

<b>Tab 1</b>	<b>SB 1626</b> by <b>Collins</b> ; (Identical to H 01449) Support for Persons Allied with the United States					
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<b>Tab 2</b>	<b>SPB 7048</b> by <b>MS</b> ; Space Florida					
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The Florida Senate  
**COMMITTEE MEETING EXPANDED AGENDA**

**MILITARY AND VETERANS AFFAIRS, SPACE, AND  
DOMESTIC SECURITY**

**Senator Wright, Chair  
Senator Torres, Vice Chair**

**MEETING DATE:** Tuesday, April 4, 2023  
**TIME:** 2:00—4:00 p.m.  
**PLACE:** 301 Senate Building

**MEMBERS:** Senator Wright, Chair; Senator Torres, Vice Chair; Senators Berman, Calatayud, Collins, Pizzo, and Rodriguez

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 1626</b> Collins (Identical H 1449)	Support for Persons Allied with the United States; Citing this act as the "Save Our Allies Act"; requiring the Governor to designate temporary housing and provide certain temporary support to persons allied with the United States and their immediate families; defining the term "immediate family", etc.  MS 04/04/2023 Temporarily Postponed AHS FP	Temporarily Postponed
Consideration of proposed bill:			
2	<b>SPB 7048</b>	Space Florida; Requiring the Secretary of Economic Opportunity to serve as the manager for the state with respect to contracts with Space Florida; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to provide to the Governor and the Legislature an analysis of Space Florida and certain tax credits by a specified date and at certain intervals thereafter; requiring the Department of Economic Opportunity to annually submit a proposed operating budget by a specified date; requiring Space Florida to annually report on its performance by a specified date; expanding the authority Space Florida may exercise within certain geographical limits, etc.	Submitted and Reported Favorably as Committee Bill Yeas 6 Nays 0
3	Presentation on Blue Origin by Megan Mitchell, VP of Government Relations		Presented
4	Presentation on Cybersecurity by Terrence McGraw, VP of Global Cyber Threat Analysis, Secureworks		Presented
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 Military and Veterans Affairs, Space, and Domestic Security

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BILL: SB 1626

INTRODUCER: Senator Collins

SUBJECT: Support for Persons Allied with the United States

DATE: April 3, 2023

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Lloyd	Proctor	MS	<b>Pre-meeting</b>
2. _____	_____	AHS	_____
3. _____	_____	FP	_____

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## **I. Summary:**

SB 1626 creates the Save Our Allies Act and requires the Governor to designate housing and provide temporary support for persons who worked with or assisted any branch of the United States (U.S.) military, including but not limited to, acting as a translator or interpreter on the ground during a war or foreign combat.

The bill provides that the temporary support must include, but need not be limited to, resettlement assistance and legal assistance with processing the person's immigration application and the applications of his or her immediate family.

The bill defines the term "immediate family" to mean the person's parents, spouse, and children.

The bill has an indeterminate, likely negative fiscal impact. See Section V. Fiscal Impact Statement.

The bill is effective July 1, 2023.

## **II. Present Situation:**

In response to several acts of terrorism committed against the U.S. on September 11, 2001, Congress passed a Joint Resolution authorizing the use of force to deter additional acts of terrorism against the U.S.<sup>1</sup> Operation Enduring Freedom officially began as a bombing campaign with support from Great Britain, Australia, Canada, France, and Germany on October 7, 2001, over Afghanistan.<sup>2</sup> What followed next was 22 years of combat before the last of the American troops withdrew from the region during which more than 123,000 people were evacuated,

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<sup>1</sup> Joint Resolution of September 25, 2001 (authorization for war), Pub. L. No. 107-40.

<sup>2</sup> Council on Foreign Relations, *The U.S. War in Afghanistan (1999 – 2021)*, available at <https://www.cfr.org/timeline/us-war-afghanistan> (last visited March 27, 2023).

including 6,000 American citizens.<sup>3</sup> At the time, the U.S. Secretary of State Antony Blinken said there may be about 100 American citizens remaining in the country, mostly those with deep roots and dual citizenship, who wanted to leave.<sup>4</sup> Additionally the Secretary reinforced the U.S. Department of State's (DOS) commitment to keep working to help anyone with proper documents to leave the country in a safe and orderly manner, and the ruling Taliban had agreed not to interfere with anyone wanting to leave who had the proper paperwork.<sup>5</sup>

During this time, using their constitutionally provided discretionary authority, the U.S. Secretary of Homeland Security and the U.S. Secretary of State, in consultation with the U.S. Attorney General, devised a new eligibility exemption to provide Afghan nationals with Temporary Protected Status (TPS). For Afghan nationals already residing in the U.S. as of March 15, 2022, who arrived as part of the evacuation effort, who were paroled into the U.S. as of March 15, 2022, and had passed a vigorous background and screening test, those nationals were eligible to receive a designation of TPS for 18 months.<sup>6</sup> The U.S. Department of Homeland Security (DHS) Press Release announcing the designation for Afghanistan noted the “extraordinary and temporary conditions that further prevent nationals from returning in safety” and specifically cited a collapsing public sector, economic crisis, drought, lack of food, access to health care, displacement, human rights abuses, and repression by the Taliban.<sup>7</sup>

Three more exemptions for Afghan nationals followed from the DHS and the DOS in June of 2002 allowing eligible Afghans to qualify for protection and other benefits after a rigorous screening. The three additional exemptions are:

- Afghans who supported the U.S. military interests, specifically those who fought or otherwise supported those who fought in the resistance movement against the Taliban and Afghans who took part in the conflict against the Soviet occupation of Afghanistan.
- Individuals employed as civil servants in Afghanistan at any time from September 27, 1996 to December 22, 2001, or after August 15, 2021.
- Individuals who provided insignificant or certain limited material support to a designated terrorist organization.<sup>8</sup>

### **Operation Allies Welcome**

In August 2021, President Joseph Biden directed the DHS to lead and coordinate ongoing efforts across the federal government to support vulnerable Afghans, including those who worked alongside the Americans in Afghanistan for the past 20 years under Operation Allies Welcome

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<sup>3</sup> U.S. Dep't of State, *Secretary Antony Blinken's Remarks on Afghanistan (August 30, 2001)* available at <https://www.state.gov/secretary-of-antony-j-blinken-remarks-on-afghanistan/> (last visited March 27, 2023).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> U.S. Dep't of Homeland Security, *Secretary Mayorkas Designates Afghanistan for Temporary Protected Status* (March 16, 2022), available at <https://www.dhs.gov/news/2022/03/16/secretary-mayorkas-designates-afghanistan-temporary-protected-status> (last visited March 27, 2023).

<sup>7</sup> *Id.*

<sup>8</sup> U.S. Dep't of Homeland Security, *DHS and DOS Announce Exemptions Allowing Eligible Afghans to Qualify for Protection and Immigration Benefits*, (June 14, 2022), available at <https://www.dhs.gov/news/2022/06/14/dhs-and-dos-announce-exemptions-allowing-eligible-afghans-qualify-protection-and> (last visited March 27, 2023).

(OAW).<sup>9</sup> To meet these goals, the DHS created the Unified Coordination Group (UCG). This group is responsible for the implementation of medical services, support for individuals who are neither U.S. citizens nor lawful permanent residents, and assistance with applications prior to being connected with non-governmental entities for resettlement communities.<sup>10</sup>

OAW announced in February 2022 that all remaining Afghan refugees had left Joint Base McGuire-Dix-Lakehurst in New Jersey and had been resettled.<sup>11</sup> At that time, the DHS reported that 84,600 Afghan nationals, American citizens, and lawful permanent resident had arrived in the U.S. as part of OAW.<sup>12</sup>

The DHS employed additional personnel at military bases and other facilities where refugees were initially housed before resettlement. Personnel from the U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, the Transportation Security Administration, U.S. Coast Guard, and U.S. Secret Service conducted the processing, screenings, and any necessary interviews to clear vulnerable and other Afghan nationals to the U.S.<sup>13</sup>

Most Afghans entering the U.S. as part of an evacuation effort were paroled into the U.S. on a case-by-case basis for humanitarian reasons. The parole status is valid for 2 years and is issued after screening and vetting. The parolee must also comply with specific medical screening, mandatory vaccinations, and other reporting requirements to maintain his or her status for the 2-year period. Any failure to uphold these requirements can result in having his or her status revoked which can lead to detention and removal proceedings. Afghan parolees may be eligible to apply for immigration benefits and services in the same manner as refugees through the U.S. Citizenship and Immigration Services (USCIS).<sup>14</sup>

Afghans who complete the Special Immigrant Visa (SIV) process and who possess visas, and their dependents, will be admitted to the U.S. as lawful permanent residents<sup>15</sup> and can be assisted by the DOS and non-governmental entities to begin their resettlement process. An individual who has not finished the SIV process are paroled in by the DHS and, subsequently, the individual would still have the option to complete the SIV process.<sup>16</sup> The DHS estimates that more than 40 percent of Afghans are eligible for SIVs because they took significant risks to

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<sup>9</sup> U.S. Dep't of Homeland Security, *Operation Allies Welcome – Fact Sheet (August 29, 2021)*, available at [https://www.dhs.gov/sites/default/files/publications/21\\_0903\\_oaw-fact-sheet\\_508.pdf](https://www.dhs.gov/sites/default/files/publications/21_0903_oaw-fact-sheet_508.pdf) (last visited March 27, 2023).

<sup>10</sup> *Id.*

<sup>11</sup> U.S. Dep't of Homeland Security, *Operation Allies Welcome Announces Departure of All Afghan Nationals from U.S. Military Bases*, available at <https://www.dhs.gov/news/2022/02/19/operation-allies-welcome-announces-departure-all-afghan-nationals-us-military-bases> (last visited March 27, 2023).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> U.S. Dep't of Homeland Security, *Operation Allies Welcome – Welcome Page (August 29, 2021)*, available at [https://www.dhs.gov/sites/default/files/publications/21\\_0903\\_oaw-fact-sheet\\_508.pdf](https://www.dhs.gov/sites/default/files/publications/21_0903_oaw-fact-sheet_508.pdf) (last visited March 29, 2023).

<sup>15</sup> “Lawful permanent residents” are also known as “green card holders” and are non-citizens authorized to live in the United States permanently. A lawful permanent resident may accept an offer of employment without special restrictions, own property, receive financial assistance at public colleges and universities, and join the Armed Forces. They also may apply to become U.S. citizens if they meet certain eligibility requirements. See Dep't of Homeland Security, *Lawful permanent resident*, available at [Lawful Permanent Residents | Homeland Security \(dhs.gov\)](https://www.dhs.gov/lawful-permanent-resident) (last visited March 29, 2023).

<sup>16</sup> U.S. Dep't of Homeland Security, *Operation Allies Welcome – Fact Sheets/DHS Resettlement of At-Risk Afghans (Special Immigrant Visas)*, p. 2, [https://www.dhs.gov/sites/default/files/publications/21\\_1110-opa-dhs-resettlement-of-at-risk-afghans.pdf](https://www.dhs.gov/sites/default/files/publications/21_1110-opa-dhs-resettlement-of-at-risk-afghans.pdf) (last view March 30, 2023).

support the military and civilian personnel in Afghanistan working on behalf of or for the U.S. government or coalition forces or are a family member of someone who provided such support.<sup>17</sup>

### **Sponsor Program for Afghans**

The DOS announced the creation of Sponsor Circle Program for Afghans, in partnership with the Community Support Hub (CSH), a project of the Rockefeller Philanthropy Advisers, Inc., on October 25, 2021. The Sponsor Circle Program enables groups of individuals to provide the initial resettlement assistance to Afghans as they arrive and assist individuals and families as they rebuild their lives.<sup>18</sup> The work of the Sponsor Circle partners is complementary to the efforts of the DOS's non-profit resettlement agencies. The CSH is responsible for the application process, background checks of the CSH volunteers or employees, provision of training, review of confirmation of pledges made, and provision of initial resettlement support to Afghan newcomers for the first 90 days that an Afghan newcomer has arrived in the local community.<sup>19</sup>

### **Welcome.US**

On September 14, 2021, Welcome.US, launched with a mission to resettle close to 100,000 Afghan allies fleeing Taliban-controlled Afghanistan.<sup>20</sup> At the same time, the DOS named Welcome.US as its official private sector partner in its re-settlement efforts. In addition to the DOS, Welcome.US is working with at least 25 other veteran services organizations, including Blue Star Families, Team Rubicon, and The Independence Fund to resettle families. Welcome.US and Miles4Migrants has a national campaign to secure donated frequent flier miles to help refugees relocate to local communities once they depart military bases.<sup>21</sup> The national campaign has also added an employment exchange to connect resettled refugees with job opportunities and most recently, programs directed at refugees from Ukraine.<sup>22</sup>

### **Save Our Allies**

Formed in 2021, Save Our Allies is a private nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code and is backed by three veteran's service organizations (VSOs). Initially organized and led by four friends in reaction to the humanitarian crises in Afghanistan, the organization has a mission to rescue allies trapped behind the borders, including individuals the soldiers had worked with during their eight deployments.<sup>23</sup> The Independence Fund, No One

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<sup>17</sup> *Id.*

<sup>18</sup> U.S. Dep't of State, *Launch of the Sponsor Circle Program for Athens*, Press Statement of Antony J. Blinken, Secretary of State (October 25, 2021), available at <https://www.state.gov/launch-of-the-sponsor-circle-program-for-afghans/> (last visited March 27, 2023).

<sup>19</sup> *Id.*

<sup>20</sup> Welcome.US, *A Year of Welcoming*, available at <https://welcome.us/oneyearofwelcoming#timeline-of-2022-in-afghan-and-ukrainian-refugee-events> (last visited March 27, 2023). The most current Annual Report states that *Welcome.US* welcomed more than 58,000 Afghans and Ukrainians by American sponsors.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> Save Our Allies, *Our Story*, available at <https://saveourallies.org/pages/our-story> (last visited on March 29, 2023).

Left Behind, and the Mighty Oaks Foundation are the VSOs behind Save Our Allies.<sup>24</sup> Rescues of endangered individuals have also been made into Ukraine by the organization.

### Temporary Protected Status

The Secretary of the DHS may designate certain foreign countries for TPS due to the current conditions in that country which temporarily prevent the country's nationals from returning safely, or where a country is not able to safely handle the return of its nationals adequately.<sup>25</sup> Those who enter the country under TPS do so under some restrictions. TPS is a temporary benefit that does not lead to lawful permanent resident status or give any other immigration status. However, registration for TPS does not prevent a national from:

- Applying for nonimmigrant status;
- Filing for adjustment of status based on an immigrant petition; or
- Applying for any other immigration benefit or protection for which the national may otherwise be eligible.<sup>26</sup>

During their TPS period, an individual found preliminary eligible can receive travel authorization documents, employer authorization documents, and are not removable.<sup>27</sup>

### Office of Refugee Resettlement

Housed within Florida's Department of Children and Families is the federally funded Refugee Services Program. Florida's Refugee Services Program receives federal funds through the Office of Refugee Resettlement within the U.S. Department of Health and Human Services. Florida's refugee resettlement program is the largest in the country, resettling more than 5,000 refugees per year.<sup>28</sup> The majority of refugees coming through the Refugee Services Program are Cuban refugees, more than 80 percent.<sup>29</sup> However, 50 additional countries are represented in services provided in the Refugee Services Program with more than 25 percent of those services provided to children under the age of 18.<sup>30</sup>

Those who enter the U.S. in refugee status may be eligible for cash assistance and medical benefits for up to 8 months depending on whether or not the family or individual qualifies for assistance through Temporary Assistance for Needy Families for cash assistance or Medicaid for medical benefits. These benefits are funded 100 percent by the federal government.<sup>31</sup> Other services that may be available to refugees are educational or vocational assistance, legal assistance, employability status assistance, interpreter service, youth services, and health care

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<sup>24</sup> CISION, *Veteran Organizations Form Save Our Allies*, available at <https://www.prnewswire.com/news-releases/veteran-organizations-form-save-our-allies-coalition-301362937.html> (last visited March 29, 2023).

<sup>25</sup> U.S.C.I.S., *Temporary Protected Status*, available at <https://www.uscis.gov/humanitarian/temporary-protected-status> (last visited March 27, 2023)

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> Dep't of Children and Families, *Refugee Services Overview*, available at <https://www.myflfamilies.com/services/public-assistance/refugee-services/refugee-services-overview> (last visited March 29, 2023).

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

services.<sup>32</sup> The Refugee Services Program is responsible for assisting families in the coordination of their needs based on eligibility and unique circumstances.

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

SB 1626 creates the Save Our Allies Act and requires the Governor to designate temporary housing and other support services for the migration and safety of a person allied with the U.S., including but not limited to, an interpreter or translator who has worked with any branch of the U.S. Armed Forces to directly support a military operation or who has assisted any branch of the U.S. Armed Forces on the ground during combat in a war or foreign conflict, and his or her immediate family.

The bill provides that the temporary support must include, but need not be limited to, resettlement assistance and legal assistance with processing the person's immigration application and the applications of his or her immediate family.

The bill defines the term "immediate family" to mean the person's parents, spouse, and children.

The bill is effective July 1, 2023.

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

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None identified.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

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<sup>32</sup> *Id.*



**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill has an indeterminate, likely negative fiscal impact for support provided to a person allied with the U.S. and his or her immediate family.

If a person meets the requirements for services provided under the Department of Children and Families' Refugee Services Program, then support provided in the bill may overlap with those benefits which are currently funded with 100 percent federal dollars.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

As noted in the Government Sector Impact, there currently is a federally funded Refugee Resettlement program within the Department of Children and Families which is tasked with coordinating the resettlement of refugees and asylees coming into Florida. It is unclear whether the services identified in SB 1626 were intended to be different services, or intended for persons that do not currently qualify for benefits from the State of Florida's refugee program.

**VIII. Statutes Affected:**

This bill creates an undesignated section of the Florida Statutes.

**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:**

None.

By Senator Collins

14-01915B-23

20231626\_\_

A bill to be entitled

An act relating to support for persons allied with the United States; providing a short title; requiring the Governor to designate temporary housing and provide certain temporary support to persons allied with the United States and their immediate families; defining the term "immediate family"; providing an effective date.

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

Section 1. Short title.—This act may be cited as the "Save Our Allies Act."

Section 2. Housing and support for persons allied with the United States and their immediate families.—The Governor shall designate temporary housing and provide temporary support for the migration and safety of a person allied with the United States, including, but not limited to, an interpreter or translator who has worked with any branch of the United States Armed Forces to directly support a military operation or who has assisted any branch of the United States Armed Forces on the ground during combat in a war or foreign conflict, and his or her immediate family. Support provided pursuant to this section must include, but need not be limited to, resettlement assistance and legal assistance with processing the person's immigration application and the applications of his or her immediate family. For the purposes of this section, the term "immediate family" means the person's parents, spouse, and children.

Page 1 of 2

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14-01915B-23

20231626\_\_

Section 3. This act shall take effect July 1, 2023.

Page 2 of 2

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



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**SENATOR JAY COLLINS**

14th District

**COMMITTEES:**

Agriculture, *Chair*  
Appropriations Committee on Education  
Appropriations Committee on Transportation, Tourism,  
and Economic Development  
Education Postsecondary  
Education Pre-K -12  
Fiscal Policy  
Military and Veterans Affairs, Space, and  
Domestic Security

**SELECT COMMITTEE:**

Select Committee on Resiliency

**JOINT COMMITTEE:**

Joint Select Committee on Collective Bargaining

March 13, 2023

Senator Tom A. Wright  
416 Senate Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Chair Wright,

I respectfully request that SB 1626 – Support for Persons Allied with the United States be placed on the next available agenda for the Committee on Military and Veterans Affairs, Space, and Domestic Security. This legislation will ensure that our close allies and their families will have a home here in Florida after serving our nation overseas.

Should you have any questions or concerns, please feel free to contact my office. Thank you in advance for your consideration.

Thank you,

A handwritten signature in black ink, appearing to read "Jay Collins", with a horizontal line underneath.

Senator Jay Collins  
Senate District 14

Cc: Tim Proctor, Staff Director  
Michele Ingram, Committee Administrative Assistant

REPLY TO:

- ☐ 405 North Reo Street, Suite 170, Tampa, Florida 33609 (813) 281-2538
- ☐ 305 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 387-4014

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**KATHLEEN PASSIDOMO**  
President of the Senate

**DENNIS BAXLEY**  
President Pro Tempore

**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 Military and Veterans Affairs, Space, and Domestic Security

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BILL: SPB 7048

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security Committee

SUBJECT: Space Florida

DATE: April 4, 2023

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Proctor	Proctor		<b>MS submitted as Comm. Bill/Fav</b>

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**I. Summary:**

SPB 7048 revises provisions governing Space Florida to increase collaboration regarding spaceport activities, enhance transparency measures regarding spaceport projects, and make several revisions to the Space Florida Board. In part, the bill:

- Creates an independent Space Florida Board separate from the Enterprise Florida, Inc. (EFI) Board, establishes membership and appointment criteria and term lengths, prohibits compensation, provides per diem and travel limits, allows electronic meetings, and provides quorum requirements.
- Requires Space Florida to:
  - Include additional economic data in the Space Florida annual report.
  - Explain certain travel and entertainment expenditures and address recent audit findings.
  - Assess contracts for services that exceed \$50,000 or are for a period of 12 months or longer, by including provisions requiring a service auditor report of their effectiveness.
- Includes Space Florida among the list of economic development programs scheduled to be reviewed and analyzed by the Office of Economic and Demographic Research (EDR) and the Office of Program Policy Analysis and Government Accountability (OPPAGA).
- Adds Space Florida as an entity that the Department of Economic Opportunity (DEO) has contract authority over and requires the DEO's annual report to include Space Florida information.
- Requires the Space Florida Board to conduct new member training through the DEO.

The bill does not appear to have a significant fiscal impact on state or local government.

The effective date of the bill is July 1, 2023.

## II. Present Situation:

### Space Florida

In 2006, the Legislature passed the Space Florida Act,<sup>1</sup> which consolidated Florida's three existing space entities, the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation, into a single entity called Space Florida.<sup>2</sup> Space Florida is established as an independent special district, a body politic and corporate, and a subdivision of the state, to foster the growth and development of a sustainable and world-leading aerospace industry in the state. Space Florida has all the powers, rights, privileges, and authority as provided under the laws of this state<sup>3</sup>, and receives state funding through contract with the DEO.<sup>4</sup>

Space Florida acts as Florida's point of contact for state aerospace-related activities with federal agencies, the military, state agencies, businesses, and the private sector.<sup>5</sup> Space Florida is authorized to purchase or construct facilities, set rates, fees, and charges for the use of facilities, and undertake joint financing with municipalities or private sector entities for any project.<sup>6</sup>

According to Space Florida's 2022 Annual Operations Report, as of July 1, 2022, Space Florida had 85 total projects in development with an estimated value of \$2.4 billion in capital investment, and provided \$4.3 million in funding for 30 research projects, partnerships, and grants.<sup>7</sup>

### Powers of Space Florida

In furtherance of its duties, Space Florida is given certain powers, including, but not limited to:<sup>8</sup>

- Using a corporate seal;
- Using patents, copyrights, and trademarks;
- Lending and investing money;
- Acquiring certain properties;
- Executing contracts;
- Issuing revenue bonds;
- Making expenditures for entertainment and travel expenses and business clients, guests, and other authorized persons; and
- Fixing and collecting fees, loan payments, rental payments, and other charges in connection with financing agreements.

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<sup>1</sup> Chapter 2006-60, Laws of Fla.

<sup>2</sup> See ss. 331.301 through 331.371, F.S.

<sup>3</sup> Section 331.302, F.S.

<sup>4</sup> The Department of Economic Opportunity, Space Florida Contract SB23-008, available at <https://facts.fldfs.com/Search/ContractDetail.aspx?AgencyId=400000&ContractId=S0201> (last visited Apr. 3, 2023).

<sup>5</sup> Section 331.3011, F.S.

<sup>6</sup> Section 331.305, F.S.

<sup>7</sup> Space Florida, *Space Florida Annual Report 2022*, available at <https://www.spaceflorida.gov/wp-content/uploads/2023/01/Space-Florida-FY22-Annual-Operating-Report.pdf> (last visited Mar. 29, 2023).

<sup>8</sup> Section 331.305, F.S.

## Duties of Space Florida

In order to implement the Space Florida Act and carry out spaceport operations, Space Florida is given certain duties, including, but not limited to, creating a business plan, entering into agreements and cooperating with other state agencies, and consulting with appropriate federal agencies.<sup>9</sup>

Specifically, Space Florida is required to:

- Enter into agreements with the Department of Education (DOE), the Department of Transportation (DOT), EFI, and CareerSource Florida, Inc.<sup>10</sup>
- In cooperation with EFI, develop a plan to retain, expand, attract, and create aerospace industry entities, public or private, which results in the creation of high-value-added businesses and jobs in this state.<sup>11</sup>
- Develop, in cooperation with EFI, a plan to provide financing assistance to aerospace businesses.<sup>12</sup>
- Carry out its responsibilities for spaceport operations by:<sup>13</sup>
  - Seeking federal support and developing partnerships to renew and upgrade the infrastructure and technologies at the Cape Canaveral Air Force Station, the John F. Kennedy Space Center, and the Eastern Range.
  - Supporting federal efforts to clarify roles and responsibilities of federal agencies in an effort to streamline access for commercial launch users.
  - Pursuing the development of commercial spaceports in the state in partnership with counties or municipalities, the Federal Government, or private entities.
  - Promoting and facilitating launch activity within the state by supporting and assisting commercial launch operators' interactions with federal agencies for launching from Florida.
  - Consulting, as necessary, with the appropriate federal, state, and local authorities, including the National Aeronautics and Space Administration (NASA), Federal Aviation Administration (FAA), Department of Defense (DOD), DOT, Florida National Guard, and industry on establishing and operating spaceport infrastructure and facilities in the state.

## Annual Reports

Space Florida is required to provide an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on its performance with respect to its business plan, financing, spaceport operations, research and development, workforce development, and education. Space Florida is required to submit the report by November 30 for the previous fiscal year. The annual report must include operations information from its annual report of operations.<sup>14</sup>

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<sup>9</sup> Section 331.3051, F.S.

<sup>10</sup> Section 331.3051(2), F.S.

<sup>11</sup> Section 331.3051(3), F.S.

<sup>12</sup> Section 331.3051(6), F.S.

<sup>13</sup> Section 331.3051(7), F.S.

<sup>14</sup> Section 331.3051(11), F.S.

## **Annual Report of Operations**

The Space Florida board of directors is required to prepare an annual report of operations as a supplement to the annual report. The report must include, but not be limited to, a balance sheet, an income statement, a statement of changes in financial position, a reconciliation of changes in equity accounts, a summary of significant accounting principles, the auditor's report, a summary of the status of existing and proposed bonding projects, comments from management about the year's business, and prospects for the next year.<sup>15</sup>

## **Transportation and Public Utilities Facilities**

Space Florida is authorized to:<sup>16</sup>

- Own, acquire, construct, reconstruct, equip, operate, maintain, extend, or improve transportation facilities appropriate to meet the transportation requirements of Space Florida and activities conducted within spaceport territory;
- Own, acquire, construct, reconstruct, equip, operate, maintain, extend, or improve electric power plants, transmission lines and related facilities, gas mains and facilities of any nature for the production or distribution of natural gas, transmission lines and related facilities, and plants and facilities for the generation and transmission of power through traditional and new and experimental sources of power and energy;
- Purchase electric power, natural gas, and other sources of power for distribution within any spaceport territory;
- Develop and operate water and sewer systems and waste collection and disposal;<sup>17</sup> and
- Develop and operate new and experimental public utilities, including, but not limited to, centrally distributed heating and air-conditioning facilities and services, closed-circuit television systems, and computer services and facilities, as the board may from time to time determine.

## **Space Florida Board of Directors**

Space Florida is governed by a 13 member<sup>18</sup> independent board of directors (Space Florida Board). The Governor, or the Governor's designee, is a voting member and serves as the chair.<sup>19</sup> The 12 appointed private sector members of the EFI board of directors also serve, by default, on the Space Florida Board and are appointed to four-year terms.<sup>20</sup>

The duties of the Space Florida Board include:<sup>21</sup>

- Adopting rules and orders to conduct the business of Space Florida, the maintenance of records, and the form of all documents and records of Space Florida.

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<sup>15</sup> Section 331.310(2)(e), F.S.

<sup>16</sup> Sections 331.305(12) and (13), F.S.

<sup>17</sup> This must be done consistent with ch. 88-130, Laws of Fla.

<sup>18</sup> Section 331.3081, F.S.

<sup>19</sup> *Id.*

<sup>20</sup> Six members are appointed by the Governor, three members are appointed by the President of the Senate, and three members are appointed by the Speaker of the House of Representatives. Section 288.901(5)(a)8., F.S.

<sup>21</sup> Section 331.310(2), F.S.

- Maintaining an executive office and Space Florida offices in close proximity to the John F. Kennedy Space Center.
- Appointing a president of Space Florida, and determining his or her title, functions, duties, powers, and salary.
- Abiding by all applicable federal labor laws in the construction and day-to-day operations of Space Florida and any spaceport.
- Preparing the annual report of operations as a supplement to its annual report, which is also required by law.

The Space Florida Board is authorized to exercise the following powers:<sup>22</sup>

- Enter, and authorize any agent or employee of Space Florida to enter, upon any lands, waters, and premises, upon giving reasonable notice and due process to the land owner, for the purposes of making surveys, soundings, drillings, appraisals, and examinations necessary to perform its duties and functions.
- Execute all contracts and other documents, adopt all proceedings, and perform all acts determined by the Space Florida Board to be necessary or desirable to carry out the purposes given it in statute.
- Establish and create such departments, committees, or other entities as from time to time the Space Florida Board deems necessary or desirable in the performance of any acts or other things necessary to the exercise of the powers provided in statute.
- Provide financial services to support aerospace-related business development within the state. Financial services may include, but are not limited to:
  - Insuring, coinsuring, or originating for sale direct aerospace-related loans.
  - Direct lending.
  - Guaranteeing and collateralizing loans.
  - Creating accounts.
  - Capitalizing, underwriting, leasing, selling, or securing funding for aerospace-related infrastructure.
  - Investing in permissible securities.
  - Organizing financial institutions and international bank syndicates.
  - Acquiring, accepting, or administering grants, contracts, and fees from other organizations to perform activities that are consistent with the purposes of Space Florida's business plan. If the Space Florida Board deems a financial services entity is necessary, the Space Florida Board may create, form, or contract with one or more such entities.
- Examine, and authorize any officer or agent of Space Florida to examine, the county tax rolls with respect to the assessed valuation of the real and personal property within any spaceport territory.
- Engage in the planning and implementation of space-related economic and educational development within the state.
- Provide the strategic direction for the aerospace-related research priorities of the state and its aerospace-related businesses.

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<sup>22</sup> Section 331.310(1), F.S.



- Execute intergovernmental agreements and development agreements consistent with prevailing statutory provisions, including, but not limited to, special benefits or tax increment financing initiatives.
- Establish reserve funds for future Space Florida Board operations.
- Adopt rules to carry out the purposes of the Space Florida Act.

### **Travel and Entertainment Expenses**

Notwithstanding the provisions for per diem and travel expenses for public officers, employees, and authorized persons, and the statewide travel management system,<sup>23</sup> Space Florida is required to adopt rules for travel and entertainment expenses that:<sup>24</sup>

- Make expenditures by advancement or reimbursement, or a combination thereof, to Space Florida officers and employees;
- Reimburse business clients, guests, and authorized persons;<sup>25</sup> and
- Make direct payments to third-party vendors.

The travel and entertainment expenses of business clients, guests, and authorized persons must be incurred by Space Florida in connection with the performance of its statutory duties. The travel expenses of state officials and employees must be incurred while accompanying business clients, guests, or authorized persons or when authorized by the Space Florida Board or its designee. The entertainment expenses for Space Florida officials and employees must be incurred while in the physical presence of such business clients, guests, or authorized persons.<sup>26</sup>

The travel and entertainment rules are subject to approval by the Chief Financial Officer (CFO) before adoption, and are prescribed as follows:<sup>27</sup>

- Must require the submission of paid receipts, or other proof prescribed by the CFO, with any claim for reimbursement.
- Must require, as a condition for any advancement, an agreement to submit paid receipts or other proof and to refund any unused portion of the advancement within 15 days after the expense is incurred or, if the advancement is made in connection with travel, within 15 days after completion of the travel.
- With respect to an advancement made solely for travel expenses, the rules may allow paid receipts or other proof to be submitted, and any unused portion of the advancement to be refunded, within 30 days after completion of the travel.

An annual report must be made to the Legislature not later than November 30 of each year for the previous fiscal year that concisely summarizes all travel, entertainment, and incidental expenses incurred inside and outside of the U.S.<sup>28</sup>

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<sup>23</sup> Section 112.061, F.S.

<sup>24</sup> Section 331.3101, F.S.

<sup>25</sup> “Authorized person” is defined in s. 112.061(2)(e), F.S., as a person other than a public officer or employee, whether elected or commissioned or not, who is authorized by an agency head to incur travel expenses in the performance of official duties; called upon by an agency to contribute time and services as consultant or adviser; a candidate for an executive or professional position.

<sup>26</sup> Section 331.3101(1), F.S.

<sup>27</sup> Section 331.3101(2), F.S.

<sup>28</sup> Section 331.3101(3), F.S.

Claims are not required to be sworn to but are required to contain a statement that the expenses were necessary in the performance of official duties of Space Florida and verified by written declaration.<sup>29</sup> Untrue or incorrect claims, and fraudulent or false claims, are a second degree misdemeanor, punishable by a term of imprisonment of up to 60 days<sup>30</sup> and a \$500 fine.<sup>31</sup> Whoever receives an advancement or reimbursement by means of a false claim is civilly liable, in the amount of the overpayment, for the reimbursement of the public fund from which the claim was paid.<sup>32</sup>

Effective July 1, 2022, through July 1, 2023, Space Florida is required to adhere to certain travel and entertainment restrictions. In addition to the requirements set forth for the annual report summarizing all travel, entertainment, and incidental expenses, the 2022 annual report by Space Florida must also:

- Provide an itemized accounting, by date of travel, of all travel, entertainment, and incidental expenses incurred;
- To the extent such expenses exceed the generally allowable expense limits for per diem and travel expenses of public officers, employees, and authorized persons, provide reasons behind the need to exceed such statutory expense limits;
- Categorize expenses for Space Florida Board members, staff, employees, and business clients. The report must also set forth any expenses authorized by the Space Florida Board or its designee for a guest; and
- Include information related to corrective actions and steps taken by Space Florida to address the findings in Auditor General Report No. 2022-049.<sup>33</sup>

### **Furnishing Facilities and Services within the Spaceport Territory**

Space Florida is authorized to construct, develop, create, maintain, and operate its projects within the geographical limits of the spaceport territory. This includes any portions of the spaceport territory located inside the boundaries of any incorporated municipality or other political subdivision.<sup>34</sup>

Space Florida is authorized to offer, supply, and furnish the facilities and services provided for in the Space Florida Act, and establish and collect fees, rentals, and other charges, within the geographical limits of the spaceport territory and for the use of Space Florida itself.<sup>35</sup>

### **Power of Space Florida with Respect to Roads**

Within the territorial limits of any spaceport territory, Space Florida is authorized to acquire, through purchase or interagency agreement, or as otherwise provided in law, and construct,

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<sup>29</sup> Section 331.3101(4), F.S.

<sup>30</sup> Section 775.082(4)(b), F.S.

<sup>31</sup> Section 775.083(1)(e), F.S.

<sup>32</sup> Section 331.3101(4), F.S.

<sup>33</sup> Auditor General, *Space Florida Board Duties and Governance and Selected Administrative Activities* Report No. 2022-049 (Nov. 2021) available at [https://flauditor.gov/pages/pdf\\_files/2022-049.pdf](https://flauditor.gov/pages/pdf_files/2022-049.pdf) (last visited Mar. 29, 2023).

<sup>34</sup> Section 331.312, F.S.

<sup>35</sup> *Id.*

control, and maintain, roads, connections, and extensions that it deems necessary in accordance with established highway safety standards.<sup>36</sup>

If a road being addressed by Space Florida is owned by another agency or jurisdiction, Space Florida, before proceeding with the proposed project or work activity, must either coordinate the desired work or successfully execute an interagency agreement with the owning agency or jurisdiction.<sup>37</sup>

### **Contracts, Grants, and Contributions**

Space Florida is authorized to:<sup>38</sup>

- Make and enter all contracts and agreements necessary or incidental to the performance of its functions and execution of its powers.
- Contract with, and accept and receive grants or loans of money, material, or property from, any person, private or public as the Space Florida Board determines necessary or desirable to carry out the purposes of the Space Florida Act.
- In connection with any such contract, grant, or loan, stipulate and agree to such covenants, terms, and conditions as the Space Florida Board deems appropriate.

### **Spaceport Master Plan**

Space Florida is required to develop a spaceport master plan for expansion and modernization of space transportation facilities within spaceport territories. The plan must contain recommended projects to meet current and future commercial, national, and state space transportation requirements.<sup>39</sup>

Space Florida is required to submit the plan to:<sup>40</sup>

- Any appropriate metropolitan planning organization for review of intermodal impacts.
- DOT, and it may be included in DOT's five-year work program of qualifying aerospace discretionary capacity improvement.

The plan must identify appropriate funding levels and include recommendations on appropriate sources of revenue that may be developed to contribute to the State Transportation Trust Fund.<sup>41</sup>

### **Special Districts**

Space Florida is an independent special district, and subject to the provisions of the Uniform Special District Accountability Act, to the extent that provisions of the act do not conflict with the Space Florida Act.<sup>42</sup> The Uniform Special District Accountability Act sets forth general

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<sup>36</sup> Section 331.313, F.S.

<sup>37</sup> *Id.*

<sup>38</sup> Section 331.324, F.S.

<sup>39</sup> Section 331.360(3), F.S.

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> Section 331.302, F.S.

provisions for all special districts, addressing creation, operation, financial reporting, taxation, assessments, elections, definitions, compliance with general law, and comprehensive planning.<sup>43</sup>

A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.<sup>44</sup> Special districts are created by general law,<sup>45</sup> special act,<sup>46</sup> local ordinance,<sup>47</sup> or by rule of the Governor and Cabinet.<sup>48</sup> A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district's charter.<sup>49</sup> Space Florida is an "independent special district," which is a district that is not a dependent special district<sup>50</sup> and may only be created by legislative authorization as provided in the Uniform Special District Accountability Act.<sup>51</sup>

Special districts do not possess "home rule" powers and may impose only those taxes, assessments, or fees authorized by special or general law. The special act creating an independent special district may provide funding from a variety of sources while prohibiting others. For example, ad valorem tax authority is not mandatory for a special district.<sup>52</sup>

Special districts may enter into interlocal agreements with one or more other local governmental units.<sup>53</sup> Under these agreements, the special district may exercise jointly with other participating local governments those powers, privileges, or authorities they have in common and each may exercise those same powers, privileges, or authorities separately.<sup>54</sup>

### **Special District Accountability**

The Uniform Special District Accountability Act establishes a Special District Accountability Program administered by the DEO that provides oversight and accountability measures that special districts must follow. Some of the duties of the program include:<sup>55</sup>

- Electronically publishing special district noncompliance status reports from the Department of Management Services, the Department of Financial Service (DFS), the Division of Bond Finance of the State Board of Administration (SBA), the Auditor General, and the Joint Legislative Auditing Committee (JLAC).
- Providing technical advisory assistance to special districts.
- Helping special districts comply with reporting requirements.
- Initiating certain enforcement proceedings for failure to file reports and information.

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<sup>43</sup> Chapter 189, F.S.

<sup>44</sup> See *Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547 (Fla. 2019).

<sup>45</sup> Section 189.031(3), F.S.

<sup>46</sup> *Id.*

<sup>47</sup> Section 189.02(1), F.S.

<sup>48</sup> Section 190.005(1), F.S. See, generally, s. 189.012(6), F.S.

<sup>49</sup> *Halifax Hosp. Med. Center, supra* note at 548.

<sup>50</sup> Section 189.012(3), F.S.

<sup>51</sup> Section 189.011(1), F.S.

<sup>52</sup> Art. VII, s. 9(a), Fla. Const.

<sup>53</sup> Section 163.01(2), (3)(b), F.S.

<sup>54</sup> Section 163.10(4), F.S.

<sup>55</sup> Section 189.064, F.S.

The Uniform Special District Accountability Act requires special districts to comply with many of the same accountability standards as those of counties and municipalities and state government. Examples include:<sup>56</sup>

- Filing an Annual Financial Report with the DFS disclosing the district's revenues, expenditures, long-term debt, and other financial information.
- Filing a Financial Audit Report, performed by an independent Certified Public Accountant, with the Florida Auditor General for review (most but not all special districts).
- Filing information with the SBA concerning advance notice of bond sales and new bond issues.
- Certifying to the state compliance with Truth-in-Millage requirements (if establishing a property tax).
- Complying with ethics laws, including financial disclosures by governing board members and certain employees.
- Conducting district business within the Government-in-the-Sunshine laws, including specific public meeting requirements.

### **Special District Oversight**

Special districts may be reviewed for general oversight purposes as follows, for example each special district created by special act may be reviewed by the Legislature using the process provided in s. 189.0651, F.S.<sup>57</sup> Certain state agencies are responsible for monitoring special districts and collecting, reviewing, interpreting, and summarizing financial information for the public, the Legislature, and other officials.

Therefore, each special district must submit the following to various state and local agencies and the Legislature, as applicable:<sup>58</sup>

- The Annual Financial Report;
- The Financial Audit Report;
- Bond financing related reports;
- Retirement system reports;
- Public facilities reports;
- Designation of registered office and agent;
- Regular Public Meeting Schedule;
- Charters (creation document), as amended; and
- Boundary maps, as amended.

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<sup>56</sup> Department of Economic Opportunity, Special District Accountability and Oversight, <https://floridajobs.org/community-planning-and-development/special-districts/special-district-accountability-program/special-district-accountability-and-oversight> (last visited Mar. 29, 2023).

<sup>57</sup> Section 189.068, F.S.

<sup>58</sup> *Id.*

### **Education for New District Board Members**

The DEO is authorized to provide, contract for, or assist in conducting education programs, as its budget permits, for all newly elected or appointed members of district governing bodies. The education programs must include, but are not limited to, courses on:<sup>59</sup>

- The code of ethics for public officers and employees;
- Public meetings and public records requirements;
- Public finance; and
- Parliamentary procedure.

Currently, members of special districts are not considered “Elected Municipal Officers” subject to the annual ethics training requirement found in s. 112.3142, F.S.<sup>60</sup>

### **Special District Meetings, Public Records and Public Notice Requirements**

Special districts, along with counties, municipalities, and other governmental agencies, must comply with Florida’s public meetings requirements, also known as the “Sunshine Law,”<sup>61</sup> public records requirements in Florida’s public records law,<sup>62</sup> and the public notice requirements in the Florida laws that govern legal and official advertisements.<sup>63</sup>

In addition, special districts must comply with specific meeting requirements in the Uniform Special District Accountability Act, and certain special districts may need to comply with meeting requirements in other laws. Meeting requirements require that a district:<sup>64</sup>

- Quarterly, semiannually, or annually, prepare a schedule of regular meetings that includes the date, time, and location of each meeting.
- File the schedule with each local governing authority in which the special district has jurisdiction.
- Publish the schedule in the county or counties in which the special district has jurisdiction.
- For any meeting other than a regular meeting or any recessed and reconvened meeting, advertise in the county or counties in which the special district has jurisdiction the day, time, place, and purpose of such meeting at least 7 days before the meeting.
- In the event of an emergency, provide reasonable notice in the county or counties in which the special district has jurisdiction, hold the emergency meeting, and subsequently ratify the emergency meeting. An annual budget may not be approved at an emergency meeting.

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<sup>59</sup> Section 189.063(1), F.S.

<sup>60</sup> Dep’t of Economic Opportunity, Florida Special District Handbook, (Oct. 2022), [https://www.floridajobs.org/docs/default-source/2015-community-development/community-assistance/sdap/florida-special-district-handbook.pdf?sfvrsn=152e57b0\\_2](https://www.floridajobs.org/docs/default-source/2015-community-development/community-assistance/sdap/florida-special-district-handbook.pdf?sfvrsn=152e57b0_2) (last visited Mar. 29, 2023).

<sup>61</sup> Chapter 286, F.S.

<sup>62</sup> Chapter 119, F.S.

<sup>63</sup> Chapter 50, F.S.

<sup>64</sup> Section 189.015, F.S.

## Confidentiality of Records

Current law makes certain information held by an economic development agency, including Space Florida, exempt or confidential and exempt<sup>65</sup> from state public records requirements.<sup>66</sup> This includes information regarding plans to locate or relocate a business, trade secrets, proprietary confidential business information, sales tax registration numbers, and information held pursuant to an economic incentive program or loan program. Some exemptions are temporary and some permanent.

Information concerning a corporation's plans to relocate or expand any of its business activities in the state is confidential and exempt, as follows:<sup>67</sup>

- For 12 months after the date an economic development agency receives a request for confidentiality or until the information is otherwise disclosed.
- An economic development agency may extend the period of confidentiality for up to 12 months upon written request by the entity that originally requested confidentiality and upon a finding by the economic development agency that the entity is still actively considering locating, relocating, or expanding its business activities in this state. The request must be received before the expiration of the original period.
- If a final project order for a signed economic development agreement is issued, then the information remains confidential and exempt for 180 days after the final project order is issued, until a date specified in the final project order, or until the information is otherwise disclosed, whichever occurs first. However, the 180 day timeframe may not extend beyond the original or extended period.

Proprietary confidential business information is confidential and exempt until the information becomes publicly available or is no longer treated by the proprietor as confidential.<sup>68</sup>

Specific sales, employee wage, and tax information associated with the administration of an economic incentive program for qualified businesses is confidential and exempt for the duration of the incentive agreement or upon termination of the agreement.<sup>69</sup> The following information is protected:

- The percentage of the business's sales occurring outside the state and for businesses applying for the qualified defense contractor and space flight business tax refund program under s. 288.1045, F.S., the percentage of the business's gross receipts derived from DOD contracts during the 5 years immediately preceding the date the business's application is submitted.

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<sup>65</sup> There is a difference between records the Legislature designates as exempt from public record requirements and those the Legislature deems confidential and exempt. A record classified as exempt from public disclosure may be disclosed under certain circumstances. See *WFTV, Inc. v. The School Board of Seminole*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004), review denied 892 So. 2d 1015 (Fla. 2004); *City of Riviera Beach v. Barfield*, 642 So. 2d 1135 (Fla. 4th DCA 1994); *Williams v. City of Minneola*, 575 So. 2d 687 (Fla. 5th DCA 1991). If the Legislature designates a record as confidential and exempt from public disclosure, such record may not be released by the custodian of public records to anyone other than the persons or entities specifically designated in statute. See Attorney General Opinion 85-62 (Aug. 1, 1985).

<sup>66</sup> See s. 288.075, F.S.

<sup>67</sup> Section 288.075(2), F.S.

<sup>68</sup> Section 288.075(4), F.S.

<sup>69</sup> Section 288.075(6), F.S.

- An individual employee's personal identifying information that is held as evidence of the achievement or nonachievement of the wage requirements of the tax refund, tax credit, or incentive agreement programs or of the job creation requirements of the programs.
- The amount of:
  - Taxes on sales, use, and other transactions;
  - Corporate income taxes;
  - Intangible personal property taxes;
  - Insurance premium taxes;
  - Excise taxes;
  - Ad valorem taxes; or
  - State communications services taxes.
- However, an economic development agency may disclose in the annual incentives report required under s. 288.907, F.S., the aggregate amount of each of these taxes paid by all businesses participating in each economic incentive program.

The following information held by an economic development agency relating to a specific business participating in an economic incentive program is no longer confidential or exempt 180 days after a final project order for an economic incentive agreement is issued, until a date specified in the final project order, or if the information is otherwise disclosed, whichever occurs first:<sup>70</sup>

- The name of the qualified business.
- The total number of jobs the business committed to create or retain.
- The total number of jobs created or retained by the business.
- Notwithstanding s. 213.053(2), the amount of tax refunds, tax credits, or incentives awarded to, claimed by, or, if applicable, refunded to the state by the business.
- The anticipated total annual wages of employees the business committed to hire or retain.

For a business applying for the qualified defense contractor and space flight business tax refund program under s. 288.1045, F.S., which is based on obtaining a new DOD contract, the total number of jobs expected and the amount of tax refunds claimed may not be released until the new DOD contract is awarded.<sup>71</sup>

Trade secrets, federal employer identification numbers, reemployment assistance account numbers, and Florida sales tax registration numbers are permanently exempt from public records.<sup>72</sup>

Information held by an economic development agency pursuant to its administration of a state or federally funded small business loan program is exempt from inspection by the public. Disclosure of such information is authorized in an aggregated and anonymized format.<sup>73</sup>

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<sup>70</sup> Section 288.075(6)(b)1., F.S.

<sup>71</sup> Section 288.075(6)(b)2., F.S.

<sup>72</sup> Sections 288.075(3) and (5), F.S.

<sup>73</sup> Section 288.075(7), F.S.



An employee of an economic development agency who violates these provisions commits a second degree misdemeanor, punishable by a maximum penalty of 60 days in jail and a \$500 fine.<sup>74</sup>

### **Space Florida Auditor General Report No. 2022-049**

In 2021, the State of Florida Auditor General released findings of an operational audit of Space Florida that focused on cooperative agreements, board duties and governance, and selected administrative activities.<sup>75</sup> The audit disclosed the following findings:

- Space Florida Board committee meetings were not always held in accordance with committee charter requirements.
- Certain Space Florida entertainment and travel expenses did not appear to be clearly necessary or reasonable to the performance of Space Florida's statutory duties or commensurate with entertainment and travel expenses authorized by State law.
- Space Florida did not comply with certain requirements of State law regarding public deposits.
- Space Florida contracted with a service organization to provide information technology (IT) services. However, Space Florida did not take steps to reasonably ensure that service organization controls relevant to the IT services performed on behalf of Space Florida were suitably designed and operating effectively.
- Space Florida policies and procedures did not adequately promote the retention of records related to the sanitization and disposition of surplus computer hard drives.
- Security controls over mobile device utilization need improvement to ensure the confidentiality, integrity, and availability of Space Florida data and IT resources.
- Space Florida records did not evidence that network user access privileges were timely disabled for former employees.

The audit also recommended ways to address each finding. Space Florida explained each finding and a corrective action or improvement plan for each finding.<sup>76</sup>

In 2022, the General Appropriations Act implementing bill further addressed these findings by amending travel and entertainment provisions in the Space Florida Act to limit expenditures on entertainment and lodging. These limitations require Space Florida to include additional information in its annual report relating to itemized expenses identified for corrective action in the audit. These requirements are temporary and set to expire July 1, 2023.

### **The DEO Annual Report**

The DEO is tasked with assisting the Governor in working with the Legislature, state agencies, business leaders, and economic development professionals to formulate and implement coherent and consistent policies and strategies designed to promote economic opportunities for all Floridians.<sup>77</sup> The DEO must also ensure that the state's goals and policies relating to economic

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<sup>74</sup> Sections 775.082 and 775.083, F.S.

<sup>75</sup> Auditor General, *Space Florida Board Duties and Governance and Selected Administrative Activities*, Report No. 2022-049, (Nov. 2021), [https://flauditor.gov/pages/pdf\\_files/2022-049.pdf](https://flauditor.gov/pages/pdf_files/2022-049.pdf) (last visited Mar. 29, 2023).

<sup>76</sup> *Id.*

<sup>77</sup> Section 20.60(4), F.S.

development, workforce development, community planning and development, and affordable housing are fully integrated with appropriate implementation strategies.<sup>78</sup>

The Secretary of the DEO, who is appointed by the Governor and confirmed by the Senate, is required to serve as manager for the state with respect to contracts with EFI and all applicable direct-support organizations. Such contracts may be for multiyear terms and must include specific performance measures for each year.<sup>79</sup>

The DEO, with assistance from EFI is required to, by November 1 of each year, submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the condition of the business climate and economic development in the state. The report must:<sup>80</sup>

- Include the identification of problems and a prioritized list of recommendations; and
- Incorporate annual reports of other programs, including:
  - Information provided by the Department of Revenue.
  - Information provided by enterprise zone development agencies and an analysis of the activities and accomplishments of each enterprise zone.
  - The Economic Gardening Business Loan Pilot Program and the Economic Gardening Technical Assistance Pilot Program.
  - A detailed report of the performance of the Black Business Loan Program and a cumulative summary of the quarterly report data.
  - The Rural Economic Development Initiative.
  - The Florida Unique Abilities Partner Program.
  - A detailed report of the performance of the Florida Development Finance Corporation and a summary of the corporation's annual report.

### **Economic Development Programs Evaluation**

As directed by the Legislature, the OPPAGA and the EDR are required to complete detailed analyses of state economic development programs (analysis) beginning on a certain date and every 3 years thereafter. For each program, OPPAGA evaluates effectiveness and value to the state's taxpayers, while EDR evaluates and determines the economic benefits and return-on-investment of each program.<sup>81</sup>

Currently, the analysis includes more than 18 economic development programs, including, but not limited to:

- VISIT Florida and its programs.<sup>82</sup>
- The Florida Sports Foundation and related programs.<sup>83</sup>
- The tax exemption for semiconductor, defense, or space technology sales.<sup>84</sup>

<sup>78</sup> OPPAGA, *Program Summary: Department of Economic Opportunity*, <https://oppaga.fl.gov/ProgramSummary/ProgramDetail?programNumber=6101> (last visited Mar. 29, 2021).

<sup>79</sup> Section 20.60(9), F.S.

<sup>80</sup> Section 20.60(10), F.S.

<sup>81</sup> Section 288.0001, F.S.

<sup>82</sup> Sections 288.122, 288.1226, 288.12265, and 288.124, F.S.

<sup>83</sup> Sections 288.1162, 288.11621, 288.1166, 288.1167, 288.1168, 288.1169, and 288.1171, F.S.

<sup>84</sup> Section 212.08(5)(j), F.S.

- The Military Base Protection Program.<sup>85</sup>

### III. Effect of Proposed Changes:

The bill amends s. 20.60, F.S., to add Space Florida to the list of entities and laws over which the DEO has contract authority, and requires the DEO's annual report to incorporate annual report information provided by Space Florida under s. 331.3051, F.S., and an analysis of the activities and accomplishments of Space Florida.

The bill amends s. 288.0001, F.S., to include Space Florida, the Florida Space Business Incentives Act (corporate income tax credits for spaceflight projects), and the research and development tax credit among the list of economic development programs scheduled to be reviewed and analyzed by EDR and OPPAGA, beginning January 1, 2026, and every 3 years thereafter.

The bill amends s. 331.303, F.S., to expand the definition of "aerospace" to include:

- Technology and industry related to the design, manufacture, maintenance, repair, and operation of aircraft or any other device intended to be used or designed for flight or reentry.
- Aircraft facilities or components thereof, and related equipment, systems, facilities, simulators, programs, and related activities.
- Aviation technologies in air-based, land-based, space-based, and sea-based platforms for commercial, civil, and defense purposes.

The bill amends s. 331.303, F.S., to expand the definition of "landing area" to include areas within spaceport territory that are designated by an appropriate body (other than Space Florida) that are intended for controlling, assisting, flying, navigating, piloting, maintenance, or construction of any aerospace technology or craft.

The bill amends s. 331.3051, F.S., to require Space Florida to:

- Enter into an agreement with the DEO to implement the Space Florida Act.
- Work with the DEO to submit by August 15 of each fiscal year, a proposed operating budget for Space Florida which includes amounts to be expended on incentives, advertising, events, other operating capital outlay, and salaries and benefits for each employee to the Governor, the President of the Senate, and the Speaker of the House of Representatives.
- Develop a plan in cooperation with the DEO to provide financing assistance to aerospace businesses.
- Partner with the Board of Governors to foster technological advancement and economic development for spaceport activities by strengthening higher education programs and supporting aerospace activities.
- Partner with the Division of Workforce Services of the DEO, CareerSource, and local workforce development boards to support initiatives that address the high technology skills and staff resources needed to better promote the state's efforts in becoming the nation's leader in aerospace and space exploration.

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<sup>85</sup> Section 288.980, F.S.

- Partner with the Metropolitan Planning Organization Advisory Council to coordinate and specify how aerospace planning and programming will be part of the state's cooperative transportation planning process.

The bill amends s. 331.3051, F.S., to also require Space Florida, before October 1 of each year, to submit to the DEO, for inclusion in the DEO's annual report, a complete and detailed written report setting forth:

- Its operations and accomplishments during the fiscal year.
- Accomplishments and progress concerning the implementation of the spaceport master plan and other measurable goals, and any updates to the plan and goals.
- Data on the economic impact of the aerospace industry in the state during the previous year, including, but not limited to:
  - The amount and sources of capital investment;
  - The number of jobs created and retained; and
  - Annualized average wages, listed by geographic areas within the state as specified by the board.
- Any other information required by the DEO.

The bill amends s. 331.3051, F.S., to also require Space Florida to provide a copy of the special district public facilities report required in s. 189.08, F.S., to Space Florida's property owners, project owners, and users.

The bill amends s. 331.3081, F.S., to revise the Space Florida Board by separating it from the EFI board, creating an independent Space Florida Board that includes the Governor, who serves ex officio, or who may appoint a designee to serve, as the chair and a voting member of the Space Florida Board, and the following appointed members:

- The Secretary of Transportation or his or her designee.
- Four members appointed by the Governor.
- One member appointed by the President of the Senate.
- One member appointed by the President of the Senate from the members of the Senate, who shall serve ex officio as a nonvoting member of the board.
- One member appointed by the Speaker of the House of Representatives.
- One member appointed by the Speaker of the House of Representatives from the members of the House of Representatives, who shall serve ex officio as a nonvoting member of the board.
- A representative of each of the following entities, appointed by the Governor, who shall serve ex officio as a nonvoting member of the board:
  - An airport authority with the capability for horizontal launches, such as the Jacksonville Aviation Authority or Titusville-Cocoa Airport Authority.
  - Port district or port authority, as defined in s. 315.02(2), F.S., operations, or management.
  - A spaceport territory, as defined in s. 331.304, F.S., operations, or management.

The bill also specifies that all members of the board who are appointed by the Governor are subject to confirmation by the Senate. In addition, when making appointments to the board, with the exception of the ex officio nonvoting member from the Senate and House of Representatives, the appointing official must:

- Select an individual to serve who reflects the state's interests in the aerospace sector and represents the intent, duties, and purpose of Space Florida; or
- Select an individual who has at least 5 years of experience in at least one of the following areas:
  - The aerospace industry, including technology, manufacturing, or supply chain fields, and human space flight. This member may not be currently employed by an entity that is under contract with Space Florida.
  - Bond financing.
  - Academic study of aerospace, aviation, or a relevant science.
  - Management or operation of aircraft facilities, fixed base operations, or commercial airport operations.
  - Aviation industry technology, manufacturing, or supply chain fields.
  - Management or finance of technology or manufacturing startup business or international business.
- Ensure that the appointee is a resident of this state or has a business enterprise in this state.

Appointed members will serve 4-year terms, except that to provide for staggered terms, the Governor shall initially appoint two members to serve 2-year terms, two members to serve 3-year terms, and one member to serve a 4-year term. Initial appointees of the President of the Senate and the Speaker of the House of Representatives will serve 4-year terms. All subsequent appointments shall be for 4-year terms.

The bill also specifies the following requirements related to the Space Florida Board membership:

- Initial appointments must be made by October 1, 2023.
- Terms end September 30.
- Members appointed to the board of directors of Space Florida as of the effective date of the bill may continue to serve on the board until October 1, 2023.
- Any member is eligible for reappointment, except that a member may not serve more than two, 4-year terms.
- Vacancies must be filled for the remainder of the unexpired term in the same manner as the original appointment.
- Appointed members may be removed by the appointing official for cause.
- Absence from three consecutive meetings is cause for removal.
- Space Florida Board members serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses pursuant to requirements for per diem and travel expenses of public officers and employees. Expenses must be paid out of the funds of Space Florida.
- Each member of the board of directors who is not otherwise required to file financial disclosure pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, F.S., must file disclosure of financial interests pursuant to s. 112.3145, F.S.
- Each member of the board of directors is subject to the standards of conduct in ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2), F.S. For purposes of applying these sections to activities of the members of the board of directors, they are considered public officers or employees and Space Florida is considered their employing agency. The exemption set forth in s. 112.313(12), F.S., for doing business with one's agency

and conflicting employment or contractual relationship, for advisory boards applies to the members of the Space Florida board of directors.

- The Space Florida Board must meet at least quarterly, upon the call of the chairperson, or at the request of a majority of the membership.
- A majority of the total number of current voting members constitutes a quorum.
- Official action requires a majority vote of the members present at any meeting at which a quorum is present.
- Meetings may be held via teleconference or other electronic means.
- Open meeting and public records requirements of chapter 119 and s. 286.011, F.S., apply to Space Florida and its board of directors.
- The Space Florida Board must conduct education for newly appointed Space Florida Board members as provided by the DEO in accordance with the Uniform Special District Accountability Act.
- Space Florida may not endorse candidates for elected public office or contribute moneys to their campaigns.

The bill also provides that each officer or employee of Space Florida who is not otherwise required to file financial disclosure pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, F.S., must file disclosure of financial interests pursuant to s. 112.3145, F.S. The officers and employees of Space Florida are subject to the standards of conduct in ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2), F.S. For purposes of applying these sections to activities of the officers and employees, they are considered public officers or employees and Space Florida is considered their employing agency.

The bill amends s. 331.310, F.S., to require the Space Florida Board to establish appropriate security controls, including access privileges and other measures to protect the confidentiality, integrity, and availability of data and resources of Space Florida.

The bill amends s. 331.3101, F.S., to make the following travel and entertainment provisions permanent by removing the July 1, 2023, sunset date:

- Limits Space Florida's expenditures on entertainment and lodging; and
- Requires Space Florida to submit additional information in its annual report relating to itemized expenses.

The bill also extends the July 1, 2023, sunset date to July 1, 2024, for the requirement that information related to corrective actions taken by Space Florida that address the findings in Auditor General Report No. 2022-049 be included in the Space Florida annual report.

The bill amends s. 331.312, F.S., to revise Space Florida's authority to construct, develop, create, and maintain facilities and services within spaceport territory to:

- Additionally allow Space Florida to own, acquire, equip, extend, improve, and reconstruct its projects within the geographical limits of the spaceport territory;
- Allow Space Florida to maintain these facilities; and
- Specify that this authority includes spaceport territory located inside the boundaries of any political subdivision.

The bill amends s. 331.313, F.S., to revise Space Florida's power with respect to roads as follows:

- Requires Space Florida to consult with the agency or jurisdiction that owns the road before proceeding with a proposed project or work activity.
- Requires Space Florida to advise DOT of any determination Space Florida makes to construct or maintain a road or bridge within its territory.
- Requires Space Florida to provide DOT with complete copies of all documents, agreements, resolutions, contracts, and instruments relating thereto; and, if necessary, request DOT to conduct construction or maintenance work, including the acquisition of necessary rights-of-way, planning, surveying, and actual construction of the project.
- Requires Space Florida to transfer to DOT any funds provided for construction or maintenance.
- Authorizes DOT to proceed with construction or maintenance and to use funds for the work in the same manner that DOT is authorized to use the funds otherwise provided by law for use in construction of roads and bridges.

The bill amends s. 331.324, F.S., to revise provisions related to Space Florida contracts, for services that exceed \$50,000 or is for a period of 12 months or longer. Such contracts must include a service auditor report which provides periodic assessments of the effectiveness of the executed contract document, the organization, and any other providers relevant to the contract, to ensure that the service organization maintains adequate internal controls to comply with the terms and conditions of the contract, to validate and receive goods and services, and to determine whether the contracted service is cost-effective and meets Space Florida's requirements and goals.

The service auditor's final assessment report must be submitted to Space Florida's board of directors and the Secretary of the DEO, or his or her designee, and within 30 days after receipt of the final assessment report, the board must send a written explanation or rebuttal concerning any findings by the service auditor which require corrective action, including action required to preclude any recurrence of the findings.

The bill specifies that the provisions of this act shall control if the provisions conflict with provisions of another act.

The bill takes effect July 1, 2023.

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

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

This bill does not impose, authorize to impose, or raise a state tax or fee. Thus, the requirements of Art. III, s. 19 of the State Constitution are not applicable.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The provisions in the bill may allow Space Florida to operate more transparently and efficiently internally and with its partners and surrounding communities, which may result in a positive fiscal impact to the private sector.

C. Government Sector Impact:

The provisions in the bill may allow Space Florida to operate more transparently and efficiently internally and with its partners and surrounding communities, which may result in a positive fiscal impact to state and local government.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 20.60, 288.0001, 331.303, 331.305, 331.3051, 331.3081, 331.310, 331.3101, 331.312, 331.313, and 331.324.

**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:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/04/2023	.	
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Wright) recommended the following:

**Senate Amendment**

Delete line 416  
and insert:  
to the annual report required under s. 331.3051(14) ~~s.~~

**FOR CONSIDERATION By** the Committee on Military and Veterans Affairs, Space, and Domestic Security

583-03036C-23

20237048pb

1 A bill to be entitled  
 2 An act relating to Space Florida; amending s. 20.60,  
 3 F.S.; requiring the Secretary of Economic Opportunity  
 4 to serve as the manager for the state with respect to  
 5 contracts with Space Florida; requiring that an annual  
 6 report submitted by the Department of Economic  
 7 Opportunity include specified information provided by  
 8 Space Florida and a certain analysis; amending s.  
 9 288.0001, F.S.; requiring the Office of Economic and  
 10 Demographic Research and the Office of Program Policy  
 11 Analysis and Government Accountability to provide to  
 12 the Governor and the Legislature an analysis of Space  
 13 Florida and certain tax credits by a specified date  
 14 and at certain intervals thereafter; amending s.  
 15 331.303, F.S.; revising definitions; amending s.  
 16 331.305, F.S.; making a technical change; amending s.  
 17 331.3051, F.S.; revising the duties of Space Florida;  
 18 requiring the Department of Economic Opportunity to  
 19 annually submit a proposed operating budget by a  
 20 specified date; requiring Space Florida to annually  
 21 report on its performance by a specified date;  
 22 amending s. 331.3081, F.S.; revising membership of the  
 23 board of directors of Space Florida; providing for  
 24 staggered terms, reappointments, filling of vacancies,  
 25 and removal of members; providing that members serve  
 26 without compensation but may receive reimbursement for  
 27 per diem and travel expenses; providing financial  
 28 disclosure requirements; providing an exception;  
 29 providing requirements for meetings of the board;

Page 1 of 19

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

583-03036C-23

20237048pb

30 providing that open meeting and public records apply  
 31 to Space Florida and its board of directors; requiring  
 32 the board to conduct certain education programs for  
 33 new board members; prohibiting Space Florida from  
 34 endorsing a candidate for elected public office or  
 35 contributing moneys to such candidate's campaign;  
 36 specifying that certain members of the board may serve  
 37 until a specified date; requiring that the  
 38 appointments of certain board members take effect on a  
 39 specified date; amending s. 331.310, F.S.; conforming  
 40 a cross-reference; revising the powers and duties of  
 41 the board of directors of Space Florida; amending s.  
 42 331.3101, F.S.; revising the scheduled expiration of  
 43 provisions requiring certain information in an annual  
 44 report; deleting the scheduled expiration of  
 45 provisions relating to the expenditure of certain  
 46 funds; amending s. 331.312, F.S.; expanding the  
 47 authority Space Florida may exercise within certain  
 48 geographical limits; amending s. 331.313, F.S.;  
 49 requiring Space Florida to consult with certain  
 50 agencies and jurisdictions regarding certain roads;  
 51 requiring Space Florida to advise the Department of  
 52 Transportation of certain determinations and take  
 53 certain actions relating to certain construction  
 54 projects; requiring Space Florida to transfer certain  
 55 funds to the Department of Transportation; authorizing  
 56 the Department of Transportation to proceed with  
 57 certain construction or maintenance in a certain  
 58 manner; amending s. 331.324, F.S.; requiring that

Page 2 of 19

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583-03036C-23

20237048pb

certain contracts include provisions requiring a service auditor report to provide certain periodic assessments; requiring Space Florida to submit the service auditor's final assessment report to specified entities; requiring the board of directors to submit a certain statement to the Department of Economic Opportunity within a specified timeframe; providing construction; providing an effective date.

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

Section 1. Paragraph (b) of subsection (9) and paragraph (b) of subsection (10) of section 20.60, Florida Statutes, are amended to read:

20.60 Department of Economic Opportunity; creation; powers and duties.—

(9) The secretary shall:

(b) Serve as the manager for the state with respect to contracts with Space Florida, Enterprise Florida, Inc., and all applicable direct-support organizations. To accomplish the provisions of this section and applicable provisions of chapters chapter 288 and 331, and notwithstanding the provisions of part I of chapter 287, the secretary shall enter into specific contracts with Space Florida, Enterprise Florida, Inc., and other appropriate direct-support organizations. Such contracts may be for multiyear terms and must include specific performance measures for each year. For purposes of this section, the Florida Tourism Industry Marketing Corporation and the Institute for Commercialization of Florida Technology are not appropriate

583-03036C-23

20237048pb

direct-support organizations.

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

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

1. Information provided by the Department of Revenue under s. 290.014.

2. Information provided by enterprise zone development agencies under s. 290.0056 and an analysis of the activities and accomplishments of each enterprise zone.

3. The Economic Gardening Business Loan Pilot Program established under s. 288.1081 and the Economic Gardening Technical Assistance Pilot Program established under s. 288.1082.

4. A detailed report of the performance of the Black Business Loan Program and a cumulative summary of quarterly report data required under s. 288.714.

5. The Rural Economic Development Initiative established under s. 288.0656.

6. The Florida Unique Abilities Partner Program.

7. A detailed report of the performance of the Florida Development Finance Corporation and a summary of the corporation's report required under s. 288.9610.

8. Information provided by Space Florida under s. 331.3051 and an analysis of the activities and accomplishments of Space Florida.

583-03036C-23

20237048pb

Section 2. Paragraph (a) of subsection (2) of section 288.0001, Florida Statutes, is amended to read:

288.0001 Economic Development Programs Evaluation.—The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.

(2) The Office of Economic and Demographic Research and OPPAGA shall provide a detailed analysis of economic development programs as provided in the following schedule:

(a) By January 1, 2026 ~~January 1, 2014~~, and every 3 years thereafter, an analysis of the following:

1. The capital investment tax credit established under s. 220.191.

2. The qualified target industry tax refund established under s. 288.106.

3. The brownfield redevelopment bonus refund established under s. 288.107.

4. High-impact business performance grants established under s. 288.108.

5. The Quick Action Closing Fund established under s. 288.1088.

6. The Innovation Incentive Program established under s. 288.1089.

7. Enterprise Zone Program incentives established under ss. 212.08(5) and (15), 212.096, 220.181, and 220.182.

8. The New Markets Development Program established under

583-03036C-23

20237048pb

ss. 288.991-288.9922.

9. Space Florida established under s. 331.302.

10. Corporate income tax credits for spaceflight projects, as described in the Florida Space Business Incentives Act, s. 220.194.

11. The research and development tax credit established under s. 220.196.

Section 3. Subsections (1) and (9) of section 331.303, Florida Statutes, are amended to read:

331.303 Definitions.—

(1) "Aerospace" means the technology and industry related to the design, manufacture, maintenance, repair, and operation of aircraft or any other device intended to be used or designed for flight or reentry, including that designs and manufactures ~~aircraft~~, rockets, missiles, spacecraft, satellites, space vehicles, space stations, space and aircraft facilities or components thereof, and related equipment, systems, facilities, simulators, programs, and ~~related~~ activities, including, but not limited to, the application of aerospace and aviation technologies in air-based, land-based, space-based, and sea-based platforms for commercial, civil, and defense purposes.

(9) "Landing area" means the geographical area designated by Space Florida or another appropriate area within the spaceport territory for or intended for the landing, controlling, assisting, flying, navigating, piloting, maintenance, construction, and surface maneuvering of any launch or other space vehicle or aerospace technology or craft.

Section 4. Subsection (13) of section 331.305, Florida Statutes, is amended to read:

583-03036C-23

20237048pb

175 331.305 Powers of Space Florida.—Space Florida may:  
 176 (13) Own, acquire, construct, reconstruct, equip, operate,  
 177 maintain, extend, or improve electric power plants, transmission  
 178 lines and related facilities, gas mains and facilities of any  
 179 nature for the production or distribution of natural gas,  
 180 transmission lines and related facilities and plants and  
 181 facilities for the generation and transmission of power through  
 182 traditional and new and experimental sources of power and  
 183 energy; purchase electric power, natural gas, and other sources  
 184 of power for distribution within any spaceport territory;  
 185 develop and operate water and sewer systems and waste collection  
 186 and disposal consistent with chapter 88-130, Laws of Florida;  
 187 and develop and operate such new and experimental public  
 188 utilities, including, but not limited to, centrally distributed  
 189 heating and air-conditioning facilities and services, closed-  
 190 circuit television systems, and computer services and  
 191 facilities, as the board may from time to time determine.  
 192 However, Space Florida may not construct any system, work,  
 193 project, or utility authorized to be constructed under this  
 194 subsection paragraph in the event that a system, work, project,  
 195 or utility of a similar character is being actually operated by  
 196 a municipality or private company in the municipality or  
 197 territory adjacent thereto, unless such municipality or private  
 198 company consents to such construction.  
 199 Section 5. Present subsection (11) of section 331.3051,  
 200 Florida Statutes, is redesignated as subsection (14) and  
 201 amended, a new subsection (11) and subsections (12) and (13) are  
 202 added to that section, and subsections (2), (3), and (6) and  
 203 paragraph (e) of subsection (7) of that section are amended, to

583-03036C-23

20237048pb

204 read:  
 205 331.3051 Duties of Space Florida.—Space Florida shall:  
 206 (2) Enter into agreement with the Department of Education,  
 207 the Department of Transportation, the Department of Economic  
 208 Opportunity Enterprise Florida, Inc., and CareerSource Florida,  
 209 Inc., for the purpose of implementing this act.  
 210 (3) In cooperation with the Department of Economic  
 211 Opportunity Enterprise Florida, Inc., develop a plan to retain,  
 212 expand, attract, and create aerospace industry entities, public  
 213 or private, which results in the creation of high-value-added  
 214 businesses and jobs in this state. By August 15 of each fiscal  
 215 year, the Department of Economic Opportunity shall submit a  
 216 proposed operating budget for Space Florida which includes  
 217 amounts to be expended on incentives, advertising, events, other  
 218 operating capital outlay, and salaries and benefits for each  
 219 employee to the Governor, the President of the Senate, and the  
 220 Speaker of the House of Representatives.  
 221 (6) Develop, in cooperation with the Department of Economic  
 222 Opportunity Enterprise Florida, Inc., a plan to provide  
 223 financing assistance to aerospace businesses. The plan may  
 224 include the following activities:  
 225 (a) Assembling, publishing, and disseminating information  
 226 concerning financing opportunities and techniques for aerospace  
 227 projects, programs, and activities; sources of public and  
 228 private aerospace financing assistance; and sources of  
 229 aerospace-related financing.  
 230 (b) Organizing, hosting, and participating in seminars and  
 231 other forums designed to disseminate information and technical  
 232 assistance regarding aerospace-related financing.

583-03036C-23

20237048pb

(c) Coordinating with programs and goals of the Department of Defense, the National Aeronautics and Space Administration, the Export-Import Bank of the United States, the International Trade Administration of the United States Department of Commerce, the Foreign Credit Insurance Association, and other private and public programs and organizations, domestic and foreign.

(d) Establishing a network of contacts among those domestic and foreign public and private organizations that provide information, technical assistance, and financial support to the aerospace industry.

(e) Financing aerospace business development projects or initiatives using funds provided by the Legislature.

(7) Carry out its responsibilities for spaceport operations by:

(e) Consulting regularly, as necessary, with the appropriate federal, state, and local authorities, including the National Aeronautics and Space Administration, the Federal Aviation Administration, the Department of Defense, the Department of Transportation, the Florida National Guard, and industry on all aspects of establishing and operating spaceport infrastructure and related aerospace facilities within the state.

(11) Partner with the Board of Governors to foster technological advancement and economic development for spaceport activities by strengthening higher education programs and supporting aerospace activities.

(12) Partner with the Division of Workforce Services of the Department of Economic Opportunity, CareerSource Florida, Inc.,

583-03036C-23

20237048pb

and local workforce development boards to support initiatives that address the high technology skills and staff resources needed to better promote the state's efforts in becoming the nation's leader in aerospace and space exploration.

(13) Partner with the Metropolitan Planning Organization Advisory Council to coordinate and specify how aerospace planning and programming will be part of the state's cooperative transportation planning process.

(14) (a) ~~(11)~~ In addition to the reporting requirements in chapter 189, annually report by each October 1 on its performance during the previous fiscal year with respect to its business plan, to include finance, spaceport operations, research and development, workforce development, and education. Space Florida shall submit the report to the Department of Economic Opportunity for inclusion in the annual report required under s. 20.60 Governor, the President of the Senate, and the Speaker of the House of Representatives by November 30 for the previous fiscal year.

(b) The annual report must include:

1. Operations information as required under s.

331.310(2) (e).

2. Activities, accomplishments, and progress concerning the implementation of the spaceport master plan and other measurable goals, and any updates to such plan and measurable goals.

3. Data on the economic impact of the aerospace industry in this state during the previous year, including, but not limited to, the amount and sources of capital investment, the number of jobs created and retained, and annualized average wages, listed by geographic areas within this state as specified by the board.

583-03036C-23

20237048pb

291 4. Any other information required by the Department of  
 292 Economic Opportunity.  
 293 (c) Space Florida shall provide a copy of the special  
 294 district public facilities report required under s. 189.08 to  
 295 Space Florida's property owners, project owners, and users.  
 296 Section 6. Section 331.3081, Florida Statutes, is amended  
 297 to read:  
 298 331.3081 Board of directors; officers and employees of  
 299 Space Florida.—  
 300 (1) Space Florida shall be governed by an a-13-member  
 301 independent board of directors composed of that consists of the  
 302 members appointed to the board of directors of Enterprise  
 303 Florida, Inc., by the Governor, the President of the Senate, and  
 304 the Speaker of the House of Representatives pursuant to s.  
 305 288.901(5)(a)8. and the Governor, who shall serve ex officio, or  
 306 who may appoint a designee to serve, as the chair and a voting  
 307 member of the board, and the following appointed members:  
 308 (a) The Secretary of Transportation or his or her designee.  
 309 (b) Four members appointed by the Governor.  
 310 (c) One member appointed by the President of the Senate.  
 311 (d) One member appointed by the President of the Senate  
 312 from the members of the Senate, who shall serve ex officio as a  
 313 nonvoting member of the board.  
 314 (e) One member appointed by the Speaker of the House of  
 315 Representatives.  
 316 (f) One member appointed by the Speaker of the House of  
 317 Representatives from the members of the House of  
 318 Representatives, who shall serve ex officio as a nonvoting  
 319 member of the board.

583-03036C-23

20237048pb

320 (g) Three representatives appointed by the Governor, who  
 321 shall serve ex officio as nonvoting members of the board, one  
 322 each from the following entities:  
 323 1. An airport authority with the capability for horizontal  
 324 launches, such as the Jacksonville Aviation Authority or  
 325 Titusville-Cocoa Airport Authority.  
 326 2. Operations or management of a port district or port  
 327 authority, as defined in s. 315.02(2).  
 328 3. Operations or management of a spaceport territory, as  
 329 identified in s. 331.304.  
 330 (2) (a) All members of the board who are appointed by the  
 331 Governor are subject to confirmation by the Senate. When making  
 332 appointments to the board, except for the appointments under  
 333 paragraphs (1)(d) and (f), the appointing official shall:  
 334 1. Select an individual to serve who reflects the state's  
 335 interests in the aerospace sector and represents the intent,  
 336 duties, and purpose of Space Florida; or  
 337 2. Select an individual who has at least 5 years of  
 338 experience in at least one of the following areas:  
 339 a. The aerospace industry, including technology,  
 340 manufacturing, or supply chain fields, and human space flight.  
 341 Such member may not be employed at the time of appointment by an  
 342 entity that is under contract with Space Florida.  
 343 b. Bond financing.  
 344 c. Academic study of aerospace, aviation, or a relevant  
 345 science.  
 346 d. Management or operation of aircraft facilities, fixed-  
 347 base operations, or commercial airport operations.  
 348 e. Management or finance of a technology or manufacturing



583-03036C-23

20237048pb

startup business or international business.

3. Ensure that the appointee is a resident of this state or has a business enterprise in this state.

(b) Appointed members shall serve 4-year terms, except that to provide for staggered terms, the Governor shall initially appoint two members to serve 2-year terms, two members to serve 3-year terms, and one member to serve a 4-year term. The initial appointees of the President of the Senate and the Speaker of the House of Representatives shall serve 4-year terms. All subsequent appointments shall be for 4-year terms.

(c) Initial appointments must be made by October 1, 2023. Terms end on September 30 of the last year of the member's term.

(d) Any member is eligible for reappointment, except that a member may not serve more than two 4-year terms.

(e) A vacancy on the board of directors must be filled for the remainder of the unexpired term in the same manner as the original appointment.

(f) Appointed members may be removed by the appointing official for cause. Absence from three consecutive meetings is cause for removal.

(3) Board members shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses pursuant to s. 112.061. Such expenses must be paid out of Space Florida funds.

(4) Each officer or employee of Space Florida or member of the board of directors who is not otherwise required to file a financial disclosure pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 shall file a statement of financial interests pursuant to s. 112.3145. The officers and employees of

583-03036C-23

20237048pb

Space Florida and the members of the board of directors are subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2). For purposes of applying these sections to activities of the officers, employees, and members of the board of directors, those persons are considered public officers or employees and Space Florida is considered their employing agency. The exemption set forth in s. 112.313(12) for advisory boards applies to the members of the Space Florida board of directors.

(5) (a) The board of directors shall meet at least quarterly, upon the call of the chairperson, or at the request of a majority of the membership.

(b) A majority of the total number of current voting members constitutes a quorum. The board of directors may take official action by a majority vote of the members present at any meeting at which a quorum is present.

(c) Meetings may be held via teleconference or other electronic means.

(6) Open meeting and public records requirements of chapter 119 and s. 286.011 apply to Space Florida and its board of directors.

(7) The board shall conduct education programs for newly appointed board members as provided by the Department of Economic Opportunity in accordance with s. 189.063.

(8) Space Florida may not endorse any candidate for elected public office or contribute moneys to the campaign of any such candidate.

Section 7. Members appointed to the board of directors of Space Florida before the effective date of this act may continue

583-03036C-23

20237048pb

to serve on the board until October 1, 2023. All new appointments to the board of directors as required in s. 331.3081, Florida Statutes, as amended by this act, shall take effect on October 1, 2023.

Section 8. Paragraphs (e) and (f) of subsection (2) of section 331.310, Florida Statutes, are amended to read:

331.310 Powers and duties of the board of directors.—

(2) The board of directors shall:

(e) Prepare an annual report of operations as a supplement to the annual report required under s. 331.3051(15) ~~or 331.3051(11)~~. The report must include, but not be limited to, a balance sheet, an income statement, a statement of changes in financial position, a reconciliation of changes in equity accounts, a summary of significant accounting principles, the auditor's report, a summary of the status of existing and proposed bonding projects, comments from management about the year's business, and prospects for the next year.

(f) Establish a personnel management system and appropriate security controls, including access privileges and other measures to protect the confidentiality, integrity, and availability of data and resources.

Section 9. Subsections (5) and (6) of section 331.3101, Florida Statutes, are amended to read:

331.3101 Space Florida; travel and entertainment expenses.—

(5) In addition to the requirements set forth for the annual report under subsection (3), the 2022 annual report by Space Florida must also:

(a) Provide an itemized accounting, by date of travel, of all travel, entertainment, and incidental expenses incurred;

583-03036C-23

20237048pb

(b) To the extent such expenses exceed the generally allowable expense limits under s. 112.061, provide reasons behind the need to exceed the statutory expense limits in s. 112.061;

(c) Categorize expenses for Space Florida board members, staff, employees, and business clients. The report must also set forth any expenses authorized by the board or its designee for a guest; and

(d) Include information related to corrective actions and steps taken by Space Florida to address the findings in Auditor General Report No. 2022-049. This paragraph expires July 1, 2024  
~~This subsection expires July 1, 2023.~~

(6) Notwithstanding the provisions of this section, travel and entertainment expenses incurred by Space Florida may only be for expenses that are solely and exclusively incurred in connection with the performance of its statutory duties and made in accordance with this subsection.

(a) ~~For the 2022-2023 fiscal year,~~ Space Florida may not expend any funds, whether appropriated by the Legislature or from income earned by Space Florida, on travel and entertainment expenses for the fiscal year in excess of an amount equal to 4 percent of the amount appropriated to Space Florida in the General Appropriations Act. No funds may be expended on any recreational activities for any Space Florida board member, staff, employee, business client, or guest.

(b) ~~For the 2022-2023 fiscal year,~~ Lodging expenses for a board member, staff, or employee of Space Florida may not exceed \$150 per day, excluding taxes, unless Space Florida is participating in a negotiated group rate discount or Space

583-03036C-23

20237048pb

Florida provides documentation of at least three comparable alternatives demonstrating that such lodging at the required rate is not available. However, a board member, staff, or employee of Space Florida may expend his or her own funds for any lodging expenses in excess of \$150 per day.

~~(e) This subsection expires July 1, 2023.~~

Section 10. Section 331.312, Florida Statutes, is amended to read:

331.312 Furnishing facilities and services within the spaceport territory.—Space Florida may own, acquire, construct, develop, create, maintain, equip, extend, improve, reconstruct, and operate its projects within the geographical limits of the spaceport territory, including any portions of the spaceport territory located inside the boundaries of any ~~incorporated municipality or other~~ political subdivision, and offer, supply, maintain, and furnish the facilities and services provided for in this act to, and establish and collect fees, rentals, and other charges from, persons, public or private, within the geographical limits of the spaceport territory and for the use of Space Florida itself.

Section 11. Section 331.313, Florida Statutes, is amended to read:

331.313 Power of Space Florida with respect to roads.—

(1) Within the territorial limits of any spaceport territory, Space Florida may acquire, through purchase or interagency agreement, or as otherwise provided in law, and construct, control, and maintain, roads deemed necessary by Space Florida and connections thereto and extensions thereof now or hereafter acquired, constructed, or maintained in accordance

583-03036C-23

20237048pb

with established highway safety standards. ~~However, provided that,~~ in the event a road being addressed by Space Florida is owned by another agency or jurisdiction, Space Florida, before proceeding with the proposed project or work activity, must consult ~~shall have either coordinated the desired work with the owning agency or jurisdiction that owns the road or shall have successfully executed an interagency agreement with the owning agency or jurisdiction.~~

(2) Space Florida shall advise the Department of Transportation of any determination it makes to construct or maintain a road or bridge within its territory; provide the department with complete copies of all documents, agreements, resolutions, contracts, and instruments relating to such construction or maintenance; and, if necessary, request the department to perform such construction or maintenance work, including the acquisition of necessary rights-of-way, planning, surveying, and actual construction of the project. Space Florida shall transfer to the Department of Transportation any funds provided for such construction or maintenance. The Department of Transportation is authorized to proceed with such construction or maintenance and to use funds for such work in the same manner that the department is authorized to use the funds otherwise provided by law for construction of roads and bridges.

Section 12. Section 331.324, Florida Statutes, is amended to read:

331.324 Contracts, grants, and contributions.—

(1) Space Florida may make and enter all contracts and agreements necessary or incidental to the performance of the functions of Space Florida and the execution of its powers, and

583-03036C-23

20237048pb

contract with, and accept and receive grants or loans of money, material, or property from, any person, private or public, as the board shall determine to be necessary or desirable to carry out the purposes of this act, and, in connection with any such contract, grant, or loan, stipulate and agree to such covenants, terms, and conditions as the board shall deem appropriate.

(2) (a) A contract with an organization for services which exceeds \$50,000 or is for a period of 12 months or longer must include provisions requiring a service auditor report to provide periodic assessments of the effectiveness of the executed contract document, the organization, and any other providers relevant to the contract, to ensure that the service organization maintains adequate internal controls to comply with the terms and conditions of the contract, to validate and receive goods and services, and to determine whether the contracted service is cost-effective and meets Space Florida's requirements and goals.

(b) Space Florida shall submit the service auditor's final assessment report to the Space Florida board of directors and the Secretary of Economic Opportunity or his or her designee. Within 30 days after receipt of the final assessment report, the board shall submit to the Department of Economic Opportunity a written statement of explanation or rebuttal concerning findings requiring corrective action, including corrective action to be taken to preclude a recurrence of such findings.

Section 13. In the event of a conflict of any provision of this act with the provisions of any other act, this act shall control to the extent of such conflict.

Section 14. This act shall take effect July 1, 2023.



# BLUE ORIGIN

FOR THE BENEFIT OF **EARTH**

MEGAN MITCHELL

Vice President, Government Relations

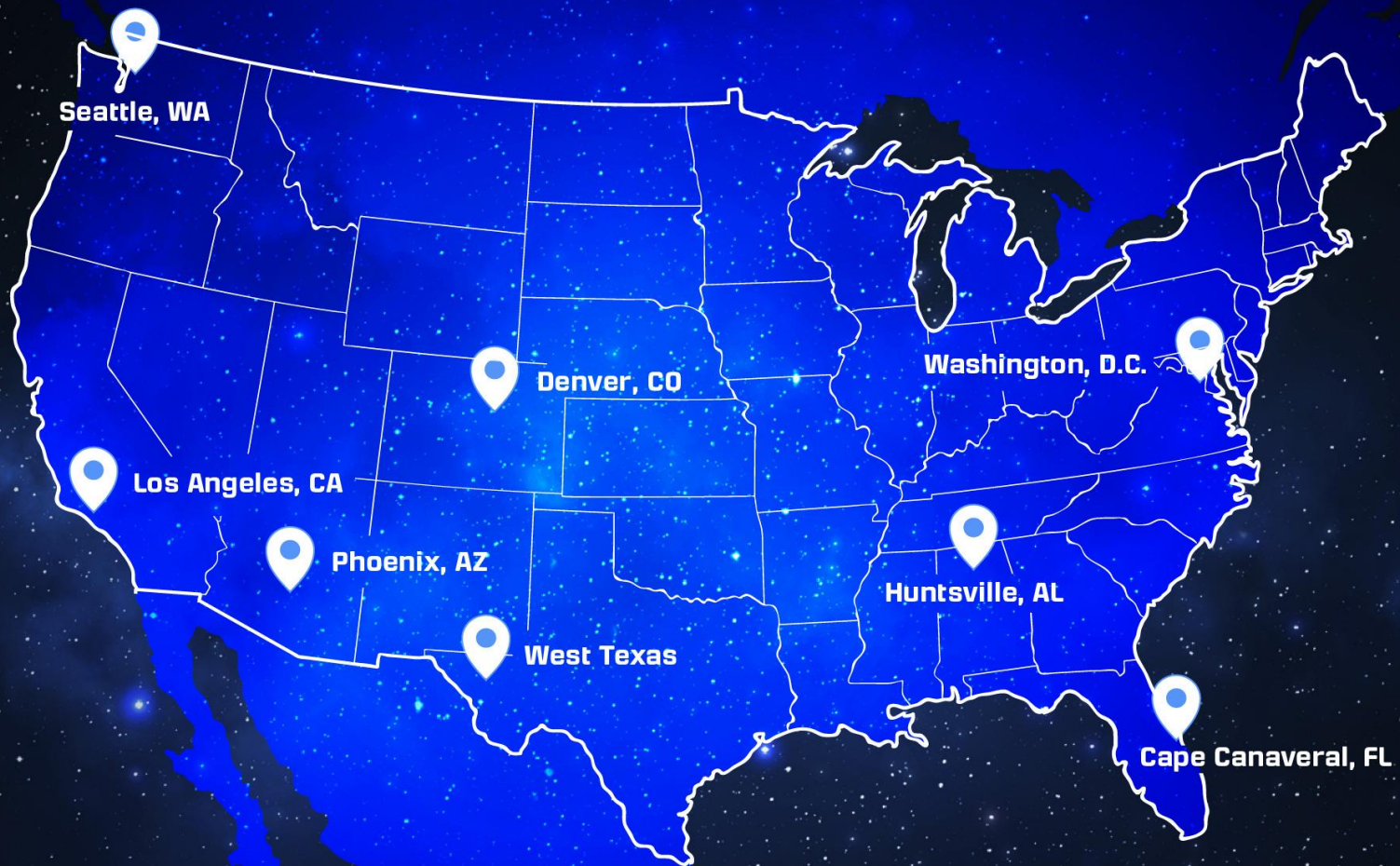


M I L L I O N S O F P E O P L E  
L I V I N G & W O R K I N G I N S P A C E  
F O R T H E B E N E F I T O F **E A R T H**

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O U R V I S I O N

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# BLUE ORIGIN PROGRAMS

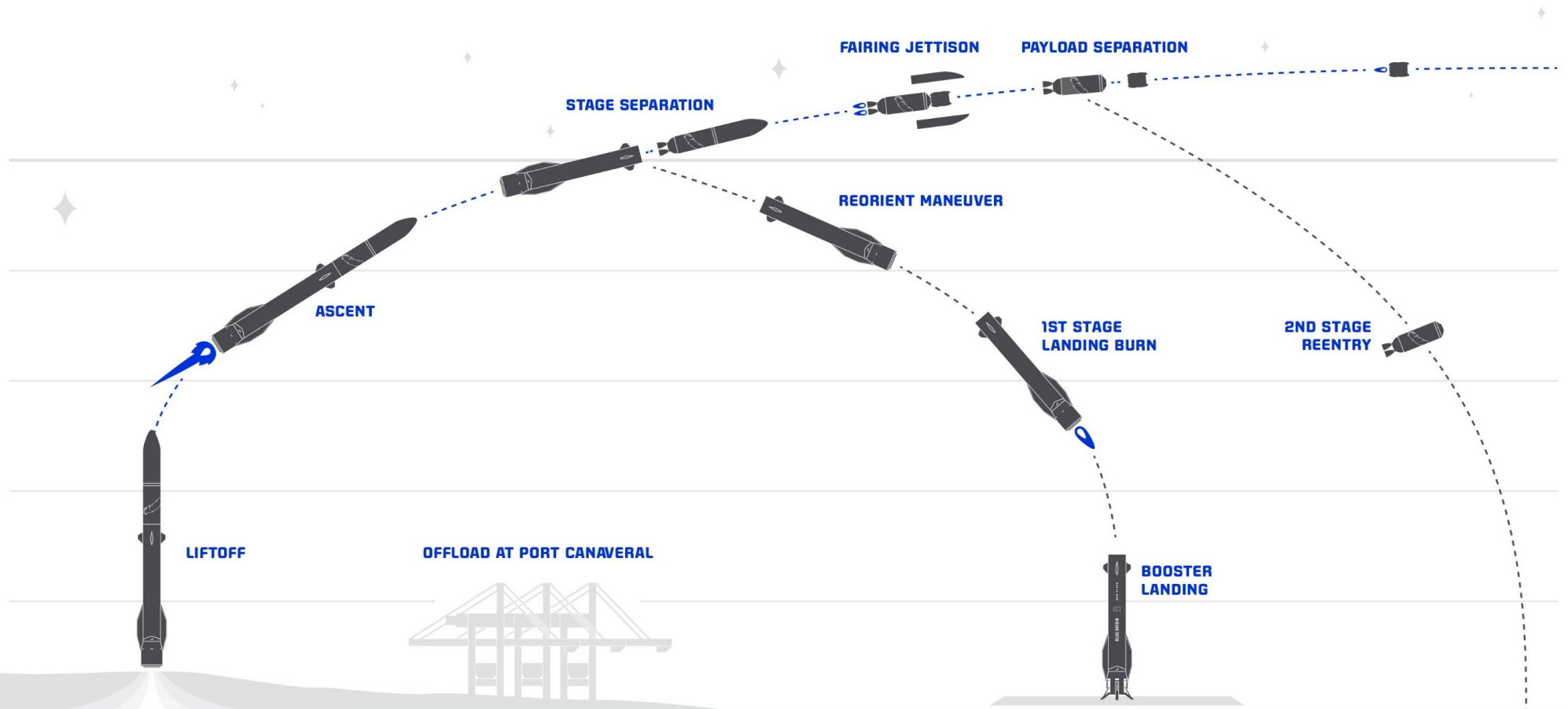






— ORBITAL ROCKET —

NEW GLENN



## LAUNCH COMPLEX 36

SPACE COAST, FL









**Blue Origin's 650,000-square-foot, state-of-the-art launch and manufacturing complex in Cape Canaveral**

**Statewide footprint: Over 2,000 jobs, 1.5M square feet constructed with more in progress, awarded business to over 400 FL companies**

**THANK YOU**



April 4, 2023

The Florida Senate  
**APPEARANCE RECORD**

Blue Origin

Meeting Date

Military and Veterans Affairs, Space, and Domestic Security

Committee

Deliver both copies of this form to  
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Megan Mitchell**Phone **253-234-6704**Address **1530 Wilson Blvd., Suite 920**Email **mmitchell@blueorigin.com**

Street

**Arlington**

City

**VA**

State

**22209**

Zip

Speaking: ☐ For ☐ Against ☒ Information**OR**Waive Speaking: ☐ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without  
compensation or sponsorship.I am a registered lobbyist,  
representing:I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)



# Securing Florida Agencies

---

Terrence McGraw

VP, Global Cyber Threat Analysis

# Secureworks Today



<sup>1</sup> Trailing revenue past 12 quarters reported in Q3 FY23 Earnings

<sup>2</sup> Reported revenue for Taegis in Q3 FY23 Earnings



# Cybersecurity Threats

## OPPORTUNISTIC



### Organized Crime

Profit-motivated, looking to monetize access and/or stolen information

#### Financially-motivated:

Targeting high-profile sectors and industries

## TARGETED



### Insider Threat

Involves theft of IP/trade secrets, competitive analysis, and/or prospect, customer, or market information

#### Various Motives:

Personal benefit, disgruntled employee takes revenge, general recklessness



### Nation-state

Traditional espionage that has moved into the cyber domain, disinformation campaigns, destructive attacks.

#### Two main types:

National security-driven and commercial / economic espionage



### Hacktivist

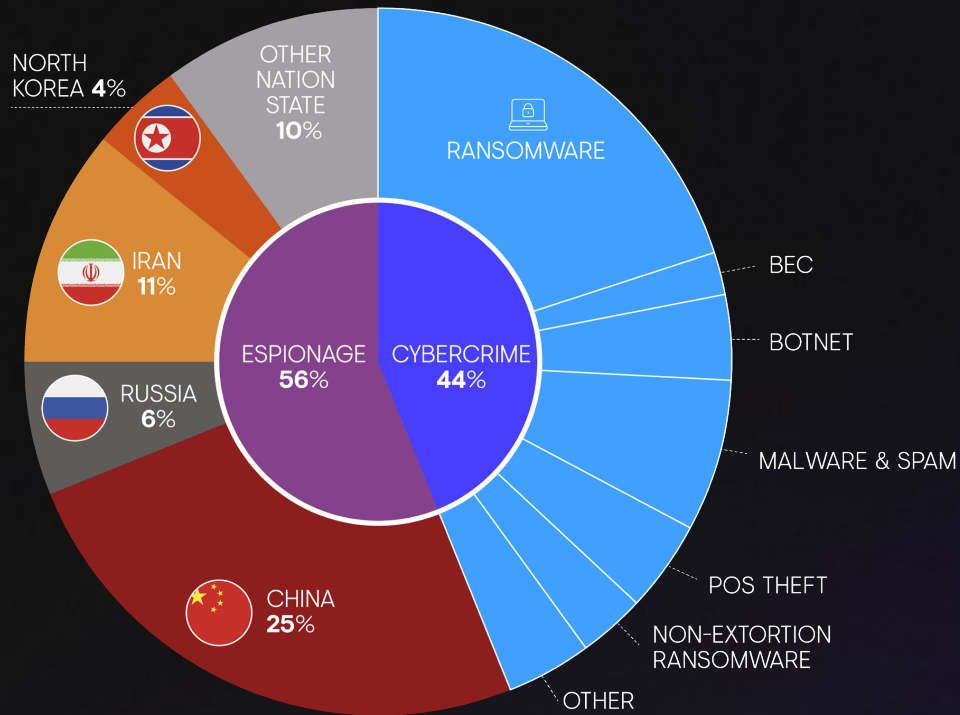
Issue-motivated, aiming to distract, expose, embarrass or inflict public harm

#### Disruption/ Embarrassment:

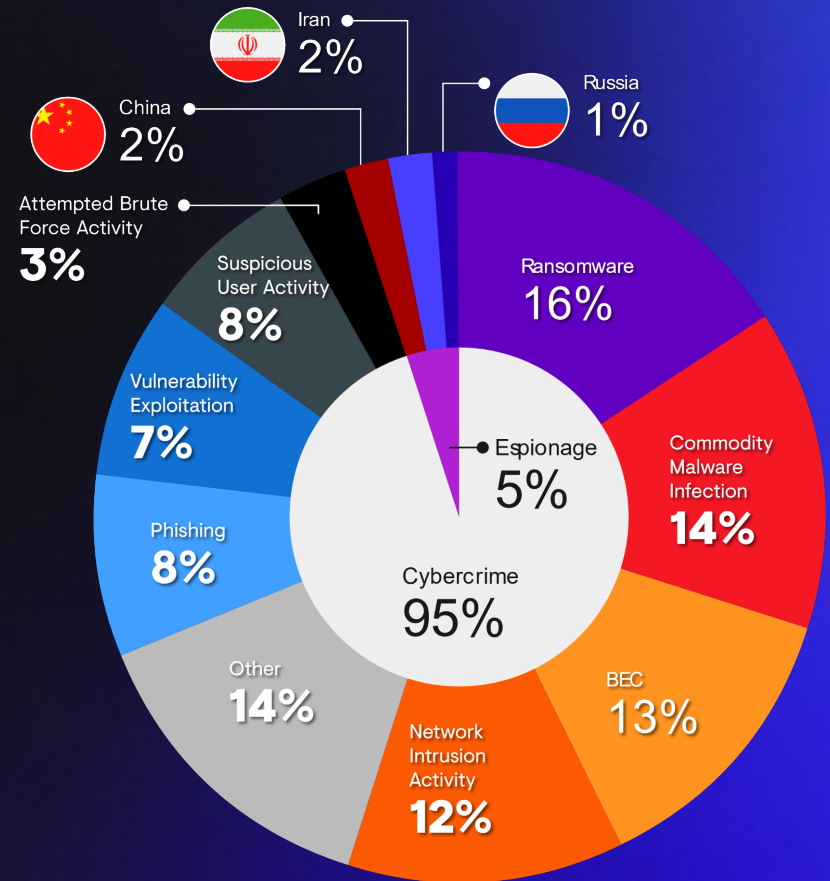
to make a point and raise awareness

Secureworks®

# The Threat Landscape



*Active Threat Groups*

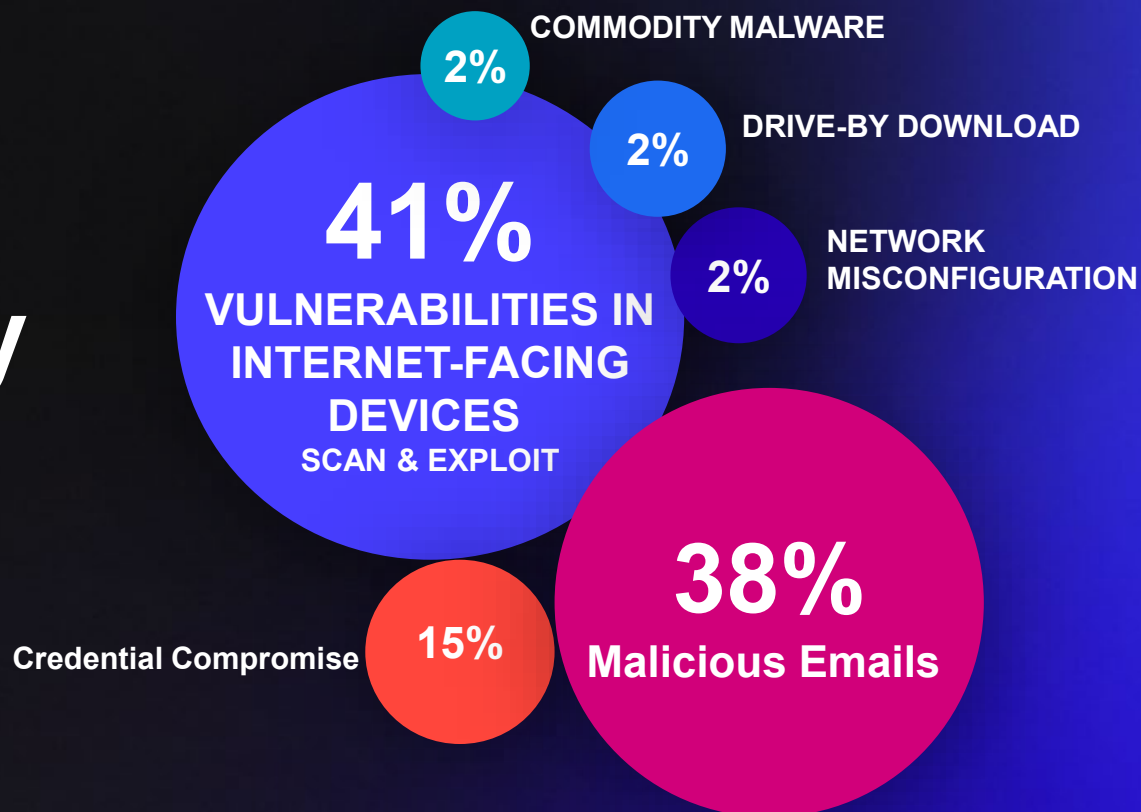


*Incidents*

Source: Secureworks 2022 State of the Threat Report

Secureworks®

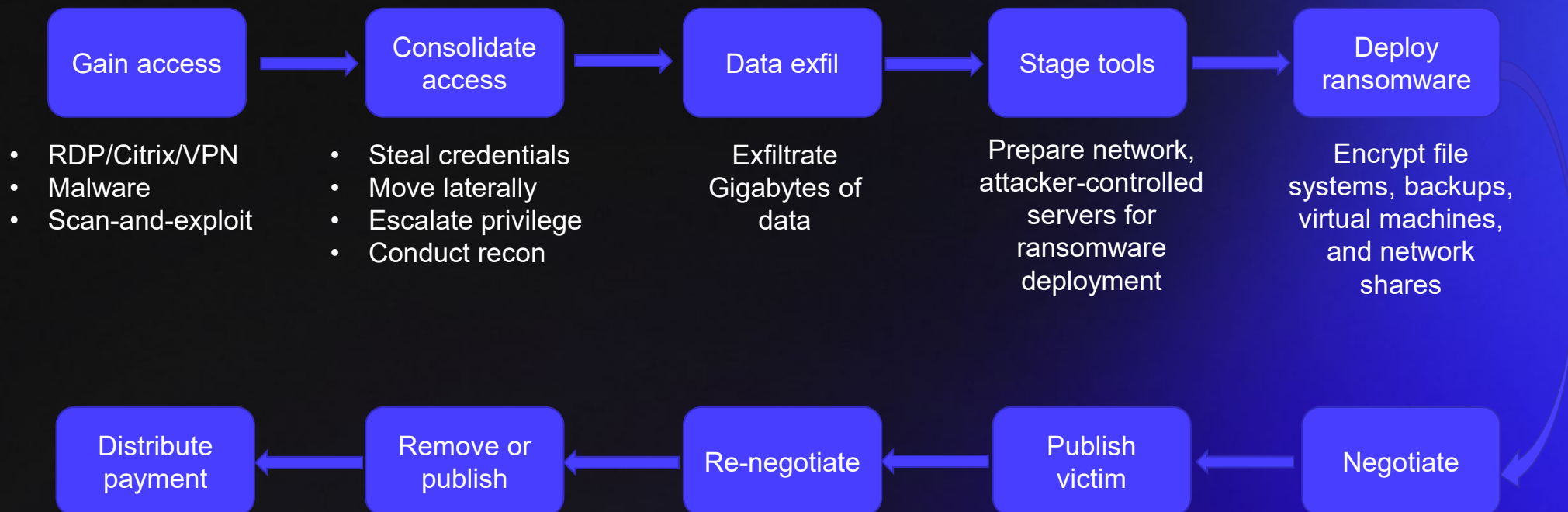
# How are they getting in?



Source: Secureworks 2022 State of the Threat Report

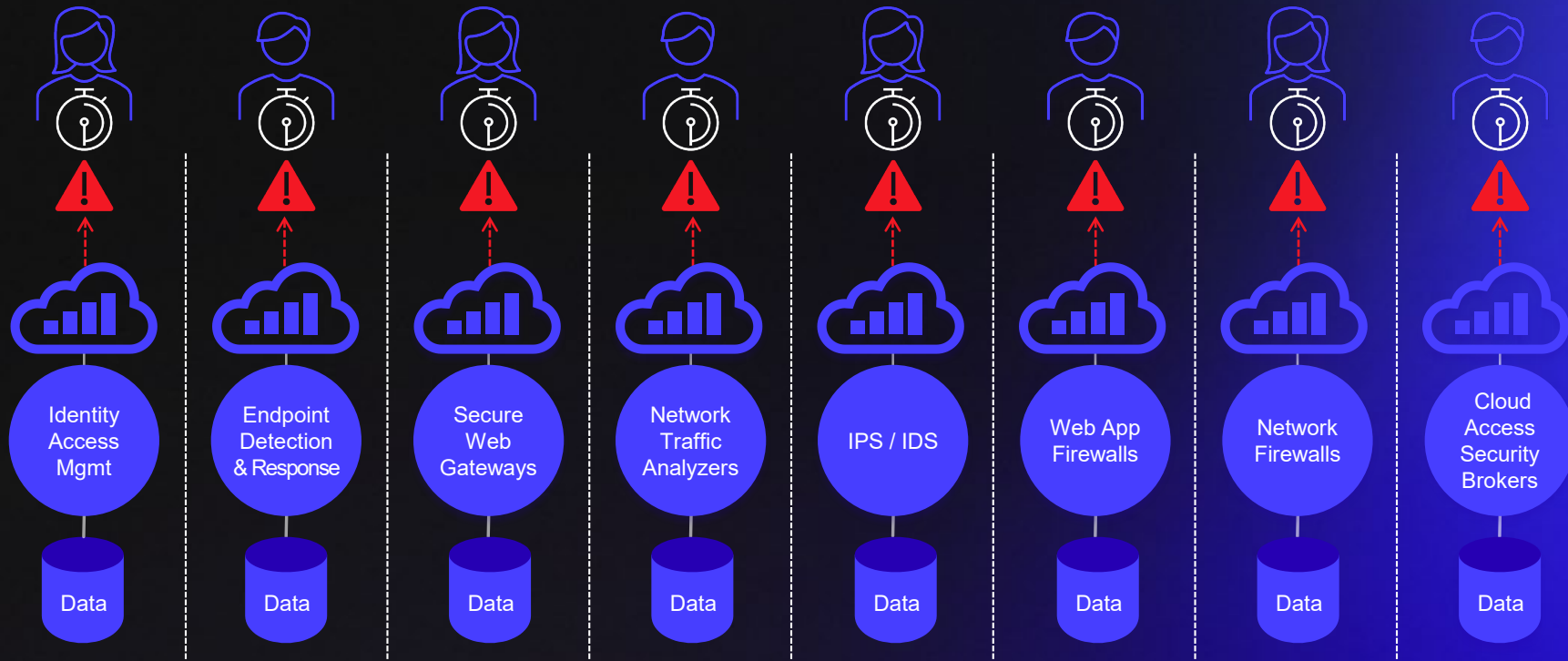
Secureworks®

# Ransomware 'Name-and-Shame' Playbook



# Break Down Siloed Defense Strategies

Threat Actors Know How to Go Undetected Across Point Solutions



Secureworks®

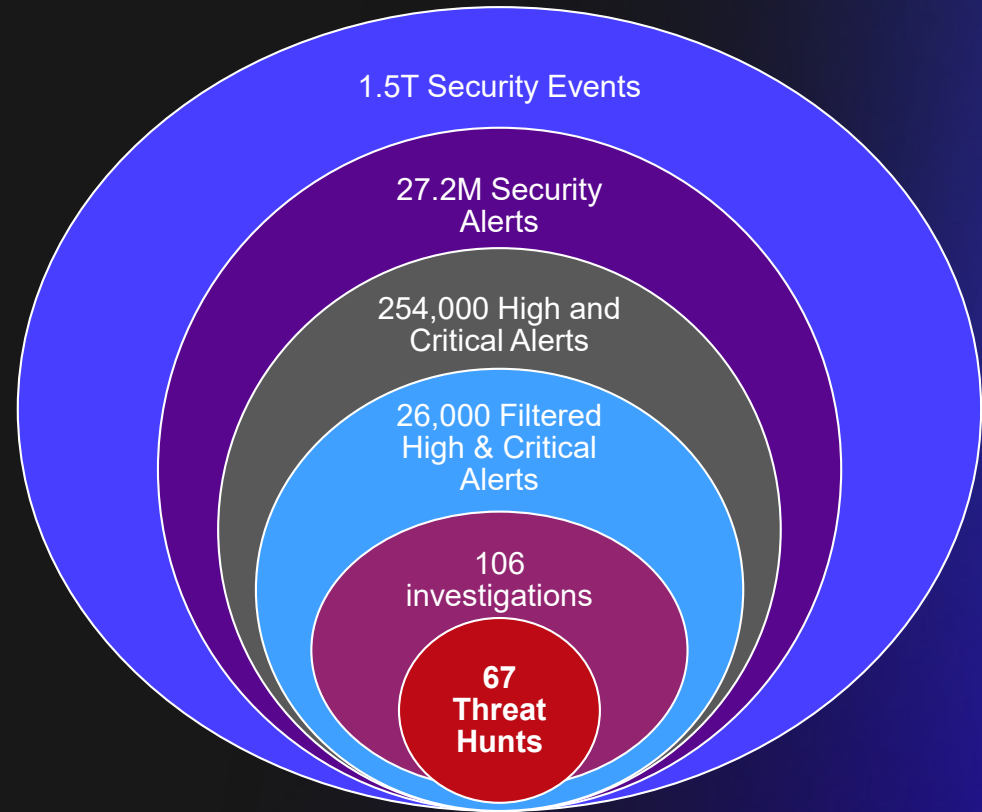
# State of Florida Transforming Government

# Secureworks Threat Detection + Response Metrics

In just “5” Florida Agencies from Feb 2022 – Feb 2023

## Florida Agencies

1. Department of Health
2. Department of Highway Safety
3. Department of Revenue
4. Department of Education
5. Northwest Regional Datacenter



# What Next

- 1. Florida's law precluding ransomware payments for state agencies helps but won't eliminate cyber criminal attacks. Criminals will continue to attempt to monetize access, like business email, and other forms of financial fraud.
- 2. Nation state actors will continue to be a problem, particularly in the next presidential election cycle. Engaging expert organizations in **nation states landscape** is CRITICAL.
- 3. Basic protection can be false protection. Bad actors get better ever day! Agencies need to have experts that stay one step ahead.
- 4. Commercial partners are an amazingly affordable path to improved security if we engage with open, honest, and trusted partnerships.



# Secureworks®

Secureworks®

THE FLORIDA SENATE

APPEARANCE RECORD

4/4/23

Meeting Date

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

Bill Number (if applicable)

Topic Cyber Security

Amendment Barcode (if applicable)

Name Terry McGraw

Job Title VP Global Cyber Threat Analyst

Address 2710 SW 24<sup>th</sup> Ave

Phone 239-544-8600

Street

Cape Coral FL 33914

City

State

Zip

Email tmgraw@secureworks.com

Speaking: ☐ For ☐ Against ☒ Information

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

Representing SecureWorks

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.

S-001 (10/14/14)



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Appropriations Subcommittee on Criminal and Civil Justice

Children, Families, and Elder Affairs

Commerce and Tourism

Governmental Oversight and Accountability

Military and Veterans Affairs, Space,  
and Domestic Security

### JOINT COMMITTEES:

Joint Select Committee on Collective Bargaining

**SENATOR VICTOR M. TORRES, JR.**  
25th District

March 30th, 2023

Tom Wright, Chair  
Military and Veterans Affairs, Space and Domestic Security  
404 S Monroe Street  
Tallahassee, FL 32399

RE: Request for excusal from DATE committee meeting

Dear Chair:

Due to a previously scheduled medical appointment, I am unable to attend the April 4th meeting of the Military and Veterans Affairs, Space, and Domestic Security. Please accept this letter as a formal request for excusal of this absence. Please let me know if you have any questions or need any additional information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victor M. Torres, Jr.", written in a cursive style.

Victor M. Torres, Jr.  
Florida State Senator  
District 25

C: Tim Proctor, Staff Director  
Michele Ingram, Committee Administrative Assistant

REPLY TO:

Suite 305, Kissimmee, Florida 34741 (407) 846-5187 FAX: (850) 410-4817

404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5015

☐ 101 Church Street,  
☐ 226 Senate Building,

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**Kathleen Passidomo**  
President of the Senate

**Dennis Baxley**  
President Pro Tempore

# CourtSmart Tag Report

**Room:** SB 301

**Case No.:**

**Type:**

**Caption:** Senate Military and Veterans Affairs, Space, and Domestic Security Committee **Judge:**

**Started:** 4/4/2023 2:02:00 PM

**Ends:** 4/4/2023 2:50:57 PM **Length:** 00:48:58

2:01:59 PM	Chair Wright calls meeting to order
2:02:07 PM	Quorum is present
2:02:10 PM	Roll Call
2:02:39 PM	Pledge of Allegiance
2:03:23 PM	Tab 1 SB 1626 by Senator Collins Support for Persons Allied with the United States
2:03:25 PM	Motion to TP by Senator Collins
2:03:36 PM	Remarks by Senator Collins
2:05:08 PM	Chair Wright passes gavel to Senator Pizzo
2:05:11 PM	Tab 2 SPB 7048 Space Florida
2:05:29 PM	Senator Wright explains the SPB
2:07:17 PM	Take up amendment barcode 830524
2:08:17 PM	Senator Wright explains the amendment
2:08:35 PM	Chair Pizzo recognizes Senator Wright to close, waives close
2:08:44 PM	Action on amendment recorded, back on SPB
2:08:53 PM	Appearances
2:09:11 PM	Lindsay Pierce, Space Florida
2:11:34 PM	Senator Pizzo moves to submit as a committee bill
2:11:39 PM	Roll Call SPB 7048
2:11:50 PM	Vote recorded
2:12:04 PM	Chair Pizzo passes gavel back to Senator Wright
2:12:11 PM	Take up Tab 3 Presentation on Blue Origin
2:12:27 PM	Presentation by Megan Mitchell, VP of Government Relations at Blue Origin
2:24:33 PM	Questions by Senator Pizzo
2:25:58 PM	Question by Senator Berman
2:27:28 PM	Question by Chair Wright
2:27:42 PM	Question by Senator Pizzo
2:31:06 PM	Take up Tab 4 Presentation on Cybersecurity
2:31:17 PM	Presentation by Terrence McGraw, VP of Global Cyber Threat Analysis, Secureworks
2:40:54 PM	Questions by Senator Berman
2:42:09 PM	Chair Wright remarks and passes gavel back to Senator Pizzo
2:42:47 PM	Questions continue
2:42:48 PM	Senator Berman
2:43:30 PM	Chair Pizzo q&a and comments
2:43:52 PM	Senator Berman
2:45:05 PM	Chair Pizzo
2:46:50 PM	Senator Calatayud
2:48:10 PM	Chair Pizzo
2:49:13 PM	Chair Pizzo remarks
2:50:51 PM	Senator Rodriguez moves to adjourn
2:50:51 PM	Meeting adjourned