup>

### **VISIT FLORIDA**

VISIT FLORIDA serves as Florida's statewide destination marketing organization, representing the state's entire tourism industry.<sup>16</sup> VISIT FLORIDA is a 501(c)(6) not-for-profit corporation and a subcontractor of EFI.<sup>17</sup> VISIT FLORIDA's primary responsibilities include:

- Administering domestic and international advertising campaigns;
- Conducting research on tourism and travel trends;
- Conducting domestic and international marketing activities; and
- Managing the state's five welcome centers.

VISIT FLORIDA also administers a number of small grant programs that provide organizations and state agencies funding for certain tourism-related activities. Grant funds total less than \$2 million per year.<sup>18</sup>

VISIT FLORIDA operates the state's five official welcome centers under contract with EFI.<sup>19</sup> Four welcome centers are located along the main travel corridors leading into the state and the fifth welcome center operates in the Capitol Complex in Tallahassee. The Department of Transportation owns the buildings that house the four highway welcome centers, but the centers are staffed and managed by VISIT FLORIDA.

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<sup>14</sup> Office of Program Policy Analysis and Government Accountability, *Agency Review: Enterprise Florida, Inc., and Department of Economic Opportunity Report 16-09*, December 2016. Available at: <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1609rpt.pdf> (last visited June 6, 2017).

<sup>15</sup> SB 2000 (2011 Reg. Session), HB 5001 (2012 Reg. Session), SB 1500 (2013 Reg. Session), HB 5001 (2014 Reg. Session), SB 2500 (2015A Session), and HB 5001 (2016 Reg. Session).

<sup>16</sup> Section 288.1226, F.S.

<sup>17</sup> Section 288.923, F.S.

<sup>18</sup> Office of Program Policy Analysis and Government Accountability, *Florida Economic Development Program Evaluations Year 2 Report 15-01*, January 1, 2015. Available at: <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1501rpt.pdf> (last visited June 6, 2017).

<sup>19</sup> Section 288.12265, F.S.

EFI, in conjunction with the DEO, appoints VISIT FLORIDA's 31-member board of directors.<sup>20</sup> The board provides guidance, input and insight into the evolution and development of VISIT FLORIDA programs, processes, and messages; acts as a steering council for various committees; and works directly with VISIT FLORIDA executive staff to guide strategy. VISIT FLORIDA's board of directors is composed of 16 regional members, with at least two representing each of the six statutorily designated geographic areas of the state, and 15 additional tourism industry related members, including:

- One from the statewide rental car industry;
- Seven from tourist-related statewide associations;
- Three from county destination marketing organizations;
- One from the cruise industry;
- One from an automobile and travel services membership organization;
- One from the airline industry; and
- One from the space tourism industry.<sup>21</sup>

For the 2016-17 Fiscal Year, VISIT FLORIDA received a legislative appropriation of \$78.5 million. Appropriations for VISIT FLORIDA for Fiscal Years 2012-13 through 2016-17 total \$349 million.<sup>22</sup>

### **Trust Funds Related to Economic Development and Tourism**

#### ***The State Economic Enhancement and Development Trust Fund***

The State Economic Enhancement and Development (SEED) Trust Fund was created for the purpose of infrastructure and job creation opportunities and for:

- Transportation facilities that meet a strategic and essential state interest with respect to the economic development of the state;
- Affordable housing programs and projects in accordance with Ch. 420, F.S.;
- Economic development incentives for job creation and capital investment;
- Workforce training associated with locating a new business or expanding an existing business; and
- Tourism promotion and marketing services, functions, and programs.<sup>23</sup>

The SEED Trust Fund receives documentary stamp tax proceeds as specified in law, local financial support funds, interest earnings, and cash advances from other trust funds. Funds are expended only pursuant to legislative appropriation or an approved amendment to DEO's operating budget pursuant to the provisions of Ch. 216, F.S.

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<sup>20</sup> See <http://www.visitflorida.org/about-us/who-we-are/board-of-directors/> (last visited June 6, 2017).

<sup>21</sup> Section 288.1226(4), F.S.

<sup>22</sup> HB 5001 (2012 Reg. Session), SB 1500 (2013 Reg. Session), HB 5001 (2014 Reg. Session), SB 2500 (2015A Session), and HB 5001 (2016 Reg. Session).

<sup>23</sup> Section 288.1201, F.S.

### ***Tourism Promotional Trust Fund***

Moneys deposited in the Tourism Promotional Trust Fund may only be used to support the authorized activities and operations and the tourism promotion and marketing activities, services, functions, and programs administered by EFI, through a contract with VISIT FLORIDA.<sup>24</sup> The Tourism Promotional Trust Fund receives 15.75 percent of the state's rental car surcharge tax.<sup>25</sup>

### ***Florida International Trade and Promotion Trust Fund***

Moneys deposited in the Florida International Trade and Promotion Trust Fund are administered by the DEO for the operation of EFI and for the operation of Florida international offices under s. 288.012, F.S.<sup>26</sup> The Florida International Trade and Promotion Trust Fund receives 4.25 percent of the state's rental car surcharge tax.<sup>27</sup>

### **CareerSource Florida**

CareerSource Florida is a not-for-profit corporation that assists the DEO with state-level policy, planning, performance evaluation, and oversight of the delivery of workforce services.<sup>28</sup> The DEO and CareerSource Florida deliver workforce development services through local workforce development boards and nearly 100 one-stop career centers.<sup>29</sup> One-stop career service centers provide Floridians local access to available workforce services, including job placement, career counseling, and skills training.<sup>30</sup>

### ***Displaced Homemaker Program***

The DEO and CareerSource Florida are responsible for administering a program designed to assist displaced homemakers in developing the workforce skills necessary to obtain economically self-sufficient employment. Under the current program, to qualify as a displaced homemaker an individual must be 35 years of age or older, have worked in the home providing unpaid household services for family members or been dependent on federal assistance, and have had difficulty securing adequate employment.<sup>31</sup> The Displaced Homemaker Program is funded through the Displaced Homemaker Trust Fund within the DEO.<sup>32</sup> The trust fund is a depository for a portion of fees on both marriage license applications and dissolution of marriage filings; \$7.50<sup>33</sup> and \$12.50<sup>34</sup> respectively. The trust fund can also receive funds from other public or private sources.<sup>35</sup>

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<sup>24</sup> Section 288.122, F.S.

<sup>25</sup> Section 212.0606(3)(a), F.S.

<sup>26</sup> Section 288.826, F.S.

<sup>27</sup> Section 212.0606(3)(a), F.S.

<sup>28</sup> See s. 445.004, F.S.

<sup>29</sup> Florida Department of Economic Opportunity, *CareerSource Florida Center Directory*, <http://www.floridajobs.org/onestop/onestopdir/> (last visited June 6, 2017).

<sup>30</sup> See s. 445.009, F.S.

<sup>31</sup> Section 446.50, F.S.

<sup>32</sup> Section 445.50(5), F.S.

<sup>33</sup> Section 741.01, F.S.

<sup>34</sup> Section 28.101, F.S.

<sup>35</sup> Section 446.50, F.S.

### ***Career and Technical Education***

In 2007, the Florida Legislature passed the Career and Professional Education Act (CAPE Act)<sup>36</sup> to encourage career-themed education to assist individuals in attaining sustainable employment and economic self-sufficiency in occupations most important to Florida's economic development.<sup>37</sup> The CAPE Act requires that each district school board develop a three-year strategic plan in collaboration with the DEO, CareerSource Florida, and local postsecondary institutions.<sup>38</sup> CareerSource Florida, through its local workforce development boards, provides labor market data to identify targeted occupations in regional demand. Such data assists technical career centers in establishing industry-specific curriculum that aligns with local and regional workforce needs.<sup>39</sup>

### **III. Effect of Proposed Changes:**

#### **Auditor General**

**Section 1** amends s. 11.45, F.S., to give the Auditor General the authority to conduct audits of the Florida Tourism Industry Marketing Corporation (VISIT FLORIDA).

#### **Trust Fund Distribution**

**Section 2** amends s. 201.15, F.S., to provide that \$75 million that is currently distributed from the State Transportation Trust Fund to the State Economic Enhancement and Development (SEED) Trust Fund will instead be distributed to the General Revenue Fund.

#### **Florida Job Growth Grant Fund**

**Section 3** creates the Florida Job Growth Grant Fund within the DEO to promote economic opportunity by improving public infrastructure and enhancing workforce training.

The DEO and EFI, in consultation with the Department of Transportation (DOT), must identify projects, solicit proposals, and make recommendations to the Governor for grant awards to state and local governmental entities for state or local public infrastructure projects to promote economic recovery, economic diversification, or economic enhancement in a targeted industry. The DEO, EFI, and DOT must establish an application process and criteria for grant requests, which may be submitted by governing bodies of units of local government. Prior to disbursement of grant funds, the DEO must prepare a grant agreement, which must include certain specified information.

The DEO and EFI must identify projects, solicit proposals, and make recommendations to the Governor for workforce training grants to support existing programs at state colleges and state technical centers that provide participants with transferable, sustainable workforce skills

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<sup>36</sup> Ch. 2007-216, Laws of Fla.

<sup>37</sup> Section 1004.92(1), F.S.

<sup>38</sup> Section 1003.493, F.S.

<sup>39</sup> For additional information on Career and Technical Education in Florida, see <http://www.fldoe.org/academics/career-adult-edu/career-tech-edu/> (last visited June 5, 2017).



applicable to more than a single employer. The DEO may administer the program, or contract with CareerSource to do so. Grant requests must be submitted to the DEO by the requesting institutions, and prior to disbursement of grant funds, agreements must be entered into specifying information about the program, including costs and special requirements.

Contracts for projects approved by the Governor and funded pursuant to this program must be administered by the DEO.

### **SEED Trust Fund**

**Section 4** amends s. 288.1201, F.S., to provide that the DEO must retain in the SEED Trust Fund any state funds appropriated for any program created in ch. 288, F.S., which is funded in the General Appropriations Act, until the performance requirements established under contract or by law for any economic development incentives are submitted to and verified by the DEO. The DEO must return to the State Treasury all funds held by any entity pursuant to a contract executed for the Quick Action Closing Fund that are unexpended as of June 30, 2017, and the unexpended funds must be deposited into the SEED Trust Fund. The DEO must take all steps necessary to comply by September 1, 2017, and must notify the Governor, the President of the Senate, and the Speaker of the House of Representatives of its compliance by October 1, 2017.

### **VISIT FLORIDA and Tourism Marketing**

**Section 5** amends s. 288.1226, F.S., related to VISIT FLORIDA, as following:

- Requires compliance with state travel and per diem laws;
- Provides that is not a violation of voting conflict provisions for officers or board members to vote on marketing plans or to vote on calculation of private match requirements;
- Requires officers and board members to file annual conflict of interest disclosures, which must be posted on website or included in meeting minutes;
- Provides that board members serve without compensation;
- Subjects proposed contracts of \$750,000 or more to the provisions of F.S. 216.177, requiring a 14-day legislative consultation period prior to approval. Provides that if the chair and vice chair of the Legislative Budget Commission, or the President of the Senate and the Speaker of the House of Representatives, advise that the proposed contract is contrary to legislative policy and intent within the 14-day period, VISIT FLORIDA may not execute the contract. Contracts may not be broken into smaller amounts to avoid this requirement;
- Prohibits an employee, officer, agent, president, or CEO from receiving public compensation that exceeds the salary and benefits authorized to be paid to the Governor;
- Prohibits the use of state funds for performance bonuses or severance pay unless specifically authorized by law;
- Prohibits VISIT FLORIDA from creating other entities, or expending funds to benefit solely one company;
- Relocates the existing one-to-one private match requirements for VISIT FLORIDA in s. 288.904(3), F.S., to s. 288.1226, F.S., and specifies four types of private matches, to be documented and included in quarterly reports:
  - Cash from private sources,
  - Fees for services,

- Cooperative advertising, limited to partner expenditures for paid media placement and collateral material distribution, and actual market values of contributed productions, air time, and print space,
- In-kind contributions, limited to market value of certain contributions,
- Provides that contributions from governmental entities or entities receiving more than 50% of funding from certain public sources<sup>40</sup> are not considered private contributions for purposes of calculating the private match;
- Requires VISIT FLORIDA to provide all data relating to its quarterly reports to EDR;
- Prohibits VISIT FLORIDA funds from being used for gifts or certain benefits for its employees or other specified employees; and prohibits receipt of gifts or certain benefits from specified entities, unless the gift or benefit is available to a similarly situated member of public;
- Limits lodging expenses to \$150 per day, excluding taxes, unless participating in group rate discount, or upon showing that such rate is unavailable. An employee may use his or her own funds for lodging expenses exceeding \$150 per day;
- Requires the DEO to submit a proposed operating budget for VISIT FLORIDA by August 15 of each fiscal year;
- Requires all contracts executed by VISIT FLORIDA to be posted on its website, and requires contracts of more than \$500,000 to be posted 14 days prior to execution;
- Requires entities receiving a majority of their revenues from VISIT FLORIDA or from certain taxes to post and report specified financial information; and
- Requires VISIT FLORIDA to post contract, financial, expenditure, and meeting information on its website, and for the website to enable the posting of responses to taxpayer questions.

**Section 6** creates the Targeted Marketing Assistance Program to enhance the tourism business marketing of small, minority, rural, and agritourism businesses in Florida, administered by the DEO, in conjunction with VISIT FLORIDA. The program must provide marketing plans, marketing assistance, promotional support, media development, technical expertise, marketing advice, technology training, social marketing support, and other assistance to an eligible entity, defined as an independently owned and operated business with gross revenue up to \$1,250,000, or a 501(c)(3) nonprofit corporation. An annual report must be provided documenting that at least 50 percent of the eligible entities receiving assistance through this program are independently owned and operated businesses with gross revenues not exceeding \$500,000.

**Section 7** amends s. 288.124, F.S., to replace EFI with VISIT FLORIDA in regards to existing duties related to the convention grants program.

### **Enterprise Florida, Inc.**

**Section 8** amends s. 288.901, F.S., to provide that EFI board members serve without compensation, and are entitled to state travel and per diem, to be paid out of EFI funds.

**Section 9** amends s. 288.903, F.S., to subject proposed EFI contracts of \$750,000 or more to the provisions of 216.177, F.S., requiring a 14-day legislative consultation period prior to approval.

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<sup>40</sup> Local option tourist development taxes collected pursuant to s. 125.0104, F.S., are not considered revenue from taxes for purposes of this provision.

During the 14 days, if the chair and vice chair of the Legislative Budget Commission, or the President of the Senate and the Speaker of the House of Representatives, timely advise that a proposed contract is contrary to legislative policy and intent, EFI may not execute the contract. Contracts may not be broken into smaller amounts to avoid this requirement.

The bill also provides that EFI may not create any other entity unless authorized by law, and must comply with state travel and per diem law.

**Section 10** amends s. 288.904, F.S., to make the following changes related to the operations of EFI:

- Deletes the existing public/private match requirements for VISIT FLORIDA;
- Requires the DEO to submit a proposed operating budget for EFI by August 15 of each fiscal year;
- Requires all contracts executed by EFI to be posted on its website, with specified information;
- Requires entities receiving a majority of their revenues from EFI or certain taxes to post and report specified financial information; and
- Requires EFI to post contract, financial, expenditure, and meeting information on its website, which must enable the posting of responses to taxpayer questions.

**Section 11** amends s. 288.905, F.S., to make the following changes regarding the president and employees of EFI:

- Prohibits an employee, officer, agent, president, or CEO from receiving public compensation that exceeds salary and benefits authorized to be paid to the Governor;
- Prohibits performance bonuses or severance pay paid from state funds unless specifically authorized by law;
- Limits lodging expenses to \$150 per day, excluding taxes, unless participating in a group rate discount, or upon showing that such rate is unavailable. Employee funds may be used for lodging exceeding \$150 per day; and
- Prohibits expenditure of EFI funds for gifts or certain benefits for its employees or employees of entities receiving revenue from certain taxes; and prohibits receipt of gifts and certain benefits from entities receiving revenue from certain taxes, unless the gift or benefit is available to a similarly situated member of the public.<sup>41</sup>

**Section 23** amends s. 288.92, F.S., by deleting a provision related to conflicts of interest for VISIT FLORIDA officers and board members. A modified version of the provision is created in s. 288.1226, F.S., by section 5 of this bill.

**Section 24** amends s. 288.923, F.S., to correct a cross reference.

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<sup>41</sup> For purposes of *expending* funds on gifts, the prohibition applies to gifts or benefits to entities receiving revenue from s. 125.0104, F.S., (local option tourist development taxes), s. 125.0108, F.S., (tourist impact tax in areas of critical state concern), or s. 212.0305, F.S., (convention development taxes). For purposes of *receiving* gifts, the prohibition applies to gifts or benefits from entities receiving revenue only from s. 125.0108, F.S., or s. 212.0305, F.S.,

## Appropriations

**Section 12** appropriates the recurring sum of \$26 million, and nonrecurring sum of \$26 million from the SEED Trust Fund, and the recurring sum of \$24 million from the Tourism Promotional Trust Fund, to the Department of Economic Opportunity for Fiscal Year 2017-2018 to enter into a contract with VISIT FLORIDA.

**Section 13** appropriates the recurring sum of \$9.4 million from the SEED Trust Fund, and the recurring sum of \$6.6 million from the Florida International Trade and Promotion Trust Fund to the DEO for Fiscal Year 2017-2018 to enter into a contract with EFI. From the funds appropriated from the Florida International Trade and Promotion Trust Fund, EFI must allocate \$3.55 million for international programs, \$2.05 million to maintain Florida's international offices, and \$1 million to continue the Florida Export Diversification and Expansion Programs.

**Section 14** appropriates the nonrecurring sum of \$60 million from the SEED Trust Fund to the DEO for the Fiscal Year 2017-2018 to administer contracts approved by the Governor for the Florida Job Growth Grant Fund created by section 3 of this bill. For Fiscal Year 2017-2018, the nonrecurring sum of \$25,000,000 from the State Transportation Trust Fund (STTF) is appropriated to the Department of Transportation to contract with the DEO to provide for transportation infrastructure for contracts approved by the Governor for the Florida Job Growth Grant Fund. Additionally, the Executive Office of the Governor is authorized to process one or more budget amendments, in a total amount not to exceed \$40 million to provide for the nonoperating transfer of funds from the STTF to the SEED Trust Fund to support expenditures for the Florida Job Growth Grant Fund. State funds other than those appropriated in this section may not be expended on the Florida Job Growth Grant Fund. The appropriated funds are nontransferable. The balance of any appropriation for the Florida Job Growth Grant Fund that is not disbursed by June 30 of the fiscal year in which the funds are appropriated may be carried forward for up to 5 years after the effective date of the original appropriation.

## Repeal of the Displaced Homemaker Program

**Section 15** terminates the Displaced Homemaker Trust Fund within the DEO, transfers remaining balances to the General Revenue Fund, and requires the DEO to pay any outstanding debts and obligations. **Sections 16 through 19** repeal ss. 446.50, 446.51, 446.52, and 1010.84, F.S., respectively, which are the substantive provisions of the displaced homemaker program, and the Displaced Homemaker Trust Fund. **Section 20** amends s. 20.60, F.S., to delete a requirement that the DEO include information about the displaced homemaker program in its annual report.

**Section 21** amends s. 28.101, F.S., to delete a charge of \$5.00 required for a petition for dissolution of marriage, which was deposited monthly in the Displaced Homemaker Trust Fund to fund the program. The bill also deletes a provision requiring the amount of \$7.50 from a separate charge to be transferred to the Displaced Homemaker Trust Fund. **Section 27** amends s. 741.01, F.S., to delete a \$7.50 fee that funds the displaced homemaker program, currently included in the fee charged for a marriage license.

**Sections 22, 25, and 26** amend ss. 187.201, 445.003, and 445.004, F.S., respectively, to remove references to the displaced homemaker program.

**Section 28** conforms a cross reference in s. 741.011, F.S.

#### **Effective Date**

**Section 29** provides that the bill takes effect July 1, 2017.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

##### **Separation of Powers in Florida**

Section 3, Article II of the State Constitution separates the state government into three branches – the legislative, the executive, and the judicial. The “separation-of-powers doctrine” encompasses two fundamental prohibitions. The first is that no branch may encroach upon the powers of the other; the second is that no branch may delegate to another branch its constitutionally assigned power.<sup>42</sup> The legislative power includes the authority to determine the public interest and formulate public policy, to make law, and to appropriate state funds.<sup>43</sup>

Section 3, Article II of the State Constitution is the basis for invalidating laws delegating legislative or judicial power to executive agencies, and laws by which the Legislature encroaches upon executive or judicial powers. This bill provides that if specified members of the Legislature object to certain contracts proposed by entities adjunct to an agency of the executive branch, the contracts may not be entered into. A determination of whether the authority contained in these provisions encroaches upon duties delegated to the executive branch would require a legal challenge and a ruling by a judge.

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<sup>42</sup> *Chiles v. Children A, B, C, D, E, and F*, 589 So. 260 (Fla. 1991).

<sup>43</sup> Article III of the State Constitution; Am. Jur. 2d Constitutional Law s. 275.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

The bill reduces revenues deposited in the Displaced Homemaker Trust Fund by approximately \$1.2 million annually by reducing the surcharge on marriage license applications from \$59.50 to \$52.00. Historically, these revenues have funded the Displaced Homemaker Program, which is repealed in this bill.

**B. Private Sector Impact:**

Entities currently contracting with DEO to provide services through the Displaced Homemaker Program will no longer receive funding from the state under the program. These same services may be obtained through existing local CareerSource Centers.

The cost for the issuance of a marriage license will be reduced from \$59.50 to \$52.00.

Although the Florida Job Growth Grant Fund is prohibited from being used for the exclusive benefit of any single company, corporation, or business entity, broad benefits to Florida individuals, communities, and businesses related to needed public infrastructure projects and workforce training are likely to be seen to enhance economic recovery in specific regions of the state, enhance economic diversification, and enhance targeted industries.

**C. Government Sector Impact:**

The \$75 million recurring redirection of revenue from the SEED Trust Fund to the General Revenue has a positive impact to the General Revenue Fund; however, it has a net zero impact on state funds.

The bill provides a \$76 million appropriation to the DEO to enter into a contract with Visit Florida. Of this amount, \$26 million is a nonrecurring appropriation from the SEED Trust Fund; \$26 million is a recurring appropriation from the SEED Trust Fund; and \$24 million is a recurring appropriation from the Tourism Promotion Trust Fund.

The bill provides a recurring appropriation of \$16 million, \$9.4 million from the SEED Trust Fund and \$6.6 million from the Florida International Trade and Promotion Trust Fund, to DEO to enter into a contract with Enterprise Florida, Inc. (EFI). The appropriation is specifically for operational purposes and to maintain its offices, but excludes expenditures on any incentive tools or programs unless explicitly authorized by the bill. Of the appropriated funds from the Florida International Trade and Promotion Trust Fund, EFI is directed to allocate \$3.6 million for international programs, \$2.1 million to maintain Florida's international offices, and \$1 million to continue the Florida Export Diversification and Expansion Programs.

Additionally, the bill provides an \$85 million nonrecurring appropriation for the Florida Job Growth Grant Fund. Of this amount, \$60 million is provided from the SEED Trust Fund and \$25 million from the State Transportation Trust Fund (STTF). The bill

authorizes the Executive Office of the Governor to process budget amendment(s) to provide a \$40 million non-operating transfer of funds from the STTF to the SEED Trust Fund to support expenditures for the Florida Job Growth Grant Fund. The bill further authorizes that any unspent appropriations for the Florida Job Growth Grant Fund may be carried forward and used for up to five years.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 11.45, 20.60, 28.101, 187.201, 201.15, 288.1201, 288.1226, 288.124, 288.901, 288.903, 288.904, 288.905, 288.92, 288.923, 445.003, 445.004, 741.01, and 741.011.

This bill creates the following sections of the Florida Statutes: 288.101 and 288.12266.

This bill repeals the following sections of the Florida Statutes: 446.50, 446.51, 446.52, and 1010.84

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

**860238 by Commerce and Tourism on June 7, 2017:**

The amendment makes changes to the State Economic Enhancement and Development Trust Fund, by:

- Authorizing the DEO to make payments from the trust fund after an independent third party audit determines that an applicant has satisfied contract agreements and the DEO determines that the applicant meets any performance requirements and is eligible to receive payments;
- Directing the DEO to determine within 15 days after each calendar quarter what amount of money in the trust fund is associated with any terminated or expired Quick Action Closing Fund agreements and revert any such money to where it was originally appropriated;
- Requiring money in the trust fund to be managed and invested consistent with keeping the money being available to make Quick Action Closing Fund payments;

- Requiring the DEO to return any money held in escrow related to Quick Action Closing Fund agreements to be returned to the State Treasury by September 1, 2017, which will be deposited into the SEED Trust Fund; and
- Authorizing money in the trust fund to be appropriated to make payments related to Quick Action Closing Fund agreements.

Additionally, the amendment appropriates \$106,746,279 for FY 2017-18, from the money formerly held in escrow, to the DEO to make payments related to Quick Action Closing Fund agreements. The amendment authorizes any appropriated money not disbursed by June 30, 2018 to carry forward until all authorized projects are fully paid. The amendment requires that any amount left in the trust fund at the end of any fiscal year will remain in the trust fund and be available to carry out the purposes of the trust fund. (WITH TITLE AMENDMENT)

**305400 by Commerce and Tourism on June 7, 2017:**

The amendment adds programs at licensed, or otherwise authorized to operate in-state, private post-secondary institutions to the list of entities that can receive workforce training grants under the Florida Job Grant Growth Fund. Additionally, the amendment changes the provision related to grants supporting “existing programs” to “programs” at authorized entities.





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LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
06/07/2017	.	
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The Committee on Commerce and Tourism (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 208 - 1113

and insert:

Section 3. Subsection (4) is added to section 288.1201, Florida Statutes, to read:

288.1201 State Economic Enhancement and Development Trust Fund.—

(4) (a) Beginning July 1, 2017, the department shall retain in the trust fund any state funds appropriated for any program



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11 created under this chapter which is funded in the General  
12 Appropriations Act until the performance requirements  
13 established under contract or by law for any economic  
14 development incentives are submitted to and verified by the  
15 department.

16 (b) The department shall return to the State Treasury all  
17 funds held by any entity pursuant to a contract executed for the  
18 Quick Action Closing Fund which are unexpended as of June 30,  
19 2017. Such unexpended funds shall be deposited into the State  
20 Economic Enhancement and Development Trust Fund. The department  
21 shall take all steps necessary to comply with this paragraph by  
22 September 1, 2017. The department shall notify the Governor, the  
23 President of the Senate, and the Speaker of the House of  
24 Representatives of its compliance with this paragraph by October  
25 1, 2017.

26 (c) This subsection expires July 1, 2018.

27 Section 4. Section 288.1226, Florida Statutes, is amended  
28 to read:

29 288.1226 Florida Tourism Industry Marketing Corporation;  
30 use of property; board of directors; duties; audit.—

31 (1) DEFINITIONS.—For the purposes of this section, the term  
32 “corporation” means the Florida Tourism Industry Marketing  
33 Corporation.

34 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing  
35 Corporation is a direct-support organization of Enterprise  
36 Florida, Inc.

37 (a) The Florida Tourism Industry Marketing Corporation is a  
38 corporation not for profit, as defined in s. 501(c)(6) of the  
39 Internal Revenue Code of 1986, as amended, that is incorporated



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40 under the provisions of chapter 617 and approved by the  
41 Department of State.

42 (b) The corporation is organized and operated exclusively  
43 to request, receive, hold, invest, and administer property and  
44 to manage and make expenditures for the operation of the  
45 activities, services, functions, and programs of this state  
46 which relate to the statewide, national, and international  
47 promotion and marketing of tourism.

48 (c)1. The corporation is not an agency for the purposes of  
49 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,  
50 relating to leasing of buildings; ss. 283.33 and 283.35,  
51 relating to bids for printing; s. 215.31; and parts I, II, and  
52 IV-VIII of chapter 112. However, the corporation shall comply  
53 with the per diem and travel expense provisions of s. 112.061.

54 2. It is not a violation of s. 112.3143(2) or (4) for the  
55 officers or members of the board of directors of the corporation  
56 to:

57 a. Vote on the 4-year marketing plan required under s.  
58 288.923 or vote on any individual component of or amendment to  
59 the plan.

60 b. Participate in the establishment or calculation of  
61 payments related to the private match requirements of subsection  
62 (6). The officer or member must file an annual disclosure  
63 describing the nature of his or her interests or the interests  
64 of his or her principals, including corporate parents and  
65 subsidiaries of his or her principal, in the private match  
66 requirements. This annual disclosure requirement satisfies the  
67 disclosure requirement of s. 112.3143(4). This disclosure must  
68 be placed on the corporation's website or included in the



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69 minutes of each meeting of the corporation's board of directors  
70 at which the private match requirements are discussed or voted  
71 upon.

72 (d) The corporation is subject to the provisions of chapter  
73 119, relating to public meetings, and those provisions of  
74 chapter 286 relating to public meetings and records.

75 (3) USE OF PROPERTY.—Enterprise Florida, Inc.:

76 (a) Is authorized to permit the use of property and  
77 facilities of Enterprise Florida, Inc., by the corporation,  
78 subject to the provisions of this section.

79 (b) Shall prescribe conditions with which the corporation  
80 must comply in order to use property and facilities of  
81 Enterprise Florida, Inc. Such conditions shall provide for  
82 budget and audit review and for oversight by Enterprise Florida,  
83 Inc.

84 (c) May not permit the use of property and facilities of  
85 Enterprise Florida, Inc., if the corporation does not provide  
86 equal employment opportunities to all persons, regardless of  
87 race, color, national origin, sex, age, or religion.

88 (4) BOARD OF DIRECTORS.—The board of directors of the  
89 corporation shall be composed of 31 tourism-industry-related  
90 members, appointed by Enterprise Florida, Inc., in conjunction  
91 with the department. Board members shall serve without  
92 compensation, but are entitled to receive reimbursement for per  
93 diem and travel expenses pursuant to s. 112.061. Such expenses  
94 must be paid out of funds of the corporation.

95 (a) The board shall consist of 16 members, appointed in  
96 such a manner as to equitably represent all geographic areas of  
97 the state, with no fewer than two members from any of the



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98 following regions:

99 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,  
100 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,  
101 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

102 2. Region 2, composed of Alachua, Baker, Bradford, Clay,  
103 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,  
104 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,  
105 Taylor, and Union Counties.

106 3. Region 3, composed of Brevard, Indian River, Lake,  
107 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and  
108 Volusia Counties.

109 4. Region 4, composed of Citrus, Hernando, Hillsborough,  
110 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

111 5. Region 5, composed of Charlotte, Collier, DeSoto,  
112 Glades, Hardee, Hendry, Highlands, and Lee Counties.

113 6. Region 6, composed of Broward, Martin, Miami-Dade,  
114 Monroe, and Palm Beach Counties.

115 (b) The 15 additional tourism-industry-related members  
116 shall include 1 representative from the statewide rental car  
117 industry; 7 representatives from tourist-related statewide  
118 associations, including those that represent hotels,  
119 campgrounds, county destination marketing organizations,  
120 museums, restaurants, retail, and attractions; 3 representatives  
121 from county destination marketing organizations; 1  
122 representative from the cruise industry; 1 representative from  
123 an automobile and travel services membership organization that  
124 has at least 2.8 million members in Florida; 1 representative  
125 from the airline industry; and 1 representative from the space  
126 tourism industry, who will each serve for a term of 2 years.



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127 (5) POWERS AND DUTIES.—The corporation, in the performance  
128 of its duties:

129 (a) May make and enter into contracts and assume such other  
130 functions as are necessary to carry out the provisions of the 4-  
131 year marketing plan required by s. 288.923, and the  
132 corporation's contract with Enterprise Florida, Inc., which are  
133 not inconsistent with this or any other provision of law. A  
134 proposed contract with a total value of \$750,000 or more is  
135 subject to the notice and review procedures of s. 216.177. If  
136 the chair and vice chair of the Legislative Budget Commission,  
137 or the President of the Senate and the Speaker of the House of  
138 Representatives, timely advise the corporation in writing that  
139 such proposed contract is contrary to legislative policy and  
140 intent, the corporation may not execute such proposed contract.  
141 The corporation may not enter into multiple related contracts to  
142 avoid the requirements of this paragraph.

143 (b) May develop a program to provide incentives and to  
144 attract and recognize those entities which make significant  
145 financial and promotional contributions towards the expanded  
146 tourism promotion activities of the corporation.

147 (c) May establish a cooperative marketing program with  
148 other public and private entities which allows the use of the  
149 VISIT Florida logo in tourism promotion campaigns which meet the  
150 standards of Enterprise Florida, Inc., for which the corporation  
151 may charge a reasonable fee.

152 (d) May sue and be sued and appear and defend in all  
153 actions and proceedings in its corporate name to the same extent  
154 as a natural person.

155 (e) May adopt, use, and alter a common corporate seal.



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156 However, such seal must always contain the words "corporation  
157 not for profit."

158 (f) Shall elect or appoint such officers and agents as its  
159 affairs shall require and allow them reasonable compensation.  
160 However, reasonable compensation for employment paid from funds  
161 received from the state for any officer or agent, including the  
162 president and chief executive officer of the corporation, may  
163 not exceed the salary and benefits authorized to be paid to the  
164 Governor. Any payments of performance bonuses or severance pay  
165 paid from funds received from the state to an officer or agent  
166 of the corporation are prohibited unless specifically authorized  
167 by law.

168 (g) Shall hire and establish salaries and personnel and  
169 employee benefit programs for such permanent and temporary  
170 employees as are necessary to carry out the provisions of the 4-  
171 year marketing plan and the corporation's contract with  
172 Enterprise Florida, Inc., which are not inconsistent with this  
173 or any other provision of law. However, an employee may not  
174 receive compensation for employment paid from funds received  
175 from the state which exceeds the salary and benefits authorized  
176 to be paid to the Governor. Any payments of performance bonuses  
177 or severance pay paid from funds received from the state to  
178 employees of the corporation are prohibited unless specifically  
179 authorized by law.

180 ~~(h) Shall provide staff support to the Division of Tourism~~  
181 ~~Promotion of Enterprise Florida, Inc. The president and chief~~  
182 ~~executive officer of the Florida Tourism Industry Marketing~~  
183 ~~Corporation shall serve without compensation as the director of~~  
184 ~~the division.~~



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185           ~~(i)~~ May adopt, change, amend, and repeal bylaws, not  
186 inconsistent with law or its articles of incorporation, for the  
187 administration of the provisions of the 4-year marketing plan  
188 and the corporation's contract with Enterprise Florida, Inc.

189           (i)~~(j)~~ May conduct its affairs, carry on its operations,  
190 and have offices and exercise the powers granted by this act in  
191 any state, territory, district, or possession of the United  
192 States or any foreign country. Where feasible, appropriate, and  
193 recommended by the 4-year marketing plan developed by the  
194 Division of Tourism Promotion of Enterprise Florida, Inc., the  
195 corporation may collocate the programs of foreign tourism  
196 offices in cooperation with any foreign office operated by any  
197 agency of this state.

198           (j)~~(k)~~ May appear on its own behalf before boards,  
199 commissions, departments, or other agencies of municipal,  
200 county, state, or federal government.

201           (k)~~(l)~~ May request or accept any grant, payment, or gift,  
202 of funds or property made by this state or by the United States  
203 or any department or agency thereof or by any individual, firm,  
204 corporation, municipality, county, or organization for any or  
205 all of the purposes of the 4-year marketing plan and the  
206 corporation's contract with Enterprise Florida, Inc., that are  
207 not inconsistent with this or any other provision of law. Such  
208 funds shall be deposited in a bank account established by the  
209 corporation's board of directors. The corporation may expend  
210 such funds in accordance with the terms and conditions of any  
211 such grant, payment, or gift, in the pursuit of its  
212 administration or in support of the programs it administers. The  
213 corporation shall separately account for the public funds and





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214 the private funds deposited into the corporation's bank account.

215 (l)~~(m)~~ Shall establish a plan for participation in the  
216 corporation which will provide additional funding for the  
217 administration and duties of the corporation.

218 (m)~~(n)~~ In the performance of its duties, may undertake, or  
219 contract for, marketing projects and advertising research  
220 projects.

221 (n)~~(o)~~ In addition to any indemnification available under  
222 chapter 617, the corporation may indemnify, and purchase and  
223 maintain insurance on behalf of, directors, officers, and  
224 employees of the corporation against any personal liability or  
225 accountability by reason of actions taken while acting within  
226 the scope of their authority.

227 (o) May not create or establish any other entity,  
228 corporation, or direct-support organization.

229 (p) May not expend funds, public or private, that directly  
230 benefit only one company, corporation, or business entity.

231 (6) MATCHING REQUIREMENTS.-

232 (a) A one-to-one match is required of private to public  
233 contributions to the corporation. Public contributions include  
234 all state appropriations to the corporation and exclude taxes  
235 derived pursuant to s. 125.0104.

236 (b) For purposes of calculating the required one-to-one  
237 match, the private contributions the corporation receives must  
238 be in one of four private match categories. The corporation  
239 shall maintain documentation of such categorized contributions  
240 on file and make such documentation available for inspection  
241 upon reasonable notice during its regular business hours.  
242 Contribution details shall be included in the quarterly reports



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243 required under subsection (8). The private match categories are:

244 1. Direct cash contributions from private sources, which  
245 include, but are not limited to, cash derived from strategic  
246 alliances, contributions of stocks and bonds, and partnership  
247 contributions.

248 2. Fees for services, which include, but are not limited  
249 to, event participation, research, and brochure placement and  
250 transparencies.

251 3. Cooperative advertising, which is limited to partner  
252 expenditures for paid media placement, partner expenditures for  
253 collateral material distribution, and the actual market value of  
254 contributed productions, air time, and print space.

255 4. In-kind contributions, which are limited to the actual  
256 market value of promotional contributions of partner-supplied  
257 benefits to target audiences and the actual market value of  
258 nonpartner-supplied air time or print space contributed for the  
259 broadcasting or printing of such promotions, which would  
260 otherwise require tourist promotion expenditures by the  
261 corporation for advertising, air travel, rental car fees, hotel  
262 rooms, RV or campsite space rental, onsite guest services, and  
263 admission tickets. The net value of air time or print space, if  
264 any, shall be deemed to be the actual market value of the air  
265 time or print space, based on an average of actual unit prices  
266 paid contemporaneously for comparable times or spaces, less the  
267 value of increased ratings or other benefits realized by the  
268 media outlet as a result of the promotion.

269  
270 Contributions from a governmental entity or from an entity that  
271 received more than 50 percent of its revenue in the previous



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272 fiscal year from public sources, including revenue derived from  
273 taxes, other than taxes collected pursuant to s. 125.0104, from  
274 fees, or from other government revenues, are not considered  
275 private contributions for purposes of calculating the required  
276 one-to-one match.

277 (7)~~(6)~~ ANNUAL AUDIT.—The corporation shall provide for an  
278 annual financial audit in accordance with s. 215.981. The annual  
279 audit report shall be submitted to the Auditor General; the  
280 Office of Program Policy Analysis and Government Accountability;  
281 Enterprise Florida, Inc.; and the department for review. The  
282 Office of Program Policy Analysis and Government Accountability;  
283 Enterprise Florida, Inc.; the department; and the Auditor  
284 General have the authority to require and receive from the  
285 corporation or from its independent auditor any detail or  
286 supplemental data relative to the operation of the corporation.  
287 The department shall annually certify whether the corporation is  
288 operating in a manner and achieving the objectives that are  
289 consistent with the policies and goals of Enterprise Florida,  
290 Inc., and its long-range marketing plan. The identity of a donor  
291 or prospective donor to the corporation who desires to remain  
292 anonymous and all information identifying such donor or  
293 prospective donor are confidential and exempt from the  
294 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
295 Constitution. Such anonymity shall be maintained in the  
296 auditor's report.

297 (8)~~(7)~~ REPORT.—The corporation shall provide a quarterly  
298 report to Enterprise Florida, Inc., which shall:

299 (a) Measure the current vitality of the visitor industry of  
300 this state as compared to the vitality of such industry for the



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301 year to date and for comparable quarters of past years.  
302 Indicators of vitality shall be determined by Enterprise  
303 Florida, Inc., and shall include, but not be limited to,  
304 estimated visitor count and party size, length of stay, average  
305 expenditure per party, and visitor origin and destination.

306 (b) Provide detailed, unaudited financial statements of  
307 sources and uses of public and private funds.

308 (c) Measure progress towards annual goals and objectives  
309 set forth in the 4-year marketing plan.

310 (d) Review all pertinent research findings.

311 (e) Provide other measures of accountability as requested  
312 by Enterprise Florida, Inc.

313

314 The corporation must take all steps necessary to provide all  
315 data that is used to develop the report, including source data,  
316 to the Office of Economic and Demographic Research.

317 (9) ~~(8)~~ PUBLIC RECORDS EXEMPTION.—The identity of any person  
318 who responds to a marketing project or advertising research  
319 project conducted by the corporation in the performance of its  
320 duties on behalf of Enterprise Florida, Inc., or trade secrets  
321 as defined by s. 812.081 obtained pursuant to such activities,  
322 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
323 Constitution. This subsection is subject to the Open Government  
324 Sunset Review Act in accordance with s. 119.15 and shall stand  
325 repealed on October 2, 2021, unless reviewed and saved from  
326 repeal through reenactment by the Legislature.

327 (10) PROHIBITIONS; CORPORATE FUNDS; GIFTS.—Funds of the  
328 corporation may not be expended for food, beverages, lodging,  
329 entertainment, or gifts for employees of the corporation, board



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330 members of the corporation, or employees of a tourist or  
331 economic development entity that receives revenue from a tax  
332 imposed pursuant to s. 125.0104, s. 125.0108, or s. 212.0305,  
333 unless authorized pursuant to s. 112.061 or this section. An  
334 employee or board member of the corporation may not accept or  
335 receive food, beverages, lodging, entertainment, or gifts from  
336 an economic development entity that receives revenue only from a  
337 tax imposed pursuant to s. 125.0108 or s. 212.0305, or from any  
338 person, vendor, or other entity doing business with the  
339 corporation unless such food, beverage, lodging, entertainment,  
340 or gift is available to similarly situated members of the  
341 general public.

342 (11) LODGING EXPENSES.—Lodging expenses for an employee of  
343 the corporation may not exceed \$150 per day, excluding taxes,  
344 unless the corporation is participating in a negotiated group  
345 rate discount or the corporation provides documentation of at  
346 least three comparable alternatives demonstrating that such  
347 lodging at the required rate is not available. However, an  
348 employee of the corporation may expend his or her own funds for  
349 any lodging expenses in excess of \$150 per day.

350 (12) PROPOSED OPERATING BUDGET SUBMISSION.—By August 15 of  
351 each fiscal year, the department shall submit a proposed  
352 operating budget for the corporation, including amounts to be  
353 expended on advertising, marketing, promotions, events, other  
354 operating capital outlay, and salaries and benefits for each  
355 employee, to the Governor, the President of the Senate, and the  
356 Speaker of the House of Representatives.

357 (13) TRANSPARENCY.—

358 (a) All contracts executed by the corporation shall be



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359 placed for viewing on the corporation's website. All contracts  
360 with the corporation valued at \$500,000 or more shall be placed  
361 on the corporation's website for review 14 days before  
362 execution. A contract entered into between the corporation and  
363 any other public or private entity shall include:

- 364 1. The purpose of the contract.  
365 2. Specific performance standards and responsibilities for  
366 each entity.  
367 3. A detailed project or contract budget, if applicable.  
368 4. The value of any services provided.  
369 5. The projected travel and entertainment expenses for  
370 employees and board members, if applicable.

371 (b)1. Any entity that in the previous fiscal year received  
372 more than 50 percent of its revenue from the corporation or from  
373 taxes imposed pursuant to s. 125.0108 or s. 212.0305, and that  
374 partners with the corporation or participates in a program,  
375 cooperative advertisement, promotional opportunity, or other  
376 activity offered by or in conjunction with the corporation,  
377 shall annually report by July 1 all public and private financial  
378 data posted on its website to the Governor, the President of the  
379 Senate, and the Speaker of the House of Representatives.

- 380 2. The financial data shall include:  
381 a. The total amount of revenue received from public and  
382 private sources.  
383 b. The operating budget of the partner entity.  
384 c. Employee and board member salary and benefit details  
385 from public and private funds.  
386 d. An itemized accounting of all expenditures by the  
387 partner entity on behalf of, or coordinated for the benefit of,



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388 the corporation, its board members, or employees.

389 e. Itemized travel and entertainment expenditures of the  
390 partner entity.

391 (c) The following information must be posted on the  
392 corporation's website:

393 1. A plain language version of any contract estimated to  
394 exceed \$35,000 with a private entity, municipality, county,  
395 town, or vendor of services, supplies, or programs, including  
396 marketing, or for the purchase or lease or use of lands,  
397 facilities, or properties.

398 2. Any agreement entered into between the corporation and  
399 any other entity, including a local government, private entity,  
400 or nonprofit entity, which receives public funds or funds from a  
401 tax imposed pursuant to s. 125.0104, s. 125.0108, or s.  
402 212.0305.

403 3. The contracts and the required information pursuant to  
404 paragraph (a) and the financial data submitted to the  
405 corporation pursuant to paragraph (b).

406 4. Video recordings of each board meeting.

407 5. A detailed report of expenditures following each  
408 marketing event paid for with the corporation's funds. Such  
409 report must be posted within 10 business days after the event.

410 6. An annual itemized accounting of the total amount of  
411 funds spent by any third party on behalf of the corporation or  
412 any board member or employee of the corporation.

413 7. An annual itemized accounting of the total amount of  
414 travel and entertainment expenditures by the corporation.

415 (d) The corporation's website must:

416 1. Allow users to navigate to related sites to view



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417 supporting details.

418 2. Enable a taxpayer to e-mail questions to the corporation  
419 and make such questions and the corporation's responses publicly  
420 viewable.

421 (14)-(9) REPEAL.—This section is repealed October 1, 2019,  
422 unless reviewed and saved from repeal by the Legislature.

423 Section 5. Section 288.12266, Florida Statutes, is created  
424 to read:

425 288.12266 Targeted Marketing Assistance Program.—

426 (1) The Targeted Marketing Assistance Program is created to  
427 enhance the tourism business marketing of small, minority,  
428 rural, and agritourism businesses in the state. The department,  
429 in conjunction with the Florida Tourism Industry Marketing  
430 Corporation, shall administer the program. The program shall  
431 provide marketing plans, marketing assistance, promotional  
432 support, media development, technical expertise, marketing  
433 advice, technology training, social marketing support, and other  
434 assistance to an eligible entity.

435 (2) As used in this section, the term "eligible entity"  
436 means an independently owned and operated business with gross  
437 revenue not exceeding \$1.25 million or a nonprofit corporation  
438 that meets the requirements of s. 501(c) (3) of the Internal  
439 Revenue Code.

440 (3) The department and the Florida Tourism Industry  
441 Marketing Corporation shall provide an annual report to the  
442 Governor, the President of the Senate, and the Speaker of the  
443 House of Representatives documenting that at least 50 percent of  
444 the eligible entities receiving assistance through this program  
445 are independently owned and operated businesses with gross





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446 revenues not exceeding \$500,000.

447 Section 6. Section 288.124, Florida Statutes, is amended to  
448 read:

449 288.124 Convention grants program.—The Florida Tourism  
450 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, is  
451 authorized to establish a convention grants program and,  
452 pursuant to that program, to recommend to the department  
453 expenditures and contracts with local governments and nonprofit  
454 corporations or organizations for the purpose of attracting  
455 national conferences and conventions to Florida. Preference  
456 shall be given to local governments and nonprofit corporations  
457 or organizations seeking to attract minority conventions to  
458 Florida. Minority conventions are events that primarily involve  
459 minority persons, as defined in s. 288.703, who are residents or  
460 nonresidents of the state. The Florida Tourism Industry  
461 Marketing Corporation ~~Enterprise Florida, Inc.~~, shall establish  
462 guidelines governing the award of grants and the administration  
463 of this program. The department has final approval authority for  
464 any grants under this section. The total annual allocation of  
465 funds for this program shall not exceed \$40,000.

466 Section 7. Subsection (5) of section 288.901, Florida  
467 Statutes, is amended to read:

468 288.901 Enterprise Florida, Inc.—

469 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

470 (a) In addition to the Governor or his or her designee, the  
471 board of directors shall consist of the following appointed  
472 members:

- 473 1. The Commissioner of Education or his or her designee.
- 474 2. The Chief Financial Officer or his or her designee.



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475           3. The Attorney General or his or her designee.  
476           4. The Commissioner of Agriculture or his or her designee.  
477           5. The chairperson of the board of directors of  
478 CareerSource Florida, Inc.

479           6. The Secretary of State or his or her designee.

480           7. Twelve members from the private sector, six of whom  
481 shall be appointed by the Governor, three of whom shall be  
482 appointed by the President of the Senate, and three of whom  
483 shall be appointed by the Speaker of the House of  
484 Representatives. Members appointed by the Governor are subject  
485 to Senate confirmation.

486           (b) In making their appointments, the Governor, the  
487 President of the Senate, and the Speaker of the House of  
488 Representatives shall ensure that the composition of the board  
489 of directors reflects the diversity of Florida's business  
490 community and is representative of the economic development  
491 goals in subsection (2). The board must include at least one  
492 director for each of the following areas of expertise:  
493 international business, tourism marketing, the space or  
494 aerospace industry, managing or financing a minority-owned  
495 business, manufacturing, finance and accounting, and sports  
496 marketing.

497           (c) The Governor, the President of the Senate, and the  
498 Speaker of the House of Representatives also shall consider  
499 appointees who reflect Florida's racial, ethnic, and gender  
500 diversity. Efforts shall be taken to ensure participation from  
501 all geographic areas of the state, including representation from  
502 urban and rural communities.

503           (d) Appointed members shall be appointed to 4-year terms,



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504 except that initially, to provide for staggered terms, the  
505 Governor, the President of the Senate, and the Speaker of the  
506 House of Representatives shall each appoint one member to serve  
507 a 2-year term and one member to serve a 3-year term, with the  
508 remaining initial appointees serving 4-year terms. All  
509 subsequent appointments shall be for 4-year terms.

510 (e) Initial appointments must be made by October 1, 2011,  
511 and be eligible for confirmation at the earliest available  
512 Senate session. Terms end on September 30.

513 (f) Any member is eligible for reappointment, except that a  
514 member may not serve more than two terms.

515 (g) A vacancy on the board of directors shall be filled for  
516 the remainder of the unexpired term. Vacancies on the board  
517 shall be filled by appointment by the Governor, the President of  
518 the Senate, or the Speaker of the House of Representatives,  
519 respectively, depending on who appointed the member whose  
520 vacancy is to be filled or whose term has expired.

521 (h) Appointed members may be removed by the Governor, the  
522 President of the Senate, or the Speaker of the House of  
523 Representatives, respectively, for cause. Absence from three  
524 consecutive meetings results in automatic removal.

525

526 All board members shall serve without compensation, but are  
527 entitled to receive reimbursement for per diem and travel  
528 expenses pursuant to s. 112.061. Such expenses must be paid out  
529 of funds of Enterprise Florida, Inc.

530 Section 8. Subsections (7), (8), and (9) are added to  
531 section 288.903, Florida Statutes, to read:

532 288.903 Duties of Enterprise Florida, Inc.—Enterprise



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533 Florida, Inc., shall have the following duties:

534 (7) Submit all proposed contracts with a total value of  
535 \$750,000 or more in accordance with the notice and review  
536 procedures of s. 216.177. If the chair and vice chair of the  
537 Legislative Budget Commission, or the President of the Senate  
538 and the Speaker of the House of Representatives, timely advise  
539 Enterprise Florida, Inc., in writing that such proposed contract  
540 is contrary to legislative policy and intent, Enterprise  
541 Florida, Inc., may not execute such proposed contract.  
542 Enterprise Florida, Inc., may not enter into multiple related  
543 contracts to avoid the requirements of this subsection. This  
544 subsection does not apply to contracts for the award of a  
545 statutorily authorized incentive program.

546 (8) May not create or establish any other entity,  
547 corporation, or direct-support organization, unless authorized  
548 by law.

549 (9) Enterprise Florida, Inc., shall comply with the per  
550 diem and travel expense provisions of s. 112.061.

551 Section 9. Section 288.904, Florida Statutes, is amended to  
552 read:

553 288.904 Funding for Enterprise Florida, Inc.; performance  
554 and return on the public's investment.-

555 (1) (a) The Legislature may annually appropriate to  
556 Enterprise Florida, Inc., a sum of money for its operations, and  
557 separate line-item appropriations for each of the divisions  
558 listed in s. 288.92.

559 (b) The state's operating investment in Enterprise Florida,  
560 Inc., and its divisions is the budget contracted by the  
561 department to Enterprise Florida, Inc., less any funding that is



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562 directed by the Legislature to be subcontracted to a specific  
563 recipient entity.

564 (c) The board of directors of Enterprise Florida, Inc.,  
565 shall adopt for each upcoming fiscal year an operating budget  
566 for the organization, including its divisions, which specifies  
567 the intended uses of the state's operating investment and a plan  
568 for securing private sector support.

569 (2) (a) The Legislature finds that it is a priority to  
570 maximize private sector support in operating Enterprise Florida,  
571 Inc., and its divisions, as an endorsement of its value and as  
572 an enhancement of its efforts. Thus, the state appropriations  
573 must be matched with private sector support equal to at least  
574 100 percent of the state operational funding.

575 (b) Private sector support in operating Enterprise Florida,  
576 Inc., and its divisions includes:

577 1. Cash given directly to Enterprise Florida, Inc., for its  
578 operations, including contributions from at-large members of the  
579 board of directors;

580 2. Cash donations from organizations assisted by the  
581 divisions;

582 3. Cash jointly raised by Enterprise Florida, Inc., and a  
583 private local economic development organization, a group of such  
584 organizations, or a statewide private business organization that  
585 supports collaborative projects;

586 4. Cash generated by fees charged for products or services  
587 of Enterprise Florida, Inc., and its divisions by sponsorship of  
588 events, missions, programs, and publications; and

589 5. Copayments, stock, warrants, royalties, or other private  
590 resources dedicated to Enterprise Florida, Inc., or its



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591 divisions.

592 ~~(3) (a) Specifically for the marketing and advertising~~  
593 ~~activities of the Division of Tourism Marketing or as contracted~~  
594 ~~through the Florida Tourism Industry Corporation, a one-to-one~~  
595 ~~match is required of private to public contributions within 4~~  
596 ~~calendar years after the implementation date of the marketing~~  
597 ~~plan pursuant to s. 288.923.~~

598 ~~(b) For purposes of calculating the required one-to-one~~  
599 ~~match, matching private funds shall be divided into four~~  
600 ~~categories. Documentation for the components of the four private~~  
601 ~~match categories shall be kept on file for inspection as~~  
602 ~~determined necessary. The four private match categories are:~~

603 ~~1. Direct cash contributions, which include, but are not~~  
604 ~~limited to, cash derived from strategic alliances, contributions~~  
605 ~~of stocks and bonds, and partnership contributions.~~

606 ~~2. Fees for services, which include, but are not limited~~  
607 ~~to, event participation, research, and brochure placement and~~  
608 ~~transparencies.~~

609 ~~3. Cooperative advertising, which is the value based on~~  
610 ~~cost of contributed productions, air time, and print space.~~

611 ~~4. In-kind contributions, which include, but are not~~  
612 ~~limited to, the value of strategic alliance services~~  
613 ~~contributed, the value of loaned employees, discounted service~~  
614 ~~fees, items contributed for use in promotions, and radio or~~  
615 ~~television air time or print space for promotions. The value of~~  
616 ~~air time or print space shall be calculated by taking the actual~~  
617 ~~time or space and multiplying by the nonnegotiated unit price~~  
618 ~~for that specific time or space which is known as the media~~  
619 ~~equivalency value. In order to avoid duplication in determining~~



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620 ~~media equivalency value, only the value of the promotion itself~~  
621 ~~shall be included; the value of the items contributed for the~~  
622 ~~promotion may not be included.~~

623       ~~(4)~~ Enterprise Florida, Inc., shall fully comply with the  
624 performance measures, standards, and sanctions in its contract  
625 with the department, under s. 20.60. The department shall  
626 ensure, to the maximum extent possible, that the contract  
627 performance measures are consistent with performance measures  
628 that it is required to develop and track under performance-based  
629 program budgeting. The contract shall also include performance  
630 measures for the divisions.

631       (4)~~(5)~~ The Legislature intends to review the performance of  
632 Enterprise Florida, Inc., in achieving the performance goals  
633 stated in its annual contract with the department to determine  
634 whether the public is receiving a positive return on its  
635 investment in Enterprise Florida, Inc., and its divisions. It  
636 also is the intent of the Legislature that Enterprise Florida,  
637 Inc., coordinate its operations with local economic development  
638 organizations to maximize the state and local return on  
639 investment to create jobs for Floridians.

640       (5) By August 15 of each fiscal year, the department shall  
641 submit a proposed operating budget for Enterprise Florida, Inc.,  
642 including amounts to be expended on incentives, business  
643 recruitment, advertising, events, other operating capital  
644 outlay, and salaries and benefits for each employee to the  
645 Governor, the President of the Senate, and the Speaker of the  
646 House of Representatives.

647       (6) (a) All contracts executed by Enterprise Florida, Inc.,  
648 shall be placed for viewing on the corporation's website.



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649       (b) A contract entered into between Enterprise Florida,  
650 Inc., and any other public or private entity must include:  
651       1. The purpose of the contract.  
652       2. Specific performance standards and responsibilities for  
653 each entity.  
654       3. A detailed project or contract budget, if applicable.  
655       4. The value of any services provided.  
656       5. The projected travel and entertainment expenses for  
657 employees and board members, if applicable.  
658       (c)1. Any entity that in the previous fiscal year received  
659 more than 50 percent of its revenue from Enterprise Florida,  
660 Inc., or from a tax imposed pursuant to s. 125.0104, s.  
661 125.0108, or s. 212.0305, and that partners with Enterprise  
662 Florida, Inc., in a program or other activity offered by or in  
663 conjunction with Enterprise Florida, Inc., shall annually report  
664 by July 1 all public and private financial data posted on its  
665 website to the Governor, the President of the Senate, and the  
666 Speaker of the House of Representatives.  
667       2. The financial data shall include:  
668       a. The total amount of revenue received from public and  
669 private sources.  
670       b. The operating budget of the partner entity.  
671       c. Employee and board member salary and benefit details  
672 from public and private funds.  
673       d. An itemized accounting of all expenditures by the  
674 partner entity on behalf of, or coordinated for the benefit of,  
675 Enterprise Florida, Inc., its board members, or employees.  
676       e. Itemized travel and entertainment expenditures of the  
677 partner entity.





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678       (d) The following information must be posted on the website  
679 of Enterprise Florida, Inc.:

680       1. A plain language version of any contract that is  
681 estimated to exceed \$35,000 with a private entity, municipality,  
682 county, town, or vendor of services, supplies, or programs,  
683 including marketing, or for the purchase or lease or use of  
684 lands, facilities, or properties.

685       2. Any agreement entered into between Enterprise Florida,  
686 Inc., and any other entity, including a local government,  
687 private entity, or nonprofit entity, which receives public funds  
688 or funds from a tax imposed pursuant to s. 125.0104, s.  
689 125.0108, or s. 212.0305.

690       3. The contracts and the required information pursuant to  
691 paragraph (b) and the financial data submitted to Enterprise  
692 Florida, Inc., pursuant to paragraph (c).

693       4. Video recordings of each board meeting.

694       5. A detailed report of expenditures following each  
695 marketing or business recruitment event paid for with Enterprise  
696 Florida, Inc., funds. Such report must be posted within 10  
697 business days after the event.

698       6. An annual itemized accounting of the total amount of  
699 funds spent by any third party on behalf of Enterprise Florida,  
700 Inc., or any board member or employee of Enterprise Florida,  
701 Inc.

702       7. An annual itemized accounting of the total amount of  
703 travel and entertainment expenditures by Enterprise Florida,  
704 Inc.

705       (e) The Enterprise Florida, Inc., website must:

706       1. Allow users to navigate to related sites to view



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707 supporting details.

708 2. Enable a taxpayer to e-mail questions to Enterprise  
709 Florida, Inc., and make such questions and Enterprise Florida,  
710 Inc., responses publicly viewable.

711 Section 10. Section 288.905, Florida Statutes, is amended  
712 to read:

713 288.905 President and employees of Enterprise Florida,  
714 Inc.—

715 (1) The board of directors of Enterprise Florida, Inc.,  
716 shall appoint a president, who shall serve at the pleasure of  
717 the Governor. The president shall also be known as the  
718 “secretary of commerce” and shall serve as the Governor’s chief  
719 negotiator for business recruitment and business expansion.

720 (2) The president is the chief administrative and  
721 operational officer of the board of directors and of Enterprise  
722 Florida, Inc., and shall direct and supervise the administrative  
723 affairs of the board of directors and any divisions, councils,  
724 or boards. The board of directors may delegate to the president  
725 those powers and responsibilities it deems appropriate,  
726 including hiring and management of all staff, except for the  
727 appointment of a president.

728 (3) The board of directors shall establish and adjust the  
729 president’s compensation.

730 (4) An ~~Ne~~ employee of Enterprise Florida, Inc., including  
731 an officer or agent, the president, or the chief executive  
732 officer, may not receive compensation for employment paid from  
733 funds received from the state which ~~that~~ exceeds the salary and  
734 benefits authorized to be paid to the Governor, unless the board  
735 of directors and the employee have executed a contract that



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736 ~~prescribes specific, measurable performance outcomes for the~~  
737 ~~employee, the satisfaction of which provides the basis for the~~  
738 ~~award of incentive payments that increase the employee's total~~  
739 ~~compensation to a level above the salary paid to the Governor.~~  
740 Any payments of performance bonuses or severance pay paid from  
741 funds received from the state to employees are prohibited unless  
742 specifically authorized by law.

743 (5) Lodging expenses for an employee of Enterprise Florida,  
744 Inc., may not exceed \$150 per day, excluding taxes, unless  
745 Enterprise Florida, Inc., is participating in a negotiated group  
746 rate discount or Enterprise Florida, Inc., provides  
747 documentation of at least three comparable alternatives  
748 demonstrating that such lodging at the required rate is not  
749 available. However, an employee of Enterprise Florida, Inc., may  
750 expend his or her own funds for any lodging expenses in excess  
751 of \$150 per day.

752 (6) Funds of Enterprise Florida, Inc., may not be expended  
753 for food, beverages, lodging, entertainment, or gifts for  
754 employees of Enterprise Florida, Inc., board members of  
755 Enterprise Florida, Inc., or employees of a tourist or economic  
756 development entity that receives revenue from a tax imposed  
757 pursuant to s. 125.0104, s. 125.0108, or s. 212.0305, unless  
758 authorized pursuant to s. 112.061 or this section. An employee  
759 or board member of Enterprise Florida, Inc., may not accept or  
760 receive food, beverages, lodging, entertainment, or gifts from a  
761 tourist or economic development entity that receives revenue  
762 from a tax imposed pursuant to s. 125.0104, s. 125.0108, or s.  
763 212.0305, or from any person, vendor, or other entity doing  
764 business with the corporation unless such food, beverage,



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765 lodging, entertainment, or gift is available to similarly  
766 situated members of the general public.

767 Section 11. For the 2017-2018 fiscal year, the recurring  
768 sum of \$26 million and the nonrecurring sum of \$26 million from  
769 the State Economic Enhancement and Development Trust Fund and  
770 the recurring sum of \$24 million from the Tourism Promotional  
771 Trust Fund are appropriated to the Department of Economic  
772 Opportunity to contract with the Florida Tourism Industry  
773 Marketing Corporation.

774 Section 12. For the 2017-2018 fiscal year, the recurring  
775 sum of \$9.4 million from the State Economic Enhancement and  
776 Development Trust Fund and the recurring sum of \$6.6 million  
777 from the Florida International Trade and Promotion Trust Fund  
778 are appropriated to the Department of Economic Opportunity to  
779 contract with Enterprise Florida, Inc., for operational purposes  
780 and to maintain its offices but excluding expenditures on any  
781 incentive tools or programs unless explicitly authorized by this  
782 act. From the funds appropriated from the Florida International  
783 Trade and Promotion Trust Fund, Enterprise Florida, Inc., shall  
784 allocate \$3.55 million for international programs, \$2.05 million  
785 to maintain Florida's international offices, and \$1 million to  
786 continue the Florida Export Diversification and Expansion  
787 Programs.

788  
789 ===== T I T L E A M E N D M E N T =====

790 And the title is amended as follows:

791 Delete lines 6 - 25

792 and insert:

793 to the General Revenue Fund; amending



305400

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
06/07/2017	.	
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The Committee on Commerce and Tourism (Latvala) recommended the following:

**Senate Amendment**

Delete lines 250 - 256  
and insert:  
programs at state colleges, state technical centers, or private postsecondary institutions licensed or otherwise authorized to operate in this state, which provide participants with transferable, sustainable workforce skills applicable to more than a single employer, and for equipment associated with these programs. The department shall work with CareerSource Florida,



305400

11 Inc., to ensure that programs are offered to the public based on  
12 criteria established by the state college, state technical  
13 center, or private postsecondary institution licensed or  
14 otherwise authorized to operate in this state, and do not  
15 exclude applicants



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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
06/07/2017	.	
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The Committee on Commerce and Tourism (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 301 - 322

and insert:

Section 4. Present subsection (3) of section 288.1201, Florida Statutes, is redesignated as subsection (4) and amended, and a new subsection (3) is added to that section, to read:

288.1201 State Economic Enhancement and Development Trust Fund.—

(3) (a) The department may make a payment from the trust



11 fund after an independent third party has verified that an  
12 applicant has satisfied all of the requirements of an agreement  
13 or contract and the department has determined that the applicant  
14 meets the required project performance criteria and is eligible  
15 to receive a payment.

16 (b) The department shall determine within 15 days after the  
17 end of each calendar quarter whether moneys in the trust fund  
18 are associated with an agreement or contract entered into  
19 pursuant to s. 288.1088 which the department has terminated,  
20 which has otherwise expired, or for which the applicant has not  
21 met performance conditions required by the agreement or  
22 contract. The portion of the appropriation associated with such  
23 moneys shall revert, and any such moneys shall be returned to  
24 the fund from which they were originally appropriated.

25 (c) Moneys in the trust fund shall be managed and invested  
26 to generate the maximum amount of interest earnings, consistent  
27 with the requirement that the moneys be available to make  
28 payments as required pursuant to Quick Action Closing Fund  
29 contracts or agreements.

30 (d) By September 1, 2017, the department shall return to  
31 the State Treasury all funds held by the escrow agent pursuant  
32 to a contract executed for the Quick Action Closing Fund which  
33 are unexpended as of June 30, 2017. Such unexpended funds shall  
34 be deposited into the State Economic Enhancement and Development  
35 Trust Fund.

36 ~~(3)~~(4) Moneys in the trust fund may be appropriated to make  
37 payments pursuant to agreements or contracts for projects  
38 authorized under s. 288.1088. Notwithstanding s. 216.301 and  
39 pursuant to s. 216.351, any balance in the trust fund at the end





40 of any fiscal year shall remain in the trust fund at the end of  
41 the year and shall be available for carrying out the purposes of  
42 the trust fund.

43 Section 5. For the 2017-2018 fiscal year, and from the  
44 amounts returned to the State Economic Enhancement Trust Fund  
45 pursuant to s. 288.1201(3)(d), Florida Statutes, the sum of  
46 \$106,746,279 from the State Economic Enhancement and Development  
47 Trust Fund is appropriated to the Department of Economic  
48 Opportunity to make payments pursuant to agreements or contracts  
49 for projects authorized under s. 288.1088, Florida Statutes.  
50 Notwithstanding s. 216.301, Florida Statutes, and pursuant to s.  
51 216.351, Florida Statutes, any balance in the trust fund at the  
52 end of any fiscal year shall remain in the trust fund at the end  
53 of the year and shall be available for carrying out the purposes  
54 of the trust fund. The balance of any appropriation which is not  
55 disbursed by June 30, 2018, may be carried forward until all  
56 authorized projects are fully paid, except as provided in s.  
57 288.1201(3)(b).

58  
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete lines 26 - 36

62 and insert:

63 s. 288.1201, F.S.; providing conditions that must be  
64 met before the Department of Economic Opportunity is  
65 authorized to make a payment from the State Economic  
66 Enhancement and Development Trust Fund; requiring the  
67 department to determine quarterly determine whether  
68 moneys in the trust fund are associated with certain



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69 agreements; requiring such funds to be returned to  
70 their originating fund; providing investment  
71 requirements for moneys in the trust fund; requiring  
72 the department to return to the State Treasury  
73 unexpended funds from the Quick Action Closing Fund  
74 which are held by certain entities; requiring such  
75 funds to be deposited to the trust fund; authorizing  
76 moneys in the trust fund to be appropriated to make  
77 certain payments; providing an appropriation; amending  
78 s. 288.1226, F.S.; requiring

By Senator Latvala

16-00013-17A

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1 A bill to be entitled  
 2 An act relating to economic programs; amending s.  
 3 11.45, F.S.; authorizing the Auditor General to audit  
 4 the Florida Tourism Industry Marketing Corporation;  
 5 amending s. 201.15, F.S.; transferring certain funds  
 6 to the General Revenue Fund; creating s. 288.101,  
 7 F.S.; creating the Florida Job Growth Grant Fund  
 8 within the Department of Economic Opportunity;  
 9 requiring the department and Enterprise Florida, Inc.,  
 10 in consultation with the Department of Transportation,  
 11 to identify projects, solicit proposals, and make  
 12 certain recommendations; requiring the department and  
 13 Enterprise Florida, Inc., in consultation with the  
 14 Department of Transportation, to establish an  
 15 application process and criteria for grant requests;  
 16 providing requirements for requesting grants;  
 17 requiring the department, upon approval by the  
 18 Governor, to prepare a certain agreement before  
 19 disbursing grant funds; specifying requirements for  
 20 the agreement; authorizing the department to contract  
 21 with CareerSource Florida, Inc., or administer the  
 22 workforce training grants program directly;  
 23 prohibiting grant funds from being used for certain  
 24 training; providing definitions; requiring the  
 25 department to administer certain contracts; amending  
 26 s. 288.1201, F.S.; requiring the Department of  
 27 Economic Opportunity to retain state funds for  
 28 specified programs in the State Economic Enhancement  
 29 and Development Trust Fund until certain conditions

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

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30 are met; requiring the department to return to the  
 31 State Treasury unexpended funds from the Quick Action  
 32 Closing Fund which are held by certain entities;  
 33 requiring the department to comply by a certain date;  
 34 requiring the department to provide notification of  
 35 compliance to the Governor and the Legislature by a  
 36 certain date; amending s. 288.1226, F.S.; requiring  
 37 the Florida Tourism Industry Marketing Corporation to  
 38 comply with certain per diem and travel expense  
 39 provisions; providing corporation board members and  
 40 officers with certain voting authority; requiring such  
 41 officers and members to file a certain annual  
 42 disclosure; requiring that such disclosure be placed  
 43 on the corporation's website; authorizing  
 44 reimbursement for per diem and travel expenses for  
 45 corporation board members; requiring such expenses to  
 46 be paid out of corporation funds; subjecting certain  
 47 contracts to specified notice and review procedures;  
 48 prohibiting the execution of certain contracts;  
 49 limiting the amount of compensation paid to  
 50 corporation officers, agents, and employees;  
 51 prohibiting certain performance bonuses and severance  
 52 pay; removing a requirement that the corporation  
 53 provide certain support to the Division of Tourism  
 54 Promotion of Enterprise Florida, Inc.; prohibiting the  
 55 corporation from creating or establishing certain  
 56 entities and expending certain funds that benefit only  
 57 one entity; requiring a one-to-one match of private to  
 58 public contributions to the corporation; providing

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

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59 private contribution categories to be used for the  
 60 calculation of such match; prohibiting certain  
 61 contributions from being considered private  
 62 contributions for purposes of such match; requiring  
 63 the corporation to provide certain data to the Office  
 64 of Economic and Demographic Research; prohibiting the  
 65 expenditure of corporation funds for certain purposes;  
 66 prohibiting the acceptance or receipt of certain items  
 67 or services from certain entities; limiting lodging  
 68 expenses of corporation employees; providing an  
 69 exception; requiring the department to submit a  
 70 proposed operating budget for the corporation to the  
 71 Governor and the Legislature; requiring the inclusion  
 72 of certain corporation contracts on the corporation's  
 73 website; requiring the inclusion of specified  
 74 information in certain corporation contracts and on  
 75 the corporation's website; requiring certain entities  
 76 that receive a certain amount of specified funds to  
 77 report certain public and private financial data on  
 78 their websites and provide such report to the Governor  
 79 and the Legislature on a specified date; requiring the  
 80 report to include specified financial data; requiring  
 81 specified functionality of the corporation's website;  
 82 creating s. 288.12266, F.S.; creating the Targeted  
 83 Marketing Assistance Program to enhance the tourism  
 84 business marketing of small, minority, rural, and  
 85 agritourism businesses in the state; providing a  
 86 definition; requiring the department and the  
 87 corporation to provide an annual report to the

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88 Governor and the Legislature; amending s. 288.124,  
 89 F.S.; authorizing the Florida Tourism Industry  
 90 Marketing Corporation, rather than Enterprise Florida,  
 91 Inc., to establish a convention grants program and  
 92 guidelines governing the award of program grants and  
 93 the administration of such program; amending s.  
 94 288.901, F.S.; authorizing reimbursement for per diem  
 95 and travel expenses for Enterprise Florida, Inc.,  
 96 board members; requiring such expenses to be paid out  
 97 of Enterprise Florida, Inc., funds; amending s.  
 98 288.903, F.S.; subjecting certain contracts to  
 99 specified notice and review procedures; prohibiting  
 100 the execution of certain contracts; prohibiting  
 101 Enterprise Florida, Inc., from creating or  
 102 establishing certain entities; requiring Enterprise  
 103 Florida, Inc., to comply with certain per diem and  
 104 travel expense provisions; amending s. 288.904, F.S.;  
 105 requiring the department to submit a proposed  
 106 operating budget for Enterprise Florida, Inc., to the  
 107 Governor and the Legislature; requiring the inclusion  
 108 of executed Enterprise Florida, Inc., contracts on the  
 109 Enterprise Florida, Inc., website; requiring the  
 110 inclusion of specified information in certain  
 111 Enterprise Florida, Inc., contracts and on the  
 112 Enterprise Florida, Inc., website; requiring certain  
 113 entities that receive a certain amount of specified  
 114 funds to report certain public and private financial  
 115 data on their websites and provide such report to the  
 116 Governor and the Legislature by a specified date;

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117 requiring the report to include specified financial  
 118 data; requiring specified functionality of the  
 119 Enterprise Florida, Inc., website; amending s.  
 120 288.905, F.S.; limiting the amount of public  
 121 compensation paid to Enterprise Florida, Inc.,  
 122 employees; prohibiting certain performance bonuses and  
 123 severance pay; limiting lodging expenses of Enterprise  
 124 Florida, Inc., employees; providing an exception;  
 125 prohibiting certain expenditures; prohibiting the  
 126 acceptance or receipt of certain items or services  
 127 from certain entities; providing appropriations;  
 128 terminating the Displaced Homemaker Trust Fund within  
 129 the Department of Economic Opportunity; providing for  
 130 the disposition of balances in and revenues of the  
 131 trust fund; providing procedures for the termination  
 132 of the trust fund; repealing ss. 446.50, 446.51,  
 133 446.52, and 1010.84, F.S., relating to displaced  
 134 homemaker programs, prohibited discrimination and  
 135 confidentiality of information related to such  
 136 programs, and the Displaced Homemaker Trust Fund,  
 137 respectively; amending ss. 20.60, 28.101, 187.201,  
 138 288.92, 288.923, 445.003, 445.004, 741.01, and  
 139 741.011, F.S.; conforming provisions to changes made  
 140 by the act; providing an effective date.

141  
 142 Be It Enacted by the Legislature of the State of Florida:

143  
 144 Section 1. Paragraph (x) is added to subsection (3) of  
 145 section 11.45, Florida Statutes, to read:

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146 11.45 Definitions; duties; authorities; reports; rules.-  
 147 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.-The Auditor  
 148 General may, pursuant to his or her own authority, or at the  
 149 direction of the Legislative Auditing Committee, conduct audits  
 150 or other engagements as determined appropriate by the Auditor  
 151 General of:  
 152 (x) The Florida Tourism Industry Marketing Corporation.  
 153 Section 2. Paragraph (a) of subsection (4) of section  
 154 201.15, Florida Statutes, is amended to read:  
 155 201.15 Distribution of taxes collected.-All taxes collected  
 156 under this chapter are hereby pledged and shall be first made  
 157 available to make payments when due on bonds issued pursuant to  
 158 s. 215.618 or s. 215.619, or any other bonds authorized to be  
 159 issued on a parity basis with such bonds. Such pledge and  
 160 availability for the payment of these bonds shall have priority  
 161 over any requirement for the payment of service charges or costs  
 162 of collection and enforcement under this section. All taxes  
 163 collected under this chapter, except taxes distributed to the  
 164 Land Acquisition Trust Fund pursuant to subsections (1) and (2),  
 165 are subject to the service charge imposed in s. 215.20(1).  
 166 Before distribution pursuant to this section, the Department of  
 167 Revenue shall deduct amounts necessary to pay the costs of the  
 168 collection and enforcement of the tax levied by this chapter.  
 169 The costs and service charge may not be levied against any  
 170 portion of taxes pledged to debt service on bonds to the extent  
 171 that the costs and service charge are required to pay any  
 172 amounts relating to the bonds. All of the costs of the  
 173 collection and enforcement of the tax levied by this chapter and  
 174 the service charge shall be available and transferred to the

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175 extent necessary to pay debt service and any other amounts  
 176 payable with respect to bonds authorized before January 1, 2017,  
 177 secured by revenues distributed pursuant to this section. All  
 178 taxes remaining after deduction of costs shall be distributed as  
 179 follows:

180 (4) After the required distributions to the Land  
 181 Acquisition Trust Fund pursuant to subsections (1) and (2) and  
 182 deduction of the service charge imposed pursuant to s.  
 183 215.20(1), the remainder shall be distributed as follows:

184 (a) The lesser of 24.18442 percent of the remainder or  
 185 \$541.75 million in each fiscal year shall be paid into the State  
 186 Treasury to the credit of the State Transportation Trust Fund.  
 187 Of such funds, \$75 million for each fiscal year shall be  
 188 transferred to the General Revenue Fund State Economic  
 189 Enhancement and Development Trust Fund within the Department of  
 190 Economic Opportunity. Notwithstanding any other law, the  
 191 remaining amount credited to the State Transportation Trust Fund  
 192 shall be used for:

193 1. Capital funding for the New Starts Transit Program,  
 194 authorized by Title 49, U.S.C. s. 5309 and specified in s.  
 195 341.051, in the amount of 10 percent of the funds;

196 2. The Small County Outreach Program specified in s.  
 197 339.2818, in the amount of 10 percent of the funds;

198 3. The Strategic Intermodal System specified in ss. 339.61,  
 199 339.62, 339.63, and 339.64, in the amount of 75 percent of the  
 200 funds after deduction of the payments required pursuant to  
 201 subparagraphs 1. and 2.; and

202 4. The Transportation Regional Incentive Program specified  
 203 in s. 339.2819, in the amount of 25 percent of the funds after

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204 deduction of the payments required pursuant to subparagraphs 1.  
 205 and 2. The first \$60 million of the funds allocated pursuant to  
 206 this subparagraph shall be allocated annually to the Florida  
 207 Rail Enterprise for the purposes established in s. 341.303(5).

208 Section 3. Section 288.101, Florida Statutes, is created to  
 209 read:

210 288.101 Florida Job Growth Grant Fund.—

211 (1) The Florida Job Growth Grant Fund is created within the  
 212 department to promote economic opportunity by improving public  
 213 infrastructure and enhancing workforce training. The Florida Job  
 214 Growth Grant Fund may not be used for the exclusive benefit of  
 215 any single company, corporation, or business entity.

216 (2) The department and Enterprise Florida, Inc., in  
 217 consultation with the Department of Transportation, shall  
 218 identify projects, solicit proposals, and make recommendations  
 219 to the Governor for grant awards to state and local governmental  
 220 entities pursuant to s. 255.0525 for state or local public  
 221 infrastructure projects to promote economic recovery, economic  
 222 diversification, or economic enhancement in a targeted industry.

223 (a) The department and Enterprise Florida, Inc., in  
 224 consultation with the Department of Transportation, shall  
 225 establish an application process and criteria for grant  
 226 requests. Grant requests may be submitted to the department by  
 227 the board of county commissioners of a county, the chief  
 228 executive officer of a municipality, or the governing body of a  
 229 special district or a special tax district. The grant request  
 230 must be signed by the chair of the board of county commissioners  
 231 and attested by the clerk of the circuit court or the  
 232 appropriate officer in a charter county, by the chief executive

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233 officer of a municipality and attested by the clerk of the  
 234 municipality, or by the chair of the governing body and attested  
 235 by the chief financial officer of a special district or a  
 236 special tax district.

237 (b) Upon approval by the Governor and before the  
 238 disbursement of grant funds pursuant to this subsection, the  
 239 department shall prepare a grant agreement between the local  
 240 governmental entity receiving funding through the program and  
 241 the department. The agreement must include, but is not limited  
 242 to:

243 1. The purpose of the grant.  
 244 2. The grant recipient's specific performance standards and  
 245 responsibilities.  
 246 3. A detailed project or contract budget, if available.

247 (3) The department and Enterprise Florida, Inc., shall  
 248 identify projects, solicit proposals, and make recommendations  
 249 to the Governor for workforce training grants to support  
 250 existing programs at state colleges and state technical centers  
 251 which provide participants with transferable, sustainable  
 252 workforce skills applicable to more than a single employer, and  
 253 for equipment associated with these programs. The department  
 254 shall work with CareerSource Florida to ensure programs are  
 255 offered to the public based on criteria established by the state  
 256 college or state technical center and do not exclude applicants  
 257 who are unemployed or underemployed. The department may contract  
 258 with CareerSource Florida, Inc., or administer this program  
 259 directly.

260 (a) Grant funds may not be expended to provide training for  
 261 instruction related to retail businesses or to reimburse

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262 businesses for trainee wages.

263 (b) Grant requests may be submitted to the department by a  
 264 state college or a state technical center. The department shall  
 265 establish an application process and criteria for grant  
 266 requests. Costs and expenditures for the workforce training  
 267 grants must be documented and separated from those incurred by  
 268 the state college or state technical center.

269 (c) Upon approval by the Governor and before the  
 270 disbursement of grant funds pursuant to this section, the  
 271 department shall prepare a grant agreement between the  
 272 educational institution receiving funding through the program  
 273 and the department. The agreement must include, but is not  
 274 limited to:

275 1. The estimated length of the instructional program.  
 276 2. All direct, program-related costs, including tuition and  
 277 fees, curriculum development, equipment, books and classroom  
 278 materials, and overhead or indirect costs, not to exceed 5  
 279 percent of the grant amount.

280 3. Special program requirements that are not addressed  
 281 otherwise in the agreement.

282 (4) For purposes of this section, the term:

283 (a) "Infrastructure project" means any fixed capital  
 284 expenditure or fixed capital costs associated with the  
 285 construction, reconstruction, maintenance, or improvement of  
 286 facilities that have a life expectancy of 5 or more years and  
 287 any land acquisition, land improvement, design, and engineering  
 288 costs related thereto. Facilities in this category include, but  
 289 are not limited to, roads, bridges, tunnels, water supply,  
 290 sewers, electrical grids, and telecommunications facilities.

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291 (b) "Public infrastructure" means infrastructure that is  
 292 owned by the public and is for public use or predominately  
 293 benefits the public.

294 (c) "Targeted industry" means any industry identified in  
 295 the most recent list provided to the Governor, the President of  
 296 the Senate, and the Speaker of the House of Representatives in  
 297 accordance with s. 288.106(2)(g).

298 (5) Contracts for projects approved by the Governor and  
 299 funded pursuant to this section shall be administered by the  
 300 department.

301 Section 4. Subsection (4) is added to section 288.1201,  
 302 Florida Statutes, to read:

303 288.1201 State Economic Enhancement and Development Trust  
 304 Fund.—

305 (4)(a) Beginning July 1, 2017, the department shall retain  
 306 in the trust fund any state funds appropriated for any program  
 307 created under this chapter which is funded in the General  
 308 Appropriations Act until the performance requirements  
 309 established under contract or by law for any economic  
 310 development incentives are submitted to and verified by the  
 311 department.

312 (b) The department shall return to the State Treasury all  
 313 funds held by any entity pursuant to a contract executed for the  
 314 Quick Action Closing Fund which are unexpended as of June 30,  
 315 2017. Such unexpended funds shall be deposited into the State  
 316 Economic Enhancement and Development Trust Fund. The department  
 317 shall take all steps necessary to comply with this paragraph by  
 318 September 1, 2017. The department shall notify the Governor, the  
 319 President of the Senate, and the Speaker of the House of

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320 Representatives of its compliance with this paragraph by October  
 321 1, 2017.

322 (c) This subsection expires July 1, 2018.

323 Section 5. Section 288.1226, Florida Statutes, is amended  
 324 to read:

325 288.1226 Florida Tourism Industry Marketing Corporation;  
 326 use of property; board of directors; duties; audit.—

327 (1) DEFINITIONS.—For the purposes of this section, the term  
 328 "corporation" means the Florida Tourism Industry Marketing  
 329 Corporation.

330 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing  
 331 Corporation is a direct-support organization of Enterprise  
 332 Florida, Inc.

333 (a) The Florida Tourism Industry Marketing Corporation is a  
 334 corporation not for profit, as defined in s. 501(c)(6) of the  
 335 Internal Revenue Code of 1986, as amended, that is incorporated  
 336 under the provisions of chapter 617 and approved by the  
 337 Department of State.

338 (b) The corporation is organized and operated exclusively  
 339 to request, receive, hold, invest, and administer property and  
 340 to manage and make expenditures for the operation of the  
 341 activities, services, functions, and programs of this state  
 342 which relate to the statewide, national, and international  
 343 promotion and marketing of tourism.

344 (c) 1. The corporation is not an agency for the purposes of  
 345 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,  
 346 relating to leasing of buildings; ss. 283.33 and 283.35,  
 347 relating to bids for printing; s. 215.31; and parts I, II, and  
 348 IV-VIII of chapter 112. However, the corporation shall comply

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349 with the per diem and travel expense provisions of s. 112.061.

350 2. It is not a violation of s. 112.3143(2) or (4) for the

351 officers or members of the board of directors of the corporation

352 to:

353 a. Vote on the 4-year marketing plan required under s.

354 288.923 or vote on any individual component of or amendment to

355 the plan.

356 b. Participate in the establishment or calculation of

357 payments related to the private match requirements of subsection

358 (6). The officer or member must file an annual disclosure

359 describing the nature of his or her interests or the interests

360 of his or her principals, including corporate parents and

361 subsidiaries of his or her principal, in the private match

362 requirements. This annual disclosure requirement satisfies the

363 disclosure requirement of s. 112.3143(4). This disclosure must

364 be placed on the corporation's website or included in the

365 minutes of each meeting of the corporation's board of directors

366 at which the private match requirements are discussed or voted

367 upon.

368 (d) The corporation is subject to the provisions of chapter

369 119, relating to public meetings, and those provisions of

370 chapter 286 relating to public meetings and records.

371 (3) USE OF PROPERTY.—Enterprise Florida, Inc.:

372 (a) Is authorized to permit the use of property and

373 facilities of Enterprise Florida, Inc., by the corporation,

374 subject to the provisions of this section.

375 (b) Shall prescribe conditions with which the corporation

376 must comply in order to use property and facilities of

377 Enterprise Florida, Inc. Such conditions shall provide for

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378 budget and audit review and for oversight by Enterprise Florida,

379 Inc.

380 (c) May not permit the use of property and facilities of

381 Enterprise Florida, Inc., if the corporation does not provide

382 equal employment opportunities to all persons, regardless of

383 race, color, national origin, sex, age, or religion.

384 (4) BOARD OF DIRECTORS.—The board of directors of the

385 corporation shall be composed of 31 tourism-industry-related

386 members, appointed by Enterprise Florida, Inc., in conjunction

387 with the department. Board members shall serve without

388 compensation, but are entitled to receive reimbursement for per

389 diem and travel expenses pursuant to s. 112.061. Such expenses

390 must be paid out of funds of the corporation.

391 (a) The board shall consist of 16 members, appointed in

392 such a manner as to equitably represent all geographic areas of

393 the state, with no fewer than two members from any of the

394 following regions:

395 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,

396 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,

397 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

398 2. Region 2, composed of Alachua, Baker, Bradford, Clay,

399 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,

400 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,

401 Taylor, and Union Counties.

402 3. Region 3, composed of Brevard, Indian River, Lake,

403 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and

404 Volusia Counties.

405 4. Region 4, composed of Citrus, Hernando, Hillsborough,

406 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

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407 5. Region 5, composed of Charlotte, Collier, DeSoto,  
 408 Glades, Hardee, Hendry, Highlands, and Lee Counties.

409 6. Region 6, composed of Broward, Martin, Miami-Dade,  
 410 Monroe, and Palm Beach Counties.

411 (b) The 15 additional tourism-industry-related members  
 412 shall include 1 representative from the statewide rental car  
 413 industry; 7 representatives from tourist-related statewide  
 414 associations, including those that represent hotels,  
 415 campgrounds, county destination marketing organizations,  
 416 museums, restaurants, retail, and attractions; 3 representatives  
 417 from county destination marketing organizations; 1  
 418 representative from the cruise industry; 1 representative from  
 419 an automobile and travel services membership organization that  
 420 has at least 2.8 million members in Florida; 1 representative  
 421 from the airline industry; and 1 representative from the space  
 422 tourism industry, who will each serve for a term of 2 years.

423 (5) POWERS AND DUTIES.—The corporation, in the performance  
 424 of its duties:

425 (a) May make and enter into contracts and assume such other  
 426 functions as are necessary to carry out the provisions of the 4-  
 427 year marketing plan required by s. 288.923, and the  
 428 corporation's contract with Enterprise Florida, Inc., which are  
 429 not inconsistent with this or any other provision of law. A  
 430 proposed contract with a total value of \$750,000 or more is  
 431 subject to the notice and review procedures of s. 216.177. If  
 432 the chair and vice chair of the Legislative Budget Commission,  
 433 or the President of the Senate and the Speaker of the House of  
 434 Representatives, timely advise the corporation in writing that  
 435 such proposed contract is contrary to legislative policy and

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436 intent, the corporation may not execute such proposed contract.  
 437 The corporation may not enter into multiple related contracts to  
 438 avoid the requirements of this paragraph.

439 (b) May develop a program to provide incentives and to  
 440 attract and recognize those entities which make significant  
 441 financial and promotional contributions towards the expanded  
 442 tourism promotion activities of the corporation.

443 (c) May establish a cooperative marketing program with  
 444 other public and private entities which allows the use of the  
 445 VISIT Florida logo in tourism promotion campaigns which meet the  
 446 standards of Enterprise Florida, Inc., for which the corporation  
 447 may charge a reasonable fee.

448 (d) May sue and be sued and appear and defend in all  
 449 actions and proceedings in its corporate name to the same extent  
 450 as a natural person.

451 (e) May adopt, use, and alter a common corporate seal.  
 452 However, such seal must always contain the words "corporation  
 453 not for profit."

454 (f) Shall elect or appoint such officers and agents as its  
 455 affairs shall require and allow them reasonable compensation.  
 456 However, reasonable compensation for employment paid from funds  
 457 received from the state for any officer or agent, including the  
 458 president and chief executive officer of the corporation, may  
 459 not exceed the salary and benefits authorized to be paid to the  
 460 Governor. Any payments of performance bonuses or severance pay  
 461 paid from funds received from the state to an officer or agent  
 462 of the corporation are prohibited unless specifically authorized  
 463 by law.

464 (g) Shall hire and establish salaries and personnel and

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465 employee benefit programs for such permanent and temporary  
 466 employees as are necessary to carry out the provisions of the 4-  
 467 year marketing plan and the corporation's contract with  
 468 Enterprise Florida, Inc., which are not inconsistent with this  
 469 or any other provision of law. However, an employee may not  
 470 receive compensation for employment paid from funds received  
 471 from the state which exceeds the salary and benefits authorized  
 472 to be paid to the Governor. Any payments of performance bonuses  
 473 or severance pay paid from funds received from the state to  
 474 employees of the corporation are prohibited unless specifically  
 475 authorized by law.

476 (h) ~~Shall provide staff support to the Division of Tourism~~  
 477 ~~Promotion of Enterprise Florida, Inc. The president and chief~~  
 478 ~~executive officer of the Florida Tourism Industry Marketing~~  
 479 ~~Corporation shall serve without compensation as the director of~~  
 480 ~~the division.~~

481 ~~(i)~~ May adopt, change, amend, and repeal bylaws, not  
 482 inconsistent with law or its articles of incorporation, for the  
 483 administration of the provisions of the 4-year marketing plan  
 484 and the corporation's contract with Enterprise Florida, Inc.

485 (i)-(j) May conduct its affairs, carry on its operations,  
 486 and have offices and exercise the powers granted by this act in  
 487 any state, territory, district, or possession of the United  
 488 States or any foreign country. Where feasible, appropriate, and  
 489 recommended by the 4-year marketing plan developed by the  
 490 Division of Tourism Promotion of Enterprise Florida, Inc., the  
 491 corporation may collocate the programs of foreign tourism  
 492 offices in cooperation with any foreign office operated by any  
 493 agency of this state.

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494 (j)-(k) May appear on its own behalf before boards,  
 495 commissions, departments, or other agencies of municipal,  
 496 county, state, or federal government.

497 (k)-(l) May request or accept any grant, payment, or gift,  
 498 of funds or property made by this state or by the United States  
 499 or any department or agency thereof or by any individual, firm,  
 500 corporation, municipality, county, or organization for any or  
 501 all of the purposes of the 4-year marketing plan and the  
 502 corporation's contract with Enterprise Florida, Inc., that are  
 503 not inconsistent with this or any other provision of law. Such  
 504 funds shall be deposited in a bank account established by the  
 505 corporation's board of directors. The corporation may expend  
 506 such funds in accordance with the terms and conditions of any  
 507 such grant, payment, or gift, in the pursuit of its  
 508 administration or in support of the programs it administers. The  
 509 corporation shall separately account for the public funds and  
 510 the private funds deposited into the corporation's bank account.

511 (l)-(m) Shall establish a plan for participation in the  
 512 corporation which will provide additional funding for the  
 513 administration and duties of the corporation.

514 (m)-(n) In the performance of its duties, may undertake, or  
 515 contract for, marketing projects and advertising research  
 516 projects.

517 (n)-(o) In addition to any indemnification available under  
 518 chapter 617, the corporation may indemnify, and purchase and  
 519 maintain insurance on behalf of, directors, officers, and  
 520 employees of the corporation against any personal liability or  
 521 accountability by reason of actions taken while acting within  
 522 the scope of their authority.

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523 (o) May not create or establish any other entity,  
 524 corporation, or direct-support organization.  
 525 (p) May not expend funds, public or private, that directly  
 526 benefit only one company, corporation, or business entity.  
 527 (6) MATCHING REQUIREMENTS.—  
 528 (a) A one-to-one match is required of private to public  
 529 contributions to the corporation. Public contributions include  
 530 all state appropriations to the corporation and exclude taxes  
 531 derived pursuant to s. 125.0104.  
 532 (b) For purposes of calculating the required one-to-one  
 533 match, the private contributions the corporation receives must  
 534 be in one of four private match categories. The corporation  
 535 shall maintain documentation of such categorized contributions  
 536 on file and make such documentation available for inspection  
 537 upon reasonable notice during its regular business hours.  
 538 Contribution details shall be included in the quarterly reports  
 539 required under subsection (8). The private match categories are:  
 540 1. Direct cash contributions from private sources, which  
 541 include, but are not limited to, cash derived from strategic  
 542 alliances, contributions of stocks and bonds, and partnership  
 543 contributions.  
 544 2. Fees for services, which include, but are not limited  
 545 to, event participation, research, and brochure placement and  
 546 transparencies.  
 547 3. Cooperative advertising, which is limited to partner  
 548 expenditures for paid media placement, partner expenditures for  
 549 collateral material distribution, and the actual market value of  
 550 contributed productions, air time, and print space.  
 551 4. In-kind contributions, which are limited to the actual

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552 market value of promotional contributions of partner-supplied  
 553 benefits to target audiences and the actual market value of  
 554 nonpartner-supplied air time or print space contributed for the  
 555 broadcasting or printing of such promotions, which would  
 556 otherwise require tourist promotion expenditures by the  
 557 corporation for advertising, air travel, rental car fees, hotel  
 558 rooms, RV or campsite space rental, onsite guest services, and  
 559 admission tickets. The net value of air time or print space, if  
 560 any, shall be deemed to be the actual market value of the air  
 561 time or print space, based on an average of actual unit prices  
 562 paid contemporaneously for comparable times or spaces, less the  
 563 value of increased ratings or other benefits realized by the  
 564 media outlet as a result of the promotion.  
 565 Contributions from a governmental entity or from an entity that  
 566 received more than 50 percent of its revenue in the previous  
 567 fiscal year from public sources, including revenue derived from  
 568 taxes, other than taxes collected pursuant to s. 125.0104, from  
 569 fees, or from other government revenues, are not considered  
 570 private contributions for purposes of calculating the required  
 571 one-to-one match.  
 572 (7)-(6) ANNUAL AUDIT.—The corporation shall provide for an  
 573 annual financial audit in accordance with s. 215.981. The annual  
 574 audit report shall be submitted to the Auditor General; the  
 575 Office of Program Policy Analysis and Government Accountability;  
 576 Enterprise Florida, Inc.; and the department for review. The  
 577 Office of Program Policy Analysis and Government Accountability;  
 578 Enterprise Florida, Inc.; the department; and the Auditor  
 579 General have the authority to require and receive from the  
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581 corporation or from its independent auditor any detail or  
 582 supplemental data relative to the operation of the corporation.  
 583 The department shall annually certify whether the corporation is  
 584 operating in a manner and achieving the objectives that are  
 585 consistent with the policies and goals of Enterprise Florida,  
 586 Inc., and its long-range marketing plan. The identity of a donor  
 587 or prospective donor to the corporation who desires to remain  
 588 anonymous and all information identifying such donor or  
 589 prospective donor are confidential and exempt from the  
 590 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 591 Constitution. Such anonymity shall be maintained in the  
 592 auditor's report.

593 (8)~~(7)~~ REPORT.—The corporation shall provide a quarterly  
 594 report to Enterprise Florida, Inc., which shall:

595 (a) Measure the current vitality of the visitor industry of  
 596 this state as compared to the vitality of such industry for the  
 597 year to date and for comparable quarters of past years.  
 598 Indicators of vitality shall be determined by Enterprise  
 599 Florida, Inc., and shall include, but not be limited to,  
 600 estimated visitor count and party size, length of stay, average  
 601 expenditure per party, and visitor origin and destination.

602 (b) Provide detailed, unaudited financial statements of  
 603 sources and uses of public and private funds.

604 (c) Measure progress towards annual goals and objectives  
 605 set forth in the 4-year marketing plan.

606 (d) Review all pertinent research findings.

607 (e) Provide other measures of accountability as requested  
 608 by Enterprise Florida, Inc.

609

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610 The corporation must take all steps necessary to provide all  
 611 data that is used to develop the report, including source data,  
 612 to the Office of Economic and Demographic Research.

613 (9)~~(8)~~ PUBLIC RECORDS EXEMPTION.—The identity of any person  
 614 who responds to a marketing project or advertising research  
 615 project conducted by the corporation in the performance of its  
 616 duties on behalf of Enterprise Florida, Inc., or trade secrets  
 617 as defined by s. 812.081 obtained pursuant to such activities,  
 618 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 619 Constitution. This subsection is subject to the Open Government  
 620 Sunset Review Act in accordance with s. 119.15 and shall stand  
 621 repealed on October 2, 2021, unless reviewed and saved from  
 622 repeal through reenactment by the Legislature.

623 (10) PROHIBITIONS; CORPORATE FUNDS; GIFTS.—Funds of the  
 624 corporation may not be expended for food, beverages, lodging,  
 625 entertainment, or gifts for employees of the corporation, board  
 626 members of the corporation, or employees of a tourist or  
 627 economic development entity that receives revenue from a tax  
 628 imposed pursuant to s. 125.0104, s. 125.0108, or s. 212.0305,  
 629 unless authorized pursuant to s. 112.061 or this section. An  
 630 employee or board member of the corporation may not accept or  
 631 receive food, beverages, lodging, entertainment, or gifts from  
 632 an economic development entity that receives revenue only from a  
 633 tax imposed pursuant to s. 125.0108 or s. 212.0305, or from any  
 634 person, vendor, or other entity doing business with the  
 635 corporation unless such food, beverage, lodging, entertainment,  
 636 or gift is available to similarly situated members of the  
 637 general public.

638 (11) LODGING EXPENSES.—Lodging expenses for an employee of

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 639 the corporation may not exceed \$150 per day, excluding taxes,  
 640 unless the corporation is participating in a negotiated group  
 641 rate discount or the corporation provides documentation of at  
 642 least three comparable alternatives demonstrating that such  
 643 lodging at the required rate is not available. However, an  
 644 employee of the corporation may expend his or her own funds for  
 645 any lodging expenses in excess of \$150 per day.

(12) PROPOSED OPERATING BUDGET SUBMISSION.—By August 15 of  
 647 each fiscal year, the department shall submit a proposed  
 648 operating budget for the corporation, including amounts to be  
 649 expended on advertising, marketing, promotions, events, other  
 650 operating capital outlay, and salaries and benefits for each  
 651 employee, to the Governor, the President of the Senate, and the  
 652 Speaker of the House of Representatives.

(13) TRANSPARENCY.—

(a) All contracts executed by the corporation shall be  
 654 placed for viewing on the corporation's website. All contracts  
 655 with the corporation valued at \$500,000 or more shall be placed  
 656 on the corporation's website for review 14 days before  
 657 execution. A contract entered into between the corporation and  
 658 any other public or private entity shall include:

- 660 1. The purpose of the contract.
- 661 2. Specific performance standards and responsibilities for  
 662 each entity.
- 663 3. A detailed project or contract budget, if applicable.
- 664 4. The value of any services provided.
- 665 5. The projected travel and entertainment expenses for  
 666 employees and board members, if applicable.

667 (b)1. Any entity that in the previous fiscal year received

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 668 more than 50 percent of its revenue from the corporation or from  
 669 taxes imposed pursuant to s. 125.0108 or s. 212.0305, and that  
 670 partners with the corporation or participates in a program,  
 671 cooperative advertisement, promotional opportunity, or other  
 672 activity offered by or in conjunction with the corporation,  
 673 shall annually report by July 1 all public and private financial  
 674 data posted on its website to the Governor, the President of the  
 675 Senate, and the Speaker of the House of Representatives.

2. The financial data shall include:

677 a. The total amount of revenue received from public and  
 678 private sources.

679 b. The operating budget of the partner entity.

680 c. Employee and board member salary and benefit details  
 681 from public and private funds.

682 d. An itemized accounting of all expenditures by the  
 683 partner entity on behalf of, or coordinated for the benefit of,  
 684 the corporation, its board members, or employees.

685 e. Itemized travel and entertainment expenditures of the  
 686 partner entity.

(c) The following information must be posted on the  
 688 corporation's website:

689 1. A plain language version of any contract estimated to  
 690 exceed \$35,000 with a private entity, municipality, county,  
 691 town, or vendor of services, supplies, or programs, including  
 692 marketing, or for the purchase or lease or use of lands,  
 693 facilities, or properties.

694 2. Any agreement entered into between the corporation and  
 695 any other entity, including a local government, private entity,  
 696 or nonprofit entity, which receives public funds or funds from a

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697 tax imposed pursuant to s. 125.0104, s. 125.0108, or s.  
 698 212.0305.

699 3. The contracts and the required information pursuant to  
 700 paragraph (a) and the financial data submitted to the  
 701 corporation pursuant to paragraph (b).

702 4. Video recordings of each board meeting.

703 5. A detailed report of expenditures following each  
 704 marketing event paid for with the corporation's funds. Such  
 705 report must be posted within 10 business days after the event.

706 6. An annual itemized accounting of the total amount of  
 707 funds spent by any third party on behalf of the corporation or  
 708 any board member or employee of the corporation.

709 7. An annual itemized accounting of the total amount of  
 710 travel and entertainment expenditures by the corporation.

711 (d) The corporation's website must:

712 1. Allow users to navigate to related sites to view  
 713 supporting details.

714 2. Enable a taxpayer to e-mail questions to the corporation  
 715 and make such questions and the corporation's responses publicly  
 716 viewable.

717 (14)(9) REPEAL.—This section is repealed October 1, 2019,  
 718 unless reviewed and saved from repeal by the Legislature.

719 Section 6. Section 288.12266, Florida Statutes, is created  
 720 to read:

721 288.12266 Targeted Marketing Assistance Program.—  
 722 (1) The Targeted Marketing Assistance Program is created to  
 723 enhance the tourism business marketing of small, minority,  
 724 rural, and agritourism businesses in the state. The department,  
 725 in conjunction with the Florida Tourism Industry Marketing

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726 Corporation, shall administer the program. The program shall  
 727 provide marketing plans, marketing assistance, promotional  
 728 support, media development, technical expertise, marketing  
 729 advice, technology training, social marketing support, and other  
 730 assistance to an eligible entity.

731 (2) As used in this section, the term "eligible entity"  
 732 means an independently owned and operated business with gross  
 733 revenue not exceeding \$1.25 million or a nonprofit corporation  
 734 that meets the requirements of s. 501(c) (3) of the Internal  
 735 Revenue Code.

736 (3) The department and the Florida Tourism Industry  
 737 Marketing Corporation shall provide an annual report to the  
 738 Governor, the President of the Senate, and the Speaker of the  
 739 House of Representatives documenting that at least 50 percent of  
 740 the eligible entities receiving assistance through this program  
 741 are independently owned and operated businesses with gross  
 742 revenues not exceeding \$500,000.

743 Section 7. Section 288.124, Florida Statutes, is amended to  
 744 read:

745 288.124 Convention grants program.—The Florida Tourism  
 746 Industry Marketing Corporation Enterprise Florida, Inc., is  
 747 authorized to establish a convention grants program and,  
 748 pursuant to that program, to recommend to the department  
 749 expenditures and contracts with local governments and nonprofit  
 750 corporations or organizations for the purpose of attracting  
 751 national conferences and conventions to Florida. Preference  
 752 shall be given to local governments and nonprofit corporations  
 753 or organizations seeking to attract minority conventions to  
 754 Florida. Minority conventions are events that primarily involve

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 755 minority persons, as defined in s. 288.703, who are residents or  
 756 nonresidents of the state. The Florida Tourism Industry  
 757 Marketing Corporation Enterprise Florida, Inc., shall establish  
 758 guidelines governing the award of grants and the administration  
 759 of this program. The department has final approval authority for  
 760 any grants under this section. The total annual allocation of  
 761 funds for this program shall not exceed \$40,000.

Section 8. Subsection (5) of section 288.901, Florida  
 763 Statutes, is amended to read:

288.901 Enterprise Florida, Inc.-

(5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.-

(a) In addition to the Governor or his or her designee, the  
 767 board of directors shall consist of the following appointed  
 768 members:

1. The Commissioner of Education or his or her designee.

2. The Chief Financial Officer or his or her designee.

3. The Attorney General or his or her designee.

4. The Commissioner of Agriculture or his or her designee.

5. The chairperson of the board of directors of  
 774 CareerSource Florida, Inc.

6. The Secretary of State or his or her designee.

7. Twelve members from the private sector, six of whom  
 777 shall be appointed by the Governor, three of whom shall be  
 778 appointed by the President of the Senate, and three of whom  
 779 shall be appointed by the Speaker of the House of  
 780 Representatives. Members appointed by the Governor are subject  
 781 to Senate confirmation.

(b) In making their appointments, the Governor, the  
 782 President of the Senate, and the Speaker of the House of  
 783

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 784 Representatives shall ensure that the composition of the board  
 785 of directors reflects the diversity of Florida's business  
 786 community and is representative of the economic development  
 787 goals in subsection (2). The board must include at least one  
 788 director for each of the following areas of expertise:  
 789 international business, tourism marketing, the space or  
 790 aerospace industry, managing or financing a minority-owned  
 791 business, manufacturing, finance and accounting, and sports  
 792 marketing.

(c) The Governor, the President of the Senate, and the  
 793 Speaker of the House of Representatives also shall consider  
 794 appointees who reflect Florida's racial, ethnic, and gender  
 795 diversity. Efforts shall be taken to ensure participation from  
 796 all geographic areas of the state, including representation from  
 797 urban and rural communities.

(d) Appointed members shall be appointed to 4-year terms,  
 800 except that initially, to provide for staggered terms, the  
 801 Governor, the President of the Senate, and the Speaker of the  
 802 House of Representatives shall each appoint one member to serve  
 803 a 2-year term and one member to serve a 3-year term, with the  
 804 remaining initial appointees serving 4-year terms. All  
 805 subsequent appointments shall be for 4-year terms.

(e) Initial appointments must be made by October 1, 2011,  
 807 and be eligible for confirmation at the earliest available  
 808 Senate session. Terms end on September 30.

(f) Any member is eligible for reappointment, except that a  
 810 member may not serve more than two terms.

(g) A vacancy on the board of directors shall be filled for  
 811 the remainder of the unexpired term. Vacancies on the board  
 812



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 813 shall be filled by appointment by the Governor, the President of  
 814 the Senate, or the Speaker of the House of Representatives,  
 815 respectively, depending on who appointed the member whose  
 816 vacancy is to be filled or whose term has expired.

817 (h) Appointed members may be removed by the Governor, the  
 818 President of the Senate, or the Speaker of the House of  
 819 Representatives, respectively, for cause. Absence from three  
 820 consecutive meetings results in automatic removal.

821 All board members shall serve without compensation, but are  
 822 entitled to receive reimbursement for per diem and travel  
 823 expenses pursuant to s. 112.061. Such expenses must be paid out  
 824 of funds of Enterprise Florida, Inc.

825 Section 9. Subsections (7), (8), and (9) are added to  
 826 section 288.903, Florida Statutes, to read:

827 288.903 Duties of Enterprise Florida, Inc.—Enterprise  
 828 Florida, Inc., shall have the following duties:

829 (7) Submit all proposed contracts with a total value of  
 830 \$750,000 or more in accordance with the notice and review  
 831 procedures of s. 216.177. If the chair and vice chair of the  
 832 Legislative Budget Commission, or the President of the Senate  
 833 and the Speaker of the House of Representatives, timely advise  
 834 Enterprise Florida, Inc., in writing that such proposed contract  
 835 is contrary to legislative policy and intent, Enterprise  
 836 Florida, Inc., may not execute such proposed contract.  
 837 Enterprise Florida, Inc., may not enter into multiple related  
 838 contracts to avoid the requirements of this subsection. This  
 839 subsection does not apply to contracts for the award of a  
 840 statutorily authorized incentive program.  
 841

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 842 (8) May not create or establish any other entity,  
 843 corporation, or direct-support organization, unless authorized  
 844 by law.

845 (9) Enterprise Florida, Inc., shall comply with the per  
 846 diem and travel expense provisions of s. 112.061.

847 Section 10. Section 288.904, Florida Statutes, is amended  
 848 to read:

849 288.904 Funding for Enterprise Florida, Inc.; performance  
 850 and return on the public's investment.—

851 (1)(a) The Legislature may annually appropriate to  
 852 Enterprise Florida, Inc., a sum of money for its operations, and  
 853 separate line-item appropriations for each of the divisions  
 854 listed in s. 288.92.

855 (b) The state's operating investment in Enterprise Florida,  
 856 Inc., and its divisions is the budget contracted by the  
 857 department to Enterprise Florida, Inc., less any funding that is  
 858 directed by the Legislature to be subcontracted to a specific  
 859 recipient entity.

860 (c) The board of directors of Enterprise Florida, Inc.,  
 861 shall adopt for each upcoming fiscal year an operating budget  
 862 for the organization, including its divisions, which specifies  
 863 the intended uses of the state's operating investment and a plan  
 864 for securing private sector support.

865 (2)(a) The Legislature finds that it is a priority to  
 866 maximize private sector support in operating Enterprise Florida,  
 867 Inc., and its divisions, as an endorsement of its value and as  
 868 an enhancement of its efforts. Thus, the state appropriations  
 869 must be matched with private sector support equal to at least  
 870 100 percent of the state operational funding.

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871 (b) Private sector support in operating Enterprise Florida,  
872 Inc., and its divisions includes:

873 1. Cash given directly to Enterprise Florida, Inc., for its  
874 operations, including contributions from at-large members of the  
875 board of directors;

876 2. Cash donations from organizations assisted by the  
877 divisions;

878 3. Cash jointly raised by Enterprise Florida, Inc., and a  
879 private local economic development organization, a group of such  
880 organizations, or a statewide private business organization that  
881 supports collaborative projects;

882 4. Cash generated by fees charged for products or services  
883 of Enterprise Florida, Inc., and its divisions by sponsorship of  
884 events, missions, programs, and publications; and

885 5. Copayments, stock, warrants, royalties, or other private  
886 resources dedicated to Enterprise Florida, Inc., or its  
887 divisions.

888 (3) ~~(a) Specifically for the marketing and advertising~~  
889 ~~activities of the Division of Tourism Marketing or as contracted~~  
890 ~~through the Florida Tourism Industry Corporation, a one-to-one~~  
891 ~~match is required of private to public contributions within 4~~  
892 ~~calendar years after the implementation date of the marketing~~  
893 ~~plan pursuant to s. 288.923.~~

894 ~~(b) For purposes of calculating the required one-to-one~~  
895 ~~match, matching private funds shall be divided into four~~  
896 ~~categories. Documentation for the components of the four private~~  
897 ~~match categories shall be kept on file for inspection as~~  
898 ~~determined necessary. The four private match categories are:~~

899 ~~1. Direct cash contributions, which include, but are not~~

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900 ~~limited to, cash derived from strategic alliances, contributions~~  
901 ~~of stocks and bonds, and partnership contributions.~~

902 ~~2. Fees for services, which include, but are not limited~~  
903 ~~to, event participation, research, and brochure placement and~~  
904 ~~transparencies.~~

905 ~~3. Cooperative advertising, which is the value based on~~  
906 ~~cost of contributed productions, air time, and print space.~~

907 ~~4. In-kind contributions, which include, but are not~~  
908 ~~limited to, the value of strategic alliance services~~  
909 ~~contributed, the value of loaned employees, discounted service~~  
910 ~~fees, items contributed for use in promotions, and radio or~~  
911 ~~television air time or print space for promotions. The value of~~  
912 ~~air time or print space shall be calculated by taking the actual~~  
913 ~~time or space and multiplying by the nonnegotiated unit price~~  
914 ~~for that specific time or space which is known as the media~~  
915 ~~equivalency value. In order to avoid duplication in determining~~  
916 ~~media equivalency value, only the value of the promotion itself~~  
917 ~~shall be included; the value of the items contributed for the~~  
918 ~~promotion may not be included.~~

919 ~~(4)~~ Enterprise Florida, Inc., shall fully comply with the  
920 performance measures, standards, and sanctions in its contract  
921 with the department, under s. 20.60. The department shall  
922 ensure, to the maximum extent possible, that the contract  
923 performance measures are consistent with performance measures  
924 that it is required to develop and track under performance-based  
925 program budgeting. The contract shall also include performance  
926 measures for the divisions.

927 (4)(5) The Legislature intends to review the performance of  
928 Enterprise Florida, Inc., in achieving the performance goals

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929 stated in its annual contract with the department to determine  
 930 whether the public is receiving a positive return on its  
 931 investment in Enterprise Florida, Inc., and its divisions. It  
 932 also is the intent of the Legislature that Enterprise Florida,  
 933 Inc., coordinate its operations with local economic development  
 934 organizations to maximize the state and local return on  
 935 investment to create jobs for Floridians.

936 (5) By August 15 of each fiscal year, the department shall  
 937 submit a proposed operating budget for Enterprise Florida, Inc.,  
 938 including amounts to be expended on incentives, business  
 939 recruitment, advertising, events, other operating capital  
 940 outlay, and salaries and benefits for each employee to the  
 941 Governor, the President of the Senate, and the Speaker of the  
 942 House of Representatives.

943 (6) (a) All contracts executed by Enterprise Florida, Inc.,  
 944 shall be placed for viewing on the corporation's website.

945 (b) A contract entered into between Enterprise Florida,  
 946 Inc., and any other public or private entity must include:

- 947 1. The purpose of the contract.
- 948 2. Specific performance standards and responsibilities for  
 949 each entity.
- 950 3. A detailed project or contract budget, if applicable.
- 951 4. The value of any services provided.
- 952 5. The projected travel and entertainment expenses for  
 953 employees and board members, if applicable.

954 (c)1. Any entity that in the previous fiscal year received  
 955 more than 50 percent of its revenue from Enterprise Florida,  
 956 Inc., or from a tax imposed pursuant to s. 125.0104, s.  
 957 125.0108, or s. 212.0305, and that partners with Enterprise

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958 Florida, Inc., in a program or other activity offered by or in  
 959 conjunction with Enterprise Florida, Inc., shall annually report  
 960 by July 1 all public and private financial data posted on its  
 961 website to the Governor, the President of the Senate, and the  
 962 Speaker of the House of Representatives.

963 2. The financial data shall include:

964 a. The total amount of revenue received from public and  
 965 private sources.

966 b. The operating budget of the partner entity.

967 c. Employee and board member salary and benefit details  
 968 from public and private funds.

969 d. An itemized accounting of all expenditures by the  
 970 partner entity on behalf of, or coordinated for the benefit of,  
 971 Enterprise Florida, Inc., its board members, or employees.

972 e. Itemized travel and entertainment expenditures of the  
 973 partner entity.

974 (d) The following information must be posted on the website  
 975 of Enterprise Florida, Inc.:

976 1. A plain language version of any contract that is  
 977 estimated to exceed \$35,000 with a private entity, municipality,  
 978 county, town, or vendor of services, supplies, or programs,  
 979 including marketing, or for the purchase or lease or use of  
 980 lands, facilities, or properties.

981 2. Any agreement entered into between Enterprise Florida,  
 982 Inc., and any other entity, including a local government,  
 983 private entity, or nonprofit entity, which receives public funds  
 984 or funds from a tax imposed pursuant to s. 125.0104, s.  
 985 125.0108, or s. 212.0305.

986 3. The contracts and the required information pursuant to

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987 paragraph (b) and the financial data submitted to Enterprise  
 988 Florida, Inc., pursuant to paragraph (c).  
 989 4. Video recordings of each board meeting.  
 990 5. A detailed report of expenditures following each  
 991 marketing or business recruitment event paid for with Enterprise  
 992 Florida, Inc., funds. Such report must be posted within 10  
 993 business days after the event.  
 994 6. An annual itemized accounting of the total amount of  
 995 funds spent by any third party on behalf of Enterprise Florida,  
 996 Inc., or any board member or employee of Enterprise Florida,  
 997 Inc.  
 998 7. An annual itemized accounting of the total amount of  
 999 travel and entertainment expenditures by Enterprise Florida,  
 1000 Inc.  
 1001 (e) The Enterprise Florida, Inc., website must:  
 1002 1. Allow users to navigate to related sites to view  
 1003 supporting details.  
 1004 2. Enable a taxpayer to e-mail questions to Enterprise  
 1005 Florida, Inc., and make such questions and Enterprise Florida,  
 1006 Inc., responses publicly viewable.  
 1007 Section 11. Section 288.905, Florida Statutes, is amended  
 1008 to read:  
 1009 288.905 President and employees of Enterprise Florida,  
 1010 Inc.—  
 1011 (1) The board of directors of Enterprise Florida, Inc.,  
 1012 shall appoint a president, who shall serve at the pleasure of  
 1013 the Governor. The president shall also be known as the  
 1014 “secretary of commerce” and shall serve as the Governor’s chief  
 1015 negotiator for business recruitment and business expansion.

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1016 (2) The president is the chief administrative and  
 1017 operational officer of the board of directors and of Enterprise  
 1018 Florida, Inc., and shall direct and supervise the administrative  
 1019 affairs of the board of directors and any divisions, councils,  
 1020 or boards. The board of directors may delegate to the president  
 1021 those powers and responsibilities it deems appropriate,  
 1022 including hiring and management of all staff, except for the  
 1023 appointment of a president.  
 1024 (3) The board of directors shall establish and adjust the  
 1025 president’s compensation.  
 1026 (4) An ~~Ne~~ employee of Enterprise Florida, Inc., including  
 1027 an officer or agent, the president, or the chief executive  
 1028 officer, may not receive compensation for employment paid from  
 1029 funds received from the state which ~~that~~ exceeds the salary and  
 1030 benefits authorized to be paid to the Governor, unless the board  
 1031 of directors and the employee have executed a contract that  
 1032 prescribes specific, measurable performance outcomes for the  
 1033 employee, the satisfaction of which provides the basis for the  
 1034 award of incentive payments that increase the employee’s total  
 1035 compensation to a level above the salary paid to the Governor.  
 1036 Any payments of performance bonuses or severance pay paid from  
 1037 funds received from the state to employees are prohibited unless  
 1038 specifically authorized by law.  
 1039 (5) Lodging expenses for an employee of Enterprise Florida,  
 1040 Inc., may not exceed \$150 per day, excluding taxes, unless  
 1041 Enterprise Florida, Inc., is participating in a negotiated group  
 1042 rate discount or Enterprise Florida, Inc., provides  
 1043 documentation of at least three comparable alternatives  
 1044 demonstrating that such lodging at the required rate is not

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 1045 available. However, an employee of Enterprise Florida, Inc., may  
 1046 expend his or her own funds for any lodging expenses in excess  
 1047 of \$150 per day.

1048 (6) Funds of Enterprise Florida, Inc., may not be expended  
 1049 for food, beverages, lodging, entertainment, or gifts for  
 1050 employees of Enterprise Florida, Inc., board members of  
 1051 Enterprise Florida, Inc., or employees of a tourist or economic  
 1052 development entity that receives revenue from a tax imposed  
 1053 pursuant to s. 125.0104, s. 125.0108, or s. 212.0305, unless  
 1054 authorized pursuant to s. 112.061 or this section. An employee  
 1055 or board member of Enterprise Florida, Inc., may not accept or  
 1056 receive food, beverages, lodging, entertainment, or gifts from a  
 1057 tourist or economic development entity that receives revenue  
 1058 from a tax imposed pursuant to s. 125.0104, s. 125.0108, or s.  
 1059 212.0305, or from any person, vendor, or other entity doing  
 1060 business with the corporation unless such food, beverage,  
 1061 lodging, entertainment, or gift is available to similarly  
 1062 situated members of the general public.

1063 Section 12. For the 2017-2018 fiscal year, the recurring  
 1064 sum of \$26 million and the nonrecurring sum of \$26 million from  
 1065 the State Economic Enhancement and Development Trust Fund and  
 1066 the recurring sum of \$24 million from the Tourism Promotional  
 1067 Trust Fund are appropriated to the Department of Economic  
 1068 Opportunity to contract with the Florida Tourism Industry  
 1069 Marketing Corporation.

1070 Section 13. For the 2017-2018 fiscal year, the recurring  
 1071 sum of \$9.4 million from the State Economic Enhancement and  
 1072 Development Trust Fund and the recurring sum of \$6.6 million  
 1073 from the Florida International Trade and Promotion Trust Fund

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 1074 are appropriated to the Department of Economic Opportunity to  
 1075 contract with Enterprise Florida, Inc., for operational purposes  
 1076 and to maintain its offices but excluding expenditures on any  
 1077 incentive tools or programs unless explicitly authorized by this  
 1078 act. From the funds appropriated from the Florida International  
 1079 Trade and Promotion Trust Fund, Enterprise Florida, Inc., shall  
 1080 allocate \$3.55 million for international programs, \$2.05 million  
 1081 to maintain Florida's international offices, and \$1 million to  
 1082 continue the Florida Export Diversification and Expansion  
 1083 Programs.

1084 Section 14. For the 2017-2018 fiscal year, the nonrecurring  
 1085 sum of \$60 million from the State Economic Enhancement and  
 1086 Development Trust Fund is appropriated to the Department of  
 1087 Economic Opportunity to administer contracts approved by the  
 1088 Governor for the Florida Job Growth Grant Fund pursuant to s.  
 1089 288.101, Florida Statutes, created by this act. For the 2017-  
 1090 2018 fiscal year, the nonrecurring sum of \$25 million from the  
 1091 State Transportation Trust Fund is appropriated to the  
 1092 Department of Transportation to contract with the Department of  
 1093 Economic Opportunity to provide for transportation  
 1094 infrastructure for contracts approved by the Governor for the  
 1095 Florida Job Growth Grant Fund pursuant to s. 288.101, Florida  
 1096 Statutes, created by this act. Additionally, the Executive  
 1097 Office of the Governor is authorized to process one or more  
 1098 budget amendments pursuant to s. 216.181 (12), Florida Statutes,  
 1099 in a total amount not to exceed \$40 million to provide for the  
 1100 nonoperating transfer of funds from the State Transportation  
 1101 Trust Fund to the State Economic Enhancement and Development  
 1102 Trust Fund to support expenditures for the Florida Job Growth

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1103 Grant Fund pursuant to s. 288.101, Florida Statutes, created by  
 1104 this act. State funds other than those appropriated in this  
 1105 section may not be expended on the Florida Job Growth Grant  
 1106 Fund. Additionally, notwithstanding s. 216.292, Florida  
 1107 Statutes, the funds appropriated herein are nontransferable.  
 1108 Notwithstanding s. 216.301, Florida Statutes, and pursuant to s.  
 1109 216.351, Florida Statutes, the balance of any appropriation for  
 1110 the Florida Job Growth Grant Fund which is not disbursed by June  
 1111 30 of the fiscal year in which the funds are appropriated may be  
 1112 carried forward for up to 5 years after the effective date of  
 1113 the original appropriation.

1114 Section 15. (1) The Displaced Homemaker Trust Fund, FLAIR  
 1115 number 40-2-160, within the Department of Economic Opportunity  
 1116 is terminated.

1117 (2) All current balances remaining in, and all revenues of,  
 1118 the trust fund shall be transferred to the General Revenue Fund.

1119 (3) The Department of Economic Opportunity shall pay any  
 1120 outstanding debts and obligations of the terminated fund as soon  
 1121 as practicable, and the Chief Financial Officer shall close out  
 1122 and remove the terminated fund from various state accounting  
 1123 systems using generally accepted accounting principles  
 1124 concerning warrants outstanding, assets, and liabilities.

1125 Section 16. Section 446.50, Florida Statutes, is repealed.  
 1126 Section 17. Section 446.51, Florida Statutes, is repealed.  
 1127 Section 18. Section 446.52, Florida Statutes, is repealed.  
 1128 Section 19. Section 1010.84, Florida Statutes, is repealed.  
 1129 Section 20. Paragraph (b) of subsection (10) of section  
 1130 20.60, Florida Statutes, is amended to read:  
 1131 20.60 Department of Economic Opportunity; creation; powers

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1132 and duties.-

1133 (10) The department, with assistance from Enterprise  
 1134 Florida, Inc., shall, by November 1 of each year, submit an  
 1135 annual report to the Governor, the President of the Senate, and  
 1136 the Speaker of the House of Representatives on the condition of  
 1137 the business climate and economic development in the state.

1138 (b) The report must incorporate annual reports of other  
 1139 programs, including:

1140 ~~1. The displaced homemaker program established under s.~~  
 1141 ~~446.50.~~

1142 1.2. Information provided by the Department of Revenue  
 1143 under s. 290.014.

1144 ~~2.3.~~ Information provided by enterprise zone development  
 1145 agencies under s. 290.0056 and an analysis of the activities and  
 1146 accomplishments of each enterprise zone.

1147 ~~3.4.~~ The Economic Gardening Business Loan Pilot Program  
 1148 established under s. 288.1081 and the Economic Gardening  
 1149 Technical Assistance Pilot Program established under s.  
 1150 288.1082.

1151 ~~4.5.~~ A detailed report of the performance of the Black  
 1152 Business Loan Program and a cumulative summary of quarterly  
 1153 report data required under s. 288.714.

1154 ~~5.6.~~ The Rural Economic Development Initiative established  
 1155 under s. 288.0656.

1156 ~~6.7.~~ The Florida Unique Abilities Partner Program.  
 1157 Section 21. Subsection (1) of section 28.101, Florida  
 1158 Statutes, is amended to read:  
 1159 28.101 Petitions and records of dissolution of marriage;  
 1160 additional charges.-

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1161 (1) When a party petitions for a dissolution of marriage,  
 1162 in addition to the filing charges in s. 28.241, the clerk shall  
 1163 collect and receive:

1164 (a) A charge of \$5. On a monthly basis, the clerk shall  
 1165 transfer the moneys collected pursuant to this paragraph to the  
 1166 Department of Revenue for deposit in the Child Welfare Training  
 1167 Trust Fund created in s. 402.40.

1168 ~~(b) A charge of \$5. On a monthly basis, the clerk shall~~  
 1169 ~~transfer the moneys collected pursuant to this paragraph to the~~  
 1170 ~~Department of Revenue for deposit in the Displaced Homemaker~~  
 1171 ~~Trust Fund created in s. 446.50. If a petitioner does not have~~  
 1172 ~~sufficient funds with which to pay this fee and signs an~~  
 1173 ~~affidavit so stating, all or a portion of the fee shall be~~  
 1174 ~~waived subject to a subsequent order of the court relative to~~  
 1175 ~~the payment of the fee.~~

1176 (b)(e) A charge of \$55. On a monthly basis, the clerk shall  
 1177 transfer the moneys collected pursuant to this paragraph to the  
 1178 Department of Revenue for deposit in the Domestic Violence Trust  
 1179 Fund. Such funds which are generated shall be directed to the  
 1180 Department of Children and Families for the specific purpose of  
 1181 funding domestic violence centers.

1182 (c)(d) A charge of \$37.50 ~~\$32.50~~. On a monthly basis, the  
 1183 clerk shall transfer the moneys collected pursuant to this  
 1184 paragraph ~~as follows:~~

1185 ~~1. An amount of \$7.50 to the Department of Revenue for~~  
 1186 ~~deposit in the Displaced Homemaker Trust Fund.~~

1187 ~~2. An amount of \$25 to the Department of Revenue for~~  
 1188 ~~deposit in the General Revenue Fund.~~

1189 Section 22. Paragraph (b) of subsection (2) of section

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1190 187.201, Florida Statutes, is amended to read:

1191 187.201 State Comprehensive Plan adopted.—The Legislature  
 1192 hereby adopts as the State Comprehensive Plan the following  
 1193 specific goals and policies:

1194 (2) FAMILIES.—

1195 (b) Policies.—

1196 1. Eliminate state policies which cause voluntary family  
 1197 separations.

1198 2. Promote concepts to stabilize the family unit to  
 1199 strengthen bonds between parents and children.

1200 3. Promote home care services for the sick and disabled.

1201 4. Provide financial support for alternative child care  
 1202 services.

1203 5. Increase direct parental involvement in K-12 education  
 1204 programs.

1205 6. Promote family dispute resolution centers.

1206 ~~7. Support displaced homemaker programs.~~

1207 7.8. Provide increased assurance that child support  
 1208 payments will be made.

1209 8.9. Actively develop job opportunities, community work  
 1210 experience programs, and job training programs for persons  
 1211 receiving governmental financial assistance.

1212 ~~9.10.~~ Direct local law enforcement authorities and district  
 1213 mental health councils to increase efforts to prevent family  
 1214 violence and to adequately punish the guilty party.

1215 10.11. Provide financial, mental health, and other support  
 1216 for victims of family violence.

1217 Section 23. Paragraph (b) of subsection (2) of section  
 1218 288.92, Florida Statutes, is amended to read:

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1219 288.92 Divisions of Enterprise Florida, Inc.-  
 1220 (2)  
 1221 (b)1. The following officers and board members are subject  
 1222 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
 1223 112.3143(2):  
 1224 a. Officers and members of the board of directors of the  
 1225 divisions of Enterprise Florida, Inc.  
 1226 b. Officers and members of the board of directors of  
 1227 subsidiaries of Enterprise Florida, Inc.  
 1228 c. Officers and members of the board of directors of  
 1229 corporations created to carry out the missions of Enterprise  
 1230 Florida, Inc.  
 1231 d. Officers and members of the board of directors of  
 1232 corporations with which a division is required by law to  
 1233 contract to carry out its missions.  
 1234 2. For purposes of applying ss. 112.313(1)-(8), (10), (12),  
 1235 and (15); 112.3135; and 112.3143(2) to activities of the  
 1236 officers and members of the board of directors specified in  
 1237 subparagraph 1., those persons shall be considered public  
 1238 officers or employees and the corporation shall be considered  
 1239 their agency.  
 1240 ~~3. It is not a violation of s. 112.3143(2) or (4) for the~~  
 1241 ~~officers or members of the board of directors of the Florida~~  
 1242 ~~Tourism Industry Marketing Corporation to:~~  
 1243 ~~a. Vote on the 4-year marketing plan required under s.~~  
 1244 ~~288.923 or vote on any individual component of or amendment to~~  
 1245 ~~the plan.~~  
 1246 ~~b. Participate in the establishment or calculation of~~  
 1247 ~~payments related to the private match requirements of s.~~

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1248 ~~288.904(3). The officer or member must file an annual disclosure~~  
 1249 ~~describing the nature of his or her interests or the interests~~  
 1250 ~~of his or her principals, including corporate parents and~~  
 1251 ~~subsidiaries of his or her principal, in the private match~~  
 1252 ~~requirements. This annual disclosure requirement satisfies the~~  
 1253 ~~disclosure requirement of s. 112.3143(4). This disclosure must~~  
 1254 ~~be placed either on the Florida Tourism Industry Marketing~~  
 1255 ~~Corporation's website or included in the minutes of each meeting~~  
 1256 ~~of the Florida Tourism Industry Marketing Corporation's board of~~  
 1257 ~~directors at which the private match requirements are discussed~~  
 1258 ~~or voted upon.~~  
 1259 Section 24. Paragraph (d) of subsection (4) of section  
 1260 288.923, Florida Statutes, is amended to read:  
 1261 288.923 Division of Tourism Marketing; definitions;  
 1262 responsibilities.-  
 1263 (4) The division's responsibilities and duties include, but  
 1264 are not limited to:  
 1265 (d) Drafting and submitting an annual report required by s.  
 1266 288.92. The annual report shall set forth for the division and  
 1267 the direct-support organization:  
 1268 1. Operations and accomplishments during the fiscal year,  
 1269 including the economic benefit of the state's investment and  
 1270 effectiveness of the marketing plan.  
 1271 2. The 4-year marketing plan, including recommendations on  
 1272 methods for implementing and funding the plan.  
 1273 3. The assets and liabilities of the direct-support  
 1274 organization at the end of its most recent fiscal year.  
 1275 4. A copy of the annual financial and compliance audit  
 1276 conducted under s. 288.1226(7) ~~288.1226(6)~~.

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1277 Section 25. Paragraph (a) of subsection (3) of section  
 1278 445.003, Florida Statutes, is amended to read:  
 1279 445.003 Implementation of the federal Workforce Innovation  
 1280 and Opportunity Act.—

1281 (3) FUNDING.—

1282 (a) Title I, Workforce Innovation and Opportunity Act  
 1283 funds; Wagner-Peyser funds; and NAFTA/Trade Act funds will be  
 1284 expended based on the 4-year plan of CareerSource Florida, Inc.  
 1285 The plan must outline and direct the method used to administer  
 1286 and coordinate various funds and programs that are operated by  
 1287 various agencies. The following provisions apply to these funds:

1288 1. At least 50 percent of the Title I funds for Adults and  
 1289 Dislocated Workers which are passed through to local workforce  
 1290 development boards shall be allocated to and expended on  
 1291 Individual Training Accounts unless a local workforce  
 1292 development board obtains a waiver from CareerSource Florida,  
 1293 Inc. Tuition, books, and fees of training providers and other  
 1294 training services prescribed and authorized by the Workforce  
 1295 Innovation and Opportunity Act qualify as Individual Training  
 1296 Account expenditures.

1297 2. Fifteen percent of Title I funding shall be retained at  
 1298 the state level and dedicated to state administration and shall  
 1299 be used to design, develop, induce, and fund innovative  
 1300 Individual Training Account pilots, demonstrations, and  
 1301 programs. Of such funds retained at the state level, \$2 million  
 1302 shall be reserved for the Incumbent Worker Training Program  
 1303 created under subparagraph 3. Eligible state administration  
 1304 costs include the costs of funding for the board and staff of  
 1305 CareerSource Florida, Inc.; operating fiscal, compliance, and

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1306 management accountability systems through CareerSource Florida,  
 1307 Inc.; conducting evaluation and research on workforce  
 1308 development activities; and providing technical and capacity  
 1309 building assistance to local workforce development areas at the  
 1310 direction of CareerSource Florida, Inc. Notwithstanding s.  
 1311 445.004, such administrative costs may not exceed 25 percent of  
 1312 these funds. An amount not to exceed 75 percent of these funds  
 1313 shall be allocated to Individual Training Accounts and other  
 1314 workforce development strategies for other training designed and  
 1315 tailored by CareerSource Florida, Inc., including, but not  
 1316 limited to, programs for incumbent workers, ~~displaced~~  
 1317 ~~homemakers~~, nontraditional employment, and enterprise zones.  
 1318 CareerSource Florida, Inc., shall design, adopt, and fund  
 1319 Individual Training Accounts for distressed urban and rural  
 1320 communities.

1321 3. The Incumbent Worker Training Program is created for the  
 1322 purpose of providing grant funding for continuing education and  
 1323 training of incumbent employees at existing Florida businesses.  
 1324 The program will provide reimbursement grants to businesses that  
 1325 pay for preapproved, direct, training-related costs.

1326 a. The Incumbent Worker Training Program will be  
 1327 administered by CareerSource Florida, Inc., which may, at its  
 1328 discretion, contract with a private business organization to  
 1329 serve as grant administrator.

1330 b. The program shall be administered pursuant to s.  
 1331 134(d)(4) of the Workforce Innovation and Opportunity Act.  
 1332 Priority for funding shall be given to businesses with 25  
 1333 employees or fewer, businesses in rural areas, businesses in  
 1334 distressed inner-city areas, businesses in a qualified targeted

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1335 industry, businesses whose grant proposals represent a  
 1336 significant upgrade in employee skills, or businesses whose  
 1337 grant proposals represent a significant layoff avoidance  
 1338 strategy.

1339 c. All costs reimbursed by the program must be preapproved  
 1340 by CareerSource Florida, Inc., or the grant administrator. The  
 1341 program may not reimburse businesses for trainee wages, the  
 1342 purchase of capital equipment, or the purchase of any item or  
 1343 service that may possibly be used outside the training project.  
 1344 A business approved for a grant may be reimbursed for  
 1345 preapproved, direct, training-related costs including tuition,  
 1346 fees, books and training materials, and overhead or indirect  
 1347 costs not to exceed 5 percent of the grant amount.

1348 d. A business that is selected to receive grant funding  
 1349 must provide a matching contribution to the training project,  
 1350 including, but not limited to, wages paid to trainees or the  
 1351 purchase of capital equipment used in the training project; must  
 1352 sign an agreement with CareerSource Florida, Inc., or the grant  
 1353 administrator to complete the training project as proposed in  
 1354 the application; must keep accurate records of the project's  
 1355 implementation process; and must submit monthly or quarterly  
 1356 reimbursement requests with required documentation.

1357 e. All Incumbent Worker Training Program grant projects  
 1358 shall be performance-based with specific measurable performance  
 1359 outcomes, including completion of the training project and job  
 1360 retention. CareerSource Florida, Inc., or the grant  
 1361 administrator shall withhold the final payment to the grantee  
 1362 until a final grant report is submitted and all performance  
 1363 criteria specified in the grant contract have been achieved.

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1364 f. CareerSource Florida, Inc., may establish guidelines  
 1365 necessary to implement the Incumbent Worker Training Program.

1366 g. No more than 10 percent of the Incumbent Worker Training  
 1367 Program's total appropriation may be used for overhead or  
 1368 indirect purposes.

1369 4. At least 50 percent of Rapid Response funding shall be  
 1370 dedicated to Intensive Services Accounts and Individual Training  
 1371 Accounts for dislocated workers and incumbent workers who are at  
 1372 risk of dislocation. CareerSource Florida, Inc., shall also  
 1373 maintain an Emergency Preparedness Fund from Rapid Response  
 1374 funds, which will immediately issue Intensive Service Accounts,  
 1375 Individual Training Accounts, and other federally authorized  
 1376 assistance to eligible victims of natural or other disasters. At  
 1377 the direction of the Governor, these Rapid Response funds shall  
 1378 be released to local workforce development boards for immediate  
 1379 use after events that qualify under federal law. Funding shall  
 1380 also be dedicated to maintain a unit at the state level to  
 1381 respond to Rapid Response emergencies and to work with state  
 1382 emergency management officials and local workforce development  
 1383 boards. All Rapid Response funds must be expended based on a  
 1384 plan developed by CareerSource Florida, Inc., and approved by  
 1385 the Governor.

1386 Section 26. Paragraph (b) of subsection (5) of section  
 1387 445.004, Florida Statutes, is amended to read:

1388 445.004 CareerSource Florida, Inc.; creation; purpose;  
 1389 membership; duties and powers.—

1390 (5) CareerSource Florida, Inc., shall have all the powers  
 1391 and authority not explicitly prohibited by statute which are  
 1392 necessary or convenient to carry out and effectuate its purposes

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1393 as determined by statute, Pub. L. No. 113-128, and the Governor,  
 1394 as well as its functions, duties, and responsibilities,  
 1395 including, but not limited to, the following:  
 1396 (b) Providing oversight and policy direction to ensure that  
 1397 the following programs are administered by the department in  
 1398 compliance with approved plans and under contract with  
 1399 CareerSource Florida, Inc.:

- 1400 1. Programs authorized under Title I of the Workforce  
 1401 Innovation and Opportunity Act, Pub. L. No. 113-128, with the  
 1402 exception of programs funded directly by the United States  
 1403 Department of Labor under Title I, s. 167.
- 1404 2. Programs authorized under the Wagner-Peyser Act of 1933,  
 1405 as amended, 29 U.S.C. ss. 49 et seq.
- 1406 3. Activities authorized under Title II of the Trade Act of  
 1407 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade  
 1408 Adjustment Assistance Program.
- 1409 4. Activities authorized under 38 U.S.C. chapter 41,  
 1410 including job counseling, training, and placement for veterans.
- 1411 5. Employment and training activities carried out under  
 1412 funds awarded to this state by the United States Department of  
 1413 Housing and Urban Development.
- 1414 6. Welfare transition services funded by the Temporary  
 1415 Assistance for Needy Families Program, created under the  
 1416 Personal Responsibility and Work Opportunity Reconciliation Act  
 1417 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,  
 1418 of the Social Security Act, as amended.
- 1419 ~~7. Displaced homemaker programs, provided under s. 446.50.~~
- 1420 7.8- The Florida Bonding Program, provided under Pub. L.  
 1421 No. 97-300, s. 164(a)(1).

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1422 ~~8.9-~~ The Food Assistance Employment and Training Program,  
 1423 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.  
 1424 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;  
 1425 and the Hunger Prevention Act, Pub. L. No. 100-435.  
 1426 ~~9.10-~~ The Quick-Response Training Program, provided under  
 1427 ss. 288.046-288.047. Matching funds and in-kind contributions  
 1428 that are provided by clients of the Quick-Response Training  
 1429 Program shall count toward the requirements of s. 288.904,  
 1430 pertaining to the return on investment from activities of  
 1431 Enterprise Florida, Inc.  
 1432 ~~10.11-~~ The Work Opportunity Tax Credit, provided under the  
 1433 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,  
 1434 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.  
 1435 11.12- Offender placement services, provided under ss.  
 1436 944.707-944.708.  
 1437 Section 27. Subsections (3), (4), and (5) of section  
 1438 741.01, Florida Statutes, are amended to read:  
 1439 741.01 County court judge or clerk of the circuit court to  
 1440 issue marriage license; fee.-  
 1441 ~~(3) Further, the fee charged for each marriage license~~  
 1442 ~~issued in the state shall be increased by an additional sum of~~  
 1443 ~~\$7.50 to be collected upon receipt of the application for the~~  
 1444 ~~issuance of a marriage license. The clerk shall transfer such~~  
 1445 ~~funds monthly to the Department of Revenue for deposit in the~~  
 1446 ~~Displaced Homemaker Trust Fund created in s. 446.50.~~  
 1447 (3)-(4) An additional fee of \$25 shall be paid to the clerk  
 1448 upon receipt of the application for issuance of a marriage  
 1449 license. The moneys collected shall be remitted by the clerk to  
 1450 the Department of Revenue, monthly, for deposit in the General

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1451 Revenue Fund.

1452 ~~(4)(5)~~ The fee charged for each marriage license issued in  
1453 the state shall be reduced by a sum of \$25 ~~\$32.50~~ for all  
1454 couples who present valid certificates of completion of a  
1455 premarital preparation course from a qualified course provider  
1456 registered under s. 741.0305(5) for a course taken no more than  
1457 1 year prior to the date of application for a marriage license.  
1458 For each license issued that is subject to the fee reduction of  
1459 this subsection, the clerk is not required to transfer the sum  
1460 of ~~\$7.50 to the Department of Revenue for deposit in the~~  
1461 ~~Displaced Homemaker Trust Fund pursuant to subsection (3) or to~~  
1462 ~~transfer the sum of \$25 to the Department of Revenue for deposit~~  
1463 in the General Revenue Fund.

1464 Section 28. Section 741.011, Florida Statutes, is amended  
1465 to read:

1466 741.011 Installment payments.—An applicant for a marriage  
1467 license who is unable to pay the fees required under s. 741.01  
1468 in a lump sum may make payment in not more than three  
1469 installments over a period of 90 days. The clerk shall accept  
1470 installment payments upon receipt of an affidavit that the  
1471 applicant is unable to pay the fees in a lump-sum payment. Upon  
1472 receipt of the third or final installment payment, the marriage  
1473 license application shall be deemed filed, and the clerk shall  
1474 issue the marriage license to the applicant and distribute the  
1475 fees as provided in s. 741.01. In the event that the marriage  
1476 license fee is paid in installments, the clerk shall retain \$1  
1477 from the additional fee imposed pursuant to s. 741.01(3)  
1478 ~~741.01(4)~~, as a processing fee.

1479 Section 29. This act shall take effect July 1, 2017.



860238

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
06/07/2017	.	
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The Committee on Commerce and Tourism (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 301 - 322

and insert:

Section 4. Present subsection (3) of section 288.1201, Florida Statutes, is redesignated as subsection (4) and amended, and a new subsection (3) is added to that section, to read:

288.1201 State Economic Enhancement and Development Trust Fund.—

(3) (a) The department may make a payment from the trust



11 fund after an independent third party has verified that an  
12 applicant has satisfied all of the requirements of an agreement  
13 or contract and the department has determined that the applicant  
14 meets the required project performance criteria and is eligible  
15 to receive a payment.

16 (b) The department shall determine within 15 days after the  
17 end of each calendar quarter whether moneys in the trust fund  
18 are associated with an agreement or contract entered into  
19 pursuant to s. 288.1088 which the department has terminated,  
20 which has otherwise expired, or for which the applicant has not  
21 met performance conditions required by the agreement or  
22 contract. The portion of the appropriation associated with such  
23 moneys shall revert, and any such moneys shall be returned to  
24 the fund from which they were originally appropriated.

25 (c) Moneys in the trust fund shall be managed and invested  
26 to generate the maximum amount of interest earnings, consistent  
27 with the requirement that the moneys be available to make  
28 payments as required pursuant to Quick Action Closing Fund  
29 contracts or agreements.

30 (d) By September 1, 2017, the department shall return to  
31 the State Treasury all funds held by the escrow agent pursuant  
32 to a contract executed for the Quick Action Closing Fund which  
33 are unexpended as of June 30, 2017. Such unexpended funds shall  
34 be deposited into the State Economic Enhancement and Development  
35 Trust Fund.

36 ~~(3)~~(4) Moneys in the trust fund may be appropriated to make  
37 payments pursuant to agreements or contracts for projects  
38 authorized under s. 288.1088. Notwithstanding s. 216.301 and  
39 pursuant to s. 216.351, any balance in the trust fund at the end



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40 of any fiscal year shall remain in the trust fund at the end of  
41 the year and shall be available for carrying out the purposes of  
42 the trust fund.

43 Section 5. For the 2017-2018 fiscal year, and from the  
44 amounts returned to the State Economic Enhancement Trust Fund  
45 pursuant to s. 288.1201(3)(d), Florida Statutes, the sum of  
46 \$106,746,279 from the State Economic Enhancement and Development  
47 Trust Fund is appropriated to the Department of Economic  
48 Opportunity to make payments pursuant to agreements or contracts  
49 for projects authorized under s. 288.1088, Florida Statutes.  
50 Notwithstanding s. 216.301, Florida Statutes, and pursuant to s.  
51 216.351, Florida Statutes, any balance in the trust fund at the  
52 end of any fiscal year shall remain in the trust fund at the end  
53 of the year and shall be available for carrying out the purposes  
54 of the trust fund. The balance of any appropriation which is not  
55 disbursed by June 30, 2018, may be carried forward until all  
56 authorized projects are fully paid, except as provided in s.  
57 288.1201(3)(b).

58  
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete lines 26 - 36

62 and insert:

63 s. 288.1201, F.S.; providing conditions that must be  
64 met before the Department of Economic Opportunity is  
65 authorized to make a payment from the State Economic  
66 Enhancement and Development Trust Fund; requiring the  
67 department to determine quarterly determine whether  
68 moneys in the trust fund are associated with certain



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69 agreements; requiring such funds to be returned to  
70 their originating fund; providing investment  
71 requirements for moneys in the trust fund; requiring  
72 the department to return to the State Treasury  
73 unexpended funds from the Quick Action Closing Fund  
74 which are held by certain entities; requiring such  
75 funds to be deposited to the trust fund; authorizing  
76 moneys in the trust fund to be appropriated to make  
77 certain payments; providing an appropriation; amending  
78 s. 288.1226, F.S.; requiring





305400

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
06/07/2017	.	
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The Committee on Commerce and Tourism (Latvala) recommended the following:

**Senate Amendment**

Delete lines 250 - 256  
and insert:  
programs at state colleges, state technical centers, or private postsecondary institutions licensed or otherwise authorized to operate in this state, which provide participants with transferable, sustainable workforce skills applicable to more than a single employer, and for equipment associated with these programs. The department shall work with CareerSource Florida,



305400

11 Inc., to ensure that programs are offered to the public based on  
12 criteria established by the state college, state technical  
13 center, or private postsecondary institution licensed or  
14 otherwise authorized to operate in this state, and do not  
15 exclude applicants

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

09/17/17

Meeting Date

2A

Bill Number (if applicable)

Topic ECONOMIC DEVELOPMENT ✓

Amendment Barcode (if applicable)

Name MICHAEL RUBIN

Job Title VP GOVT AFFAIRS

Address 502 E JEFFERSON ST

Phone 850-222-8028

Tallahassee FL 32304

Email Mike.Rubin@flaportside.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FLORIDA PORTS COUNCIL

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

6/7/17  
Meeting Date

SB 2-A  
Bill Number (if applicable)

Topic Florida Jobs Growth Grant ✓

Name Jeff Hendry

Amendment Barcode (if applicable)

Job Title Executive Director

Address 3200 Commonwealth Blvd., Suite 7

Phone 850-443-7103

Tallahassee FL 32309  
City State Zip

Email jhendry@iog.fsu.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing North Florida Economic Development Partnership

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

6.7.17

Meeting Date

SB2-A

Bill Number (if applicable)

Topic \_\_\_\_\_ ✓

Amendment Barcode (if applicable)

Name ROY BAKER

Job Title BUSINESS DEVELOPMENT COORDINATOR

Address 4636 HWY 90

Phone 850.633.4119

Street

MARIANNA

FL

32446

City

State

Zip

Email ROYBC@OPPORTUNITYFLORIDA.COM

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing OPPORTUNITY FLORIDA

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

6/7/17  
Meeting Date

SB 2-a  
Bill Number (if applicable)

Topic Infrastructure

Name Diane Scholz

Amendment Barcode (if applicable)

Job Title Director Rural & ED Services

Address 3200 Commonwealth Blvd  
Street

Phone 850/728-5191

Tallahassee FL 32303  
City State Zip

Email dscholz@iog.fsu.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing North FL Institute of Government - North FL ED Partnership

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

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6/7/17  
Meeting Date

SB2A  
Bill Number (if applicable)

Topic Economic Programs ✓

Name Beth Kirkland

Amendment Barcode (if applicable)

Job Title Executive Director

Address 3551 Blairstone Rd

Phone 850 212 1036

Street

Tallahassee

FL

32301

City

State

Zip

Email bkirkland@fedconline.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FL Economic Development Council

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
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6/7/17  
Meeting Date

SB2A  
Bill Number (if applicable)

Topic ECONOMIC PROGRAMS ✓

Name JILL BLACKMAN

Amendment Barcode (if applicable)

Job Title MANAGER, MEMBERSHIP + PROGRAMS

Address 3551 BLAIRSTONE RD. STE 105-1B8  
Street

Phone 228-6211

TALLAHASSEE FL 32301  
City State Zip

Email jblackman@fedconline.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FLORIDA ECONOMIC DEVELOPMENT COUNCIL

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

6/7/17

Meeting Date

SB 214

Bill Number (if applicable)

Topic VISIT FLORIDA

Name Robert Skrob

Job Title Executive Director

Address 1390 Timberlane Rd

Street

Tallahassee

City

FL  
State

32312  
Zip

Phone 850-222-6000

Email Robert@FADMO.org

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Association of Destination Marketing Organizations

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date \_\_\_\_\_

2A  
Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name DAN ROWE

Job Title PRES/CEO VISIT PANAMA CITY BEACH

Address 17001 PCB Parkway

Phone \_\_\_\_\_

Street

Panama City Beach FL 32413

City

State

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing VISIT PANAMA CITY BEACH

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE

APPEARANCE RECORD

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6/7/17

Meeting Date

SB 2A

Bill Number (if applicable)

Topic SB 2A

Amendment Barcode (if applicable)

Name Cissy Proctor

Job Title Department of Economic Opportunity - Director

Address 107 E Madison Street

Phone

Street

Tallahassee

FL

State

32399

Zip

Email

City

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing DEO

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

# CourtSmart Tag Report

Room: EL 110

Caption: Senate Commerce and Tourism

Case No.:

Judge:

Type:

Started: 6/7/2017 2:32:43 PM

Ends: 6/7/2017 3:27:48 PM Length: 00:55:06

2:32:42 PM Call to order  
2:33:01 PM Chairman Montford for opening comments  
2:33:46 PM Take up Tab 1: 2-A Economic Programs by Senator Latvala  
2:34:05 PM Senator Latvala for explanation of the bill  
2:35:11 PM Explanation of the appropriations in the bill  
2:35:36 PM Chair Montford for questions?  
2:35:43 PM Senator Rodriguez for a question  
2:36:15 PM Senator Latvala for comments  
2:36:24 PM Senator Rodriguez for follow up  
2:37:07 PM Senator Latvala for response  
2:37:35 PM Senator Rodriguez for follow up  
2:38:00 PM Senator Latvala for a response  
2:38:51 PM Senator Rodriguez for clarification  
2:39:47 PM Senator Latvala for a response  
2:39:59 PM Senator Gibson for a question  
2:40:52 PM Senator Latvala requests that DEO respond to that question  
2:41:39 PM Senator Gibson to further explain her question  
2:42:40 PM Secretary Proctor, DEO, for a response  
2:44:27 PM DEO Secretary Cissy Proctor responding  
2:44:55 PM Senator Gibson for a series of questions to Ms. Proctor  
2:46:49 PM Secretary Proctor for a response  
2:48:21 PM Senator Gibson for a question to Senator Latvala  
2:49:46 PM Senator Latvala for a response  
2:50:20 PM Senator Gibson for a follow up  
2:50:31 PM Senator Latvala for a comment  
2:50:39 PM Senator Young for a question  
2:51:14 PM Senator Latvala for comments  
2:52:00 PM Senator Young for a follow up question  
2:52:35 PM Senator Latvala for questions  
2:52:50 PM Senator Latvala has questions of the Secretary of DEO  
2:53:30 PM Secretary Proctor for a response  
2:54:15 PM Senator Latvala for a series of questions of the Secretary  
2:57:01 PM Secretary Proctor for responses  
2:57:19 PM Senator Latvala for clarification of the DEO process  
2:57:54 PM Secretary Proctor for a response  
3:00:32 PM Senator Hutson for a question of the Secretary  
3:02:50 PM Secretary Proctor for a response  
3:03:08 PM Take up amendment barcode: 860238 by Latvala  
3:03:24 PM Senator Latvala you are recognized to explain the amendment  
3:05:00 PM Questions?  
3:05:06 PM Debate?  
3:05:09 PM Senator Latvala waives close  
3:05:15 PM Amendment adopted  
3:05:22 PM Late Filed Amendment barcode: 305400 by Latvala  
3:05:35 PM Senator Latvala for an explanation  
3:05:58 PM Questions?  
3:06:17 PM Debate?  
3:06:20 PM Senator Latvala waives close  
3:06:26 PM Amendment adopted  
3:06:34 PM Late filed amendment barcode: 741856 by Rodriguez  
3:06:46 PM Senator Rodriguez is recognized to explain the amendment  
3:08:44 PM Questions?

**3:08:57 PM** Debate?  
**3:09:00 PM** Senator Latvala in debate  
**3:10:27 PM** Senator Rodriguez waives close  
**3:10:39 PM** Amendment fails  
**3:10:45 PM** Back on the bill as amended  
**3:10:53 PM** Questions?  
**3:10:56 PM** Senator Gibson for a question  
**3:11:51 PM** Senator Latvala for a response  
**3:12:44 PM** Appearance cards:  
**3:12:57 PM** Senator Latvala moves to vote at time certain at 3:28 pm  
**3:13:17 PM** Dan Rowe, Visit Panama City Beach in support  
**3:13:29 PM** Robert Skrob, Destination Marketing, in support  
**3:13:36 PM** Jill Blackman, FL Economic Development Council, in support  
**3:13:40 PM** Beth Kirkland, FL Economic Development Council, speaking in support  
**3:14:46 PM** Diane Scholz, North FL ED Partnership waives in support  
**3:14:53 PM** Roy Baker, Opportunity Florida, waives in support  
**3:15:03 PM** Jeff Hendry, North FL ED Partnership, speaking for the bill  
**3:16:01 PM** Mike Rubin, FL Ports Council, waives in support  
**3:16:11 PM** Debate?  
**3:16:15 PM** Senator Gibson in debate  
**3:20:38 PM** Senator Rodriguez in debate  
**3:21:46 PM** Senator Passidomo in debate  
**3:23:27 PM** Senator Hutson in debate  
**3:24:24 PM** Chair Montford in debate  
**3:24:42 PM** Senator Latvala to close  
**3:27:04 PM** Senator Latvala moves adopted amendments travel with the bill  
**3:27:13 PM** Roll Call on the bill  
**3:27:25 PM** By your vote SB 2-A is reported favorably w/amendments  
**3:27:38 PM** Meeting adjourned