

By the Committee on Commerce and Economic Opportunities and
Senators Harris and Klein

310-1101A-98

1 A bill to be entitled
2 An act relating to economic development;
3 amending s. 14.2015, F.S.; revising the
4 reporting requirements of the Office of
5 Tourism, Trade, and Economic Development
6 relating to permits and rules; authorizing the
7 Office of Tourism, Trade, and Economic
8 Development to coordinate establishment of a
9 one-stop permit registry; amending s. 212.096,
10 F.S.; expanding enterprise zone sales tax
11 credit to JTPA or WAGES Program participants
12 not residing in an enterprise zone; requiring
13 documentation; amending ss. 212.097 and
14 212.098, F.S.; clarifying the definition of a
15 "new business" under the Urban High-Crime Area
16 Job Tax Credit Program and the Rural Job Tax
17 Credit Program; providing that certain call
18 centers or similar customer service operations
19 are eligible businesses under these programs;
20 amending s. 220.03, F.S.; expanding enterprise
21 zone corporate tax credit to JTPA or WAGES
22 Program participants not residing in an
23 enterprise zone; amending s. 220.181, F.S.;
24 requiring documentation; amending s. 288.075,
25 F.S.; specifying that the prohibition against
26 contracting with entities that have requested
27 confidentiality concerning certain economic
28 development information does not apply to a
29 public officer or employee or an economic
30 development agency employee acting in his or
31 her official capacity; amending s. 288.095,

1 F.S.; establishing a cap on the total amount of
2 the state share of tax refunds which may be
3 approved for a single fiscal year under the tax
4 refund programs for qualified defense
5 contractors, qualified target industry
6 businesses, and brownfield redevelopment;
7 amending s. 288.1045, F.S.; conforming the
8 limitation on the amount of tax refunds
9 approved for payment under the qualified
10 defense contractor tax refund program to the
11 amount appropriated by the Legislature for such
12 refunds; correcting references relating to
13 program administration; amending s. 288.106,
14 F.S.; authorizing a reduced employment
15 threshold for expanding businesses in certain
16 rural areas or enterprise zones under the tax
17 refund program for qualified target industry
18 businesses; amending s. 288.1221, F.S.;
19 conforming legislative intent on the time
20 period covered by a tourism promotion marketing
21 plan to the time period covered by the
22 marketing plan prepared by the Florida
23 Commission on Tourism under s. 288.1224, F.S.;
24 amending s. 288.1222, F.S.; revising the
25 definition of "tourist" to clarify that the
26 term applies to a person participating in trade
27 or recreation activities outside the county of
28 permanent residence; amending s. 288.1223,
29 F.S.; eliminating an historical reference to
30 the first meeting of the Florida Commission on
31 Tourism; providing that the commission shall

1 meet at least quarterly; providing that the
2 commission shall elect a vice chairman
3 annually; amending s. 288.1224, F.S.; requiring
4 the Florida Commission on Tourism to establish
5 a standing advisory committee on ecotourism and
6 heritage tourism; prescribing membership of the
7 committee; requiring the tourism commission to
8 incorporate ecotourism and heritage tourism
9 components into its marketing plan; providing
10 legislative findings and intent on ecotourism
11 and heritage tourism; authorizing an ecotourism
12 and heritage tourism promotion grant program;
13 prescribing application procedures, evaluation
14 criteria, eligible uses of funds, and
15 limitations on grant amounts under such
16 program; amending s. 288.90151, F.S.; revising
17 the matching private funding requirements for
18 Enterprise Florida, Inc.; providing for partial
19 release of funds placed in reserve under
20 specified circumstances; amending s. 288.9618,
21 F.S.; limiting the amount of appropriations for
22 the microenterprise program that may be used
23 for administrative expenses; creating s.
24 288.9958, F.S.; establishing the PRIDE Job
25 Placement Incentive Program; directing
26 Enterprise Florida, Inc., to examine the
27 current and potential economic development
28 contribution of the biotechnology industry and
29 other health technology industries to this
30 state; requiring Enterprise Florida, Inc., to
31 report to the Legislature on findings and

1 recommendations; providing for designation of
2 an enterprise zone that encompasses a
3 brownfield project under certain circumstances;
4 providing an effective date.

5
6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. Subsection (6) of section 14.2015, Florida
9 Statutes, is amended to read:

10 14.2015 Office of Tourism, Trade, and Economic
11 Development; creation; powers and duties.--

12 (6)(a) In order to improve the state's regulatory
13 environment, the Office of Tourism, Trade, and Economic
14 Development shall consider the impact of agency rules on
15 businesses, provide one-stop permit information and
16 assistance, and serve as an advocate for businesses,
17 particularly small businesses, in their dealings with state
18 agencies.

19 (b) As used in this subsection, the term "permit"
20 means any approval of an agency required as a condition of
21 operating a business in this state, including, but not limited
22 to, licenses and registrations.

23 (c) The office shall have powers and duties to:

24 1. Review proposed agency actions for impacts on small
25 businesses and offer alternatives to mitigate such impacts, as
26 provided in s. 120.54.

27 2. In consultation with the Governor's rules
28 ombudsman, make recommendations to agencies on any existing
29 and proposed rules for alleviating unnecessary or
30 disproportionate adverse effects to businesses.

31

1 3. Make recommendations to the Legislature and to
2 agencies for improving permitting procedures affecting
3 business activities in the state. By October 1, 1997, and
4 annually thereafter as part of the report prepared pursuant to
5 paragraph (2)(e), the Office of Tourism, Trade, and Economic
6 Development shall ~~submit a~~ report to the Legislature on
7 ~~containing~~ the following:

8 a. An identification and description of methods to
9 eliminate, consolidate, simplify, or expedite permits.

10 b. An identification and description of those agency
11 rules repealed or modified during each calendar year to
12 improve the regulatory climate for businesses operating in the
13 state.

14 c. A recommendation for an operating plan and funding
15 level for establishing an automated one-stop permit registry
16 to provide the following services:

17 (I) Access by computer network to all permit
18 applications and approval requirements of each state agency.

19 (II) Assistance in the completion of such
20 applications.

21 (III) Centralized collection of any permit fees and
22 distribution of such fees to agencies.

23 (IV) Submission of application data and circulation of
24 such data among state agencies by computer network.

25
26 Subject to legislative appropriation, the Office of Tourism,
27 Trade, and Economic Development is authorized to coordinate
28 the establishment of such a one-stop permit registry,
29 including, but not limited to, working with all appropriate
30 state agencies on the implementation of the operating plan.~~If~~
31 ~~the Legislature establishes~~ such a registry is established,

1 subsequent annual reports to the Legislature from the Office
2 of Tourism, Trade, and Economic Development pursuant to this
3 paragraph must cover the status and performance of this
4 registry.

5 4. Serve as a clearinghouse for information on which
6 permits are required for a particular business and on the
7 respective application process, including criteria applied in
8 making a determination on a permit application. Each state
9 agency that requires a permit, license, or registration for a
10 business shall submit to the Office of Tourism, Trade, and
11 Economic Development by August 1 of each year a list of the
12 types of businesses and professions that it regulates and of
13 each permit, license, or registration that it requires for a
14 type of business or profession.

15 5. Obtain information and permit applications from
16 agencies and provide such information and permit applications
17 to the public.

18 6. Arrange, upon request, informal conferences between
19 a business and an agency to clarify regulatory requirements or
20 standards or to identify and address problems in the permit
21 review process.

22 7. Determine, upon request, the status of a particular
23 permit application.

24 8. Receive complaints and suggestions concerning
25 permitting policies and activities of governmental agencies
26 which affect businesses.

27 (d) Use of the services authorized in this subsection
28 does not preclude a person or business from dealing directly
29 with an agency.

30 (e) In carrying out its duties under this subsection,
31 the Office of Tourism, Trade, and Economic Development may

1 consult with state agency personnel appointed to serve as
2 economic development liaisons under s. 288.021.

3 (f) The office shall clearly represent that its
4 services are advisory, informational, and facilitative only.
5 Advice, information, and assistance rendered by the office
6 does not relieve any person or business from the obligation to
7 secure a required permit. The office is not liable for any
8 consequences resulting from the failure to issue or to secure
9 a required permit. However, an applicant who uses the services
10 of the office and who receives a written statement identifying
11 required state permits relating to a business activity may not
12 be assessed a penalty for failure to obtain a state permit
13 that was not identified, if the applicant submits an
14 application for each such permit within 60 days after written
15 notification from the agency responsible for issuing the
16 permit.

17 Section 2. Subsection (1) and paragraph (a) of
18 subsection (3) of section 212.096, Florida Statutes, are
19 amended to read:

20 212.096 Sales, rental, storage, use tax; enterprise
21 zone jobs credit against sales tax.--

22 (1) For the purposes of the credit provided in this
23 section:

24 (a) "Eligible business" means any sole proprietorship,
25 firm, partnership, corporation, bank, savings association,
26 estate, trust, business trust, receiver, syndicate, or other
27 group or combination, or successor business, located in an
28 enterprise zone. An eligible business does not include any
29 business which has claimed the credit permitted under s.
30 220.181 for any new business employee first beginning
31 employment with the business after July 1, 1995.

1 (b) "Month" means either a calendar month or the time
2 period from any day of any month to the corresponding day of
3 the next succeeding month or, if there is no corresponding day
4 in the next succeeding month, the last day of the succeeding
5 month.

6 (c) "New employee" means a person residing in an
7 enterprise zone, a qualified Job Training Partnership Act
8 classroom training participant, or a WAGES Program participant
9 who begins employment with an eligible business after July 1,
10 1995, and who has not been previously employed within the
11 preceding 12 months by the eligible business, or a successor
12 eligible business, claiming the credit allowed by this
13 section.

14
15 A person shall be deemed to be employed if the person performs
16 duties in connection with the operations of the business on a
17 regular, full-time basis, provided the person is performing
18 such duties for an average of at least 36 hours per week each
19 month, or a part-time basis, provided the person is performing
20 such duties for an average of at least 20 hours per week each
21 month throughout the year. The person must be performing such
22 duties at a business site located in the enterprise zone.

23 (3) In order to claim this credit, an eligible
24 business must file under oath with the governing body or
25 enterprise zone development agency having jurisdiction over
26 the enterprise zone where the business is located, as
27 applicable, a statement which includes:

28 (a) For each new employee for whom this credit is
29 claimed, the employee's name and place of residence, including
30 the identifying number assigned pursuant to s. 290.0065 to the
31 enterprise zone in which the employee resides and, if

1 applicable, documentation that the employee is a qualified Job
2 Training Partnership Act classroom training participant or a
3 WAGES Program participant.

4 Section 3. Subsection (2) of section 212.097, Florida
5 Statutes, is amended to read:

6 212.097 Urban High-Crime Area Job Tax Credit
7 Program.--

8 (2) As used in this section, the term:

9 (a) "Eligible business" means any sole proprietorship,
10 firm, partnership, or corporation that is located in a
11 qualified county and is predominantly engaged in, or is
12 headquarters for a business predominantly engaged in,
13 activities usually provided for consideration by firms
14 classified within the following standard industrial
15 classifications: SIC 01 through SIC 09 (agriculture,
16 forestry, and fishing); SIC 20 through SIC 39 (manufacturing);
17 SIC 422 (public warehousing and storage); SIC 70 (hotels and
18 other lodging places); SIC 7391 (research and development);
19 SIC 7992 (public golf courses); and SIC 7996 (amusement
20 parks). A call center or similar customer service operation
21 that services a multistate market or an international market
22 is also an eligible business. Excluded from eligible receipts
23 are receipts from retail sales, except such receipts for
24 hotels and other lodging places classified in SIC 70, public
25 golf courses in SIC 7992, and amusement parks in SIC 7996.
26 For purposes of this paragraph, the term "predominantly" means
27 that more than 50 percent of the business's gross receipts
28 from all sources is generated by those activities usually
29 provided for consideration by firms in the specified standard
30 industrial classification. The determination of whether the
31 business is located in a qualified high-crime area and the

1 tier ranking of that area must be based on the date of
2 application for the credit under this section. Commonly owned
3 and controlled entities are to be considered a single business
4 entity.

5 (b) "Qualified employee" means any employee of an
6 eligible business who performs duties in connection with the
7 operations of the business on a regular, full-time basis for
8 an average of at least 36 hours per week for at least 3 months
9 within the qualified high-crime area in which the eligible
10 business is located. An owner or partner of the eligible
11 business is not a qualified employee. The term also includes
12 an employee leased from an employee leasing company licensed
13 under chapter 468, if such employee has been continuously
14 leased to the employer for an average of at least 36 hours per
15 week for more than 6 months.

16 (c) "New business" means any eligible business first
17 beginning operation on a site in a qualified high-crime area
18 and clearly separate from any other commercial or business
19 operation of the business entity within a qualified high-crime
20 area. A business entity that operated an eligible business
21 within a qualified high-crime area within the 48 months before
22 the period provided for application by subsection (3)~~date~~
23 shall not be considered a new business.

24 (d) "Existing business" means any eligible business
25 that does not meet the criteria for a new business.

26 (e) "Qualified high-crime area" means an area selected
27 by the Office of Tourism, Trade, and Economic Development in
28 the following manner: every third year, the office shall rank
29 and tier those areas nominated under subsection (8), according
30 to the following prioritized criteria:

31

1 1. Highest arrest rates within the geographic area for
2 violent crime and for such other crimes as drug sale, drug
3 possession, prostitution, vandalism, and civil disturbances;

4 2. Highest reported crime volume and rate of specific
5 property crimes such as business and residential burglary,
6 motor vehicle theft, and vandalism;

7 3. Highest percentage of reported index crimes that
8 are violent in nature;

9 4. Highest overall index crime volume for the area;
10 and

11 5. Highest overall index crime rate for the geographic
12 area.

13
14 Tier-one areas are ranked 1 through 5 and represent the
15 highest crime areas according to this ranking. Tier-two areas
16 are ranked 6 through 10 according to this ranking. Tier-three
17 areas are ranked 11 through 15.

18 Section 4. Subsection (2) of section 212.098, Florida
19 Statutes, is amended to read:

20 212.098 Rural Job Tax Credit Program.--

21 (2) As used in this section, the term:

22 (a) "Eligible business" means any sole proprietorship,
23 firm, partnership, or corporation that is located in a
24 qualified county and is predominantly engaged in, or is
25 headquarters for a business predominantly engaged in,
26 activities usually provided for consideration by firms
27 classified within the following standard industrial
28 classifications: SIC 01 through SIC 09 (agriculture,
29 forestry, and fishing); SIC 20 through SIC 39 (manufacturing);
30 SIC 422 (public warehousing and storage); SIC 70 (hotels and
31 other lodging places); SIC 7391 (research and development);

1 SIC 7992 (public golf courses); and SIC 7996 (amusement
2 parks). A call center or similar customer service operation
3 that services a multistate market or an international market
4 is also an eligible business. Excluded from eligible receipts
5 are receipts from retail sales, except such receipts for
6 hotels and other lodging places classified in SIC 70, public
7 golf courses in SIC 7992, and amusement parks in SIC 7996.
8 For purposes of this paragraph, the term "predominantly" means
9 that more than 50 percent of the business's gross receipts
10 from all sources is generated by those activities usually
11 provided for consideration by firms in the specified standard
12 industrial classification. The determination of whether the
13 business is located in a qualified county and the tier ranking
14 of that county must be based on the date of application for
15 the credit under this section. Commonly owned and controlled
16 entities are to be considered a single business entity.

17 (b) "Qualified employee" means any employee of an
18 eligible business who performs duties in connection with the
19 operations of the business on a regular, full-time basis for
20 an average of at least 36 hours per week for at least 3 months
21 within the qualified county in which the eligible business is
22 located. An owner or partner of the eligible business is not a
23 qualified employee.

24 (c) "Qualified county" means a county that has a
25 population of fewer than 75,000 persons, or any county that
26 has a population of 100,000 or less and is contiguous to a
27 county that has a population of less than 75,000, selected in
28 the following manner: every third year, the Office of
29 Tourism, Trade, and Economic Development shall rank and tier
30 the state's counties according to the following four factors:

31

1 1. Highest unemployment rate for the most recent
2 36-month period.

3 2. Lowest per capita income for the most recent
4 36-month period.

5 3. Highest percentage of residents whose incomes are
6 below the poverty level, based upon the most recent data
7 available.

8 4. Average weekly manufacturing wage, based upon the
9 most recent data available.

10
11 Tier-one qualified counties are those ranked 1 through 5 and
12 represent the state's least-developed counties according to
13 this ranking. Tier-two qualified counties are those ranked 6
14 through 10, and tier-three counties are those ranked 11
15 through 15.

16 (d) "New business" means any eligible business first
17 beginning operation on a site in a qualified county and
18 clearly separate from any other commercial or business
19 operation of the business entity within a qualified county. A
20 business entity that operated an eligible business within a
21 qualified county within the 48 months before the period
22 provided for application by subsection (3)~~date~~ shall not be
23 considered a new business.

24 (e) "Existing business" means any eligible business
25 that does not meet the criteria for a new business.

26 Section 5. Paragraph (q) of subsection (1) of section
27 220.03, Florida Statutes, is amended to read:

28 220.03 Definitions.--

29 (1) SPECIFIC TERMS.--When used in this code, and when
30 not otherwise distinctly expressed or manifestly incompatible
31

1 with the intent thereof, the following terms shall have the
2 following meanings:

3 (q) "New employee," for the purposes of the enterprise
4 zone jobs credit, means a person residing in an enterprise
5 zone, a qualified Job Training Partnership Act classroom
6 training participant, or a WAGES Program participant employed
7 at a business located in an enterprise zone who begins
8 employment in the operations of the business after July 1,
9 1995, and who has not been previously employed within the
10 preceding 12 months by the business or a successor business
11 claiming the credit pursuant to s. 220.181. A person shall be
12 deemed to be employed by such a business if the person
13 performs duties in connection with the operations of the
14 business on a full-time basis, provided she or he is
15 performing such duties for an average of at least 36 hours per
16 week each month, or a part-time basis, provided she or he is
17 performing such duties for an average of at least 20 hours per
18 week each month throughout the year. The person must be
19 performing such duties at a business site located in an
20 enterprise zone. The provisions of this paragraph shall expire
21 and be void on June 30, 2005.

22 Section 6. Paragraph (a) of subsection (2) of section
23 220.181, Florida Statutes, is amended to read:

24 220.181 Enterprise zone jobs credit.--

25 (2) When filing for an enterprise zone jobs credit, a
26 business must file under oath with the governing body or
27 enterprise zone development agency having jurisdiction over
28 the enterprise zone where the business is located, as
29 applicable, a statement which includes:

30 (a) For each new employee for whom this credit is
31 claimed, the employee's name and place of residence during the

1 taxable year, including the identifying number assigned
2 pursuant to s. 290.0065 to the enterprise zone in which the
3 new employee resides, and, if applicable, documentation that
4 the employee is a qualified Job Training Partnership Act
5 classroom training participant or a WAGES Program participant.

6 Section 7. Section 288.075, Florida Statutes, is
7 amended to read:

8 288.075 Confidentiality of records.--

9 (1) As used in this section, the term "economic
10 development agency" means the Division of Economic Development
11 of the Department of Commerce, any industrial development
12 authority created in accordance with part III of chapter 159
13 or by special law, the public economic development agency that
14 advises the county commission on the issuance of industrial
15 revenue bonds of a county that does not have an industrial
16 development authority created in accordance with part III of
17 chapter 159 or by special law, or any research and development
18 authority created in accordance with part V of chapter 159.
19 The term also includes any private agency, person,
20 partnership, corporation, or business entity when authorized
21 by the state, a municipality, or a county to promote the
22 general business interests or industrial interests of the
23 state or that municipality or county.

24 (2) Upon written request from a private corporation,
25 partnership, or person, records of an economic development
26 agency which contain or would provide information concerning
27 plans, intentions, or interests of such private corporation,
28 partnership, or person to locate, relocate, or expand any of
29 its business activities in this state are confidential and
30 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
31 Constitution for 24 months after the date an economic

1 development agency receives a request for confidentiality or
2 until disclosed by an economic development agency pursuant to
3 subsection (4) or by the party requesting confidentiality
4 under this section. Confidentiality must be maintained until
5 the expiration of the 24-month period or until documents or
6 information are otherwise disclosed, whichever occurs first.
7 This confidentiality does not apply when any party petitions a
8 court of competent jurisdiction and, in the opinion of the
9 court, proves need for access to such documents. This
10 exemption expires October 2, 2001, and is subject to review by
11 the Legislature under the Open Government Sunset Review Act of
12 1995 in accordance with s. 119.15.

13 (3) This section does not waive any provision of
14 chapter 120 or any other provision of law requiring a public
15 hearing.

16 (4) A public officer or employee or any person who is
17 an employee of an economic development agency may not enter
18 into a binding agreement with any corporation, partnership, or
19 person who has requested confidentiality of information
20 pursuant to this section, until 90 days after such information
21 is made public, unless such public officer or employee or
22 economic development agency employee is acting in an official
23 capacity.

24 (5) Any person who is an employee of an economic
25 development agency who violates the provisions of this section
26 is guilty of a misdemeanor of the second degree, punishable as
27 provided in s. 775.082 or s. 775.083.

28 Section 8. Subsection (3) of section 288.095, Florida
29 Statutes, is amended to read:

30 288.095 Economic Development Trust Fund.--
31

1 (3)(a) Contingent upon an annual appropriation by the
2 Legislature, the Office of Tourism, Trade, and Economic
3 Development may approve tax refunds pursuant to ss. 288.1045,
4 288.106, and 288.107. ~~The office may not approve tax refunds~~
5 ~~in excess of the amount appropriated to the Economic~~
6 ~~Development Incentives Account for such tax refunds, for a~~
7 ~~fiscal year pursuant to paragraph (b).~~

8 (b) The combined total amount of the state share of
9 tax refunds approved by the Office of Tourism, Trade, and
10 Economic Development pursuant to ss. 288.1045, 288.106, and
11 288.107 for a single fiscal year shall not exceed the lesser
12 of \$30 million or the amount appropriated to the Economic
13 Development Incentives Account for such state share of tax
14 refunds purposes for the fiscal year. In the event the
15 Legislature does not appropriate an amount sufficient to
16 satisfy projections by the office for tax refunds under ss.
17 288.1045, 288.106, and 288.107 in a fiscal year, the Office of
18 Tourism, Trade, and Economic Development shall, not later than
19 July 15 of such year, determine the proportion of each refund
20 claim which shall be paid by dividing the amount appropriated
21 for tax refunds for the fiscal year by the projected total of
22 refund claims for the fiscal year. The amount of each claim
23 for a tax refund shall be multiplied by the resulting
24 quotient. If, after the payment of all such refund claims,
25 funds remain in the Economic Development Incentives Account
26 for tax refunds, the office shall recalculate the proportion
27 for each refund claim and adjust the amount of each claim
28 accordingly.

29 (c) By September 30 of each year, the Office of
30 Tourism, Trade, and Economic Development shall submit a
31 complete and detailed report to the board of directors of

1 Enterprise Florida, Inc., created under part VII of this
2 chapter, of all applications received, final decisions issued,
3 tax refund agreements executed, and tax refunds paid or other
4 payments made under all programs funded out of the Economic
5 Development Incentives Account, including analyses of benefits
6 and costs, types of projects supported, and employment and
7 investment created. The Office of Tourism, Trade, and Economic
8 Development shall also include a separate analysis of the
9 impact of such tax refunds on state enterprise zones
10 designated pursuant to s. 290.0065. By December 1 of each
11 year, the board of directors of Enterprise Florida, Inc.,
12 shall review and comment on the report, and the board shall
13 submit the report, together with the comments of the board, to
14 the Governor, the President of the Senate, and the Speaker of
15 the House of Representatives. The report must discuss whether
16 the authority and moneys appropriated by the Legislature to
17 the Economic Development Incentives Account were managed and
18 expended in a prudent, fiducially sound manner.

19 (d) Moneys in the Economic Development Incentives
20 Account may be used only to pay tax refunds and other payments
21 authorized under s. 288.1045, s. 288.106, or s. 288.107.

22 (e) The Office of Tourism, Trade, and Economic
23 Development may adopt rules necessary to carry out the
24 provisions of this subsection, including rules providing for
25 the use of moneys in the Economic Development Incentives
26 Account and for the administration of the Economic Development
27 Incentives Account.

28 Section 9. Section 288.1045, Florida Statutes, is
29 amended to read:

30 288.1045 Qualified defense contractor tax refund
31 program.--

1 (1) DEFINITIONS.--As used in this section:

2 (a) "Consolidation of a Department of Defense
3 contract" means the consolidation of one or more of an
4 applicant's facilities under one or more Department of Defense
5 contracts either from outside this state or from inside and
6 outside this state, into one or more of the applicant's
7 facilities inside this state.

8 (b) "Average wage in the area" means the average of
9 all wages and salaries in the state, the county, or in the
10 standard metropolitan area in which the business unit is
11 located.

12 (c) "Applicant" means any business entity that holds a
13 valid Department of Defense contract or any business entity
14 that is a subcontractor under a valid Department of Defense
15 contract or any business entity that holds a valid contract
16 for the reuse of a defense-related facility, including all
17 members of an affiliated group of corporations as defined in
18 s. 220.03(1)(b).

19 (d) "Office"~~"Division"~~ means the Office of Tourism,
20 Trade, and Economic Development ~~Division of Economic~~
21 ~~Development of the Department of Commerce.~~

22 (e) "Department of Defense contract" means a
23 competitively bid Department of Defense contract or a
24 competitively bid federal agency contract issued on behalf of
25 the Department of Defense for manufacturing, assembling,
26 fabricating, research, development, or design with a duration
27 of 2 or more years, but excluding any contract to provide
28 goods, improvements to real or tangible property, or services
29 directly to or for any particular military base or
30 installation in this state.

31

1 (f) "New Department of Defense contract" means a
2 Department of Defense contract entered into after the date
3 application for certification as a qualified applicant is made
4 and after January 1, 1994.

5 (g) "Jobs" means full-time equivalent positions,
6 consistent with the use of such terms by the Department of
7 Labor and Employment Security for the purpose of unemployment
8 compensation tax, resulting directly from a project in this
9 state. This number does not include temporary construction
10 jobs involved with the construction of facilities for the
11 project.

12 (h) "Nondefense production jobs" means employment
13 exclusively for activities that, directly or indirectly, are
14 unrelated to the Department of Defense.

15 (i) "Project" means any business undertaking in this
16 state under a new Department of Defense contract,
17 consolidation of a Department of Defense contract, or
18 conversion of defense production jobs over to nondefense
19 production jobs or reuse of defense-related facilities.

20 (j) "Qualified applicant" means an applicant that has
21 been approved by the director ~~secretary~~ to be eligible for tax
22 refunds pursuant to this section.

23 (k) "Director" ~~"Secretary"~~ means the director of the
24 Office of Tourism, Trade, and Economic Development ~~Secretary~~
25 ~~of Commerce~~.

26 (l) "Taxable year" means the same as in s.
27 220.03(1)(z).

28 (m) "Fiscal year" means the fiscal year of the state.

29 (n) "Business unit" means an employing unit, as
30 defined in s. 443.036, that is registered with the Department
31 of Labor and Employment Security for unemployment compensation

1 purposes or means a subcategory or division of an employing
2 unit that is accepted by the Department of Labor and
3 Employment Security as a reporting unit.

4 (o) "Local financial support" means funding from local
5 sources, public or private, which is paid to the Economic
6 Development Trust Fund and which is equal to 20 percent of the
7 annual tax refund for a qualified applicant. Local financial
8 support may include excess payments made to a utility company
9 under a designated program to allow decreases in service by
10 the utility company under conditions, regardless of when
11 application is made. A qualified applicant may not provide,
12 directly or indirectly, more than 5 percent of such funding in
13 any fiscal year. The sources of such funding may not include,
14 directly or indirectly, state funds appropriated from the
15 General Revenue Fund or any state trust fund, excluding tax
16 revenues shared with local governments pursuant to law.

17 (p) "Contract for reuse of a defense-related facility"
18 means a contract with a duration of 2 or more years for the
19 use of a facility for manufacturing, assembling, fabricating,
20 research, development, or design of tangible personal
21 property, but excluding any contract to provide goods,
22 improvements to real or tangible property, or services
23 directly to or for any particular military base or
24 installation in this state. Such facility must be located
25 within a port, as defined in s. 313.21, and have been occupied
26 by a business entity that held a valid Department of Defense
27 contract or occupied by any branch of the Armed Forces of the
28 United States, within 1 year of any contract being executed
29 for the reuse of such facility. A contract for reuse of a
30 defense-related facility may not include any contract for
31 reuse of such facility for any Department of Defense contract

1 for manufacturing, assembling, fabricating, research,
2 development, or design.

3 (q) "Local financial support exemption option" means
4 the option to exercise an exemption from the local financial
5 support requirement available to any applicant whose project
6 is located in a county designated by the Rural Economic
7 Development Initiative, if the county commissioners of the
8 county in which the project will be located adopt a resolution
9 requesting that the applicant's project be exempt from the
10 local financial support requirement. Any applicant that
11 exercises this option is not eligible for more than 80 percent
12 of the total tax refunds allowed such applicant under this
13 section.

14 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.--

15 (a) There shall be allowed, from the Economic
16 Development Trust Fund, a refund to a qualified applicant for
17 the amount of eligible taxes certified by the director
18 ~~secretary~~ which were paid by such qualified applicant. The
19 total amount of refunds for all fiscal years for each
20 qualified applicant shall be determined pursuant to subsection
21 (3). The annual amount of a refund to a qualified applicant
22 shall be determined pursuant to subsection (5).

23 (b) A qualified applicant may not be qualified for any
24 project to receive more than \$5,000 times the number of jobs
25 provided in the tax refund agreement pursuant to subparagraph
26 (4)(a)1. A qualified applicant may not receive refunds of more
27 than 25 percent of the total tax refunds provided in the tax
28 refund agreement pursuant to subparagraph (4)(a)1. in any
29 fiscal year, provided that no qualified applicant may receive
30 more than \$2.5 million in tax refunds pursuant to this section
31 in any fiscal year.

1 (c) A qualified applicant may not receive more than
2 \$7.5 million in tax refunds pursuant to this section in all
3 fiscal years.

4 (d) Contingent upon an annual appropriation by the
5 Legislature, the director ~~secretary~~ may approve not more than
6 ~~the lesser of \$25 million in tax refunds than~~ or the amount
7 appropriated to the Economic Development Trust Fund for tax
8 refunds, for a fiscal year pursuant to subsection (5) and s.
9 288.095.

10 (e) For the first 6 months of each fiscal year, the
11 director ~~secretary~~ shall set aside 30 percent of the amount
12 appropriated for refunds pursuant to this section by the
13 Legislature to provide tax refunds only to qualified
14 applicants who employ 500 or fewer full-time employees in this
15 state. Any unencumbered funds remaining undisbursed from this
16 set-aside at the end of the 6-month period may be used to
17 provide tax refunds for any qualified applicants pursuant to
18 this section.

19 (f) After entering into a tax refund agreement
20 pursuant to subsection (4), a qualified applicant may receive
21 refunds from the Economic Development Trust Fund for the
22 following taxes due and paid by the qualified applicant
23 beginning with the applicant's first taxable year that begins
24 after entering into the agreement:

25 1. Taxes on sales, use, and other transactions paid
26 pursuant to chapter 212.

27 2. Corporate income taxes paid pursuant to chapter
28 220.

29 3. Intangible personal property taxes paid pursuant to
30 chapter 199.

31

1 4. Emergency excise taxes paid pursuant to chapter
2 221.

3 5. Excise taxes paid on documents pursuant to chapter
4 201.

5 6. Ad valorem taxes paid, as defined in s.
6 220.03(1)(a) on June 1, 1996.

7
8 However, a qualified applicant may not receive a tax refund
9 pursuant to this section for any amount of credit, refund, or
10 exemption granted such contractor for any of such taxes. If a
11 refund for such taxes is provided by the office ~~Department of~~
12 ~~Commerce~~, which taxes are subsequently adjusted by the
13 application of any credit, refund, or exemption granted to the
14 qualified applicant other than that provided in this section,
15 the qualified applicant shall reimburse the Economic
16 Development Trust Fund for the amount of such credit, refund,
17 or exemption. A qualified applicant must notify and tender
18 payment to the office ~~Department of Commerce~~ within 20 days
19 after receiving a credit, refund, or exemption, other than
20 that provided in this section.

21 (g) Any qualified applicant who fraudulently claims
22 this refund is liable for repayment of the refund to the
23 Economic Development Trust Fund plus a mandatory penalty of
24 200 percent of the tax refund which shall be deposited into
25 the General Revenue Fund. Any qualified applicant who
26 fraudulently claims this refund commits a felony of the third
27 degree, punishable as provided in s. 775.082, s. 775.083, or
28 s. 775.084.

29 (h) Funds made available pursuant to this section may
30 not be expended in connection with the relocation of a
31 business from one community to another community in this state

1 unless the Office of Tourism, Trade, and Economic Development
2 determines that without such relocation the business will move
3 outside this state or determines that the business has a
4 compelling economic rationale for the relocation which creates
5 additional jobs.

6 (3) APPLICATION PROCESS; REQUIREMENTS; AGENCY
7 DETERMINATION.--

8 (a) To apply for certification as a qualified
9 applicant pursuant to this section, an applicant must file an
10 application with the office ~~division~~ which satisfies the
11 requirements of paragraphs (b) and (e), paragraphs (c) and
12 (e), or paragraphs (d) and (e). An applicant may not apply for
13 certification pursuant to this section after a proposal has
14 been submitted for a new Department of Defense contract, after
15 the applicant has made the decision to consolidate an existing
16 Department of Defense contract in this state for which such
17 applicant is seeking certification, or after the applicant has
18 made the decision to convert defense production jobs to
19 nondefense production jobs for which such applicant is seeking
20 certification.

21 (b) Applications for certification based on the
22 consolidation of a Department of Defense contract or a new
23 Department of Defense contract must be submitted to the office
24 ~~division~~ as prescribed by the office ~~Department of Commerce~~
25 and must include, but are not limited to, the following
26 information:

27 1. The applicant's federal employer identification
28 number, the applicant's Florida sales tax registration number,
29 and a notarized signature of an officer of the applicant.

30 2. The permanent location of the manufacturing,
31 assembling, fabricating, research, development, or design

1 facility in this state at which the project is or is to be
2 located.

3 3. The Department of Defense contract numbers of the
4 contract to be consolidated, the new Department of Defense
5 contract number, or the "RFP" number of a proposed Department
6 of Defense contract.

7 4. The date the contract was executed or is expected
8 to be executed, and the date the contract is due to expire or
9 is expected to expire.

10 5. The commencement date for project operations under
11 the contract in this state.

12 6. The number of full-time equivalent jobs in this
13 state which are or will be dedicated to the project during the
14 year and the average wage of such jobs.

15 7. The total number of full-time equivalent employees
16 employed by the applicant in this state.

17 8. The percentage of the applicant's gross receipts
18 derived from Department of Defense contracts during the 5
19 taxable years immediately preceding the date the application
20 is submitted.

21 9. The amount of:

22 a. Taxes on sales, use, and other transactions paid
23 pursuant to chapter 212;

24 b. Corporate income taxes paid pursuant to chapter
25 220;

26 c. Intangible personal property taxes paid pursuant to
27 chapter 199;

28 d. Emergency excise taxes paid pursuant to chapter
29 221;

30 e. Excise taxes paid on documents pursuant to chapter
31 201; and

1 f. Ad valorem taxes paid
2
3 during the 5 fiscal years immediately preceding the date of
4 the application, and the projected amounts of such taxes to be
5 due in the 3 fiscal years immediately following the date of
6 the application.

7 10. The estimated amount of tax refunds to be claimed
8 in each fiscal year.

9 11. A brief statement concerning the applicant's need
10 for tax refunds, and the proposed uses of such refunds by the
11 applicant.

12 12. A resolution adopted by the county commissioners
13 of the county in which the project will be located, which
14 recommends the applicant be approved as a qualified applicant,
15 and which indicates that the necessary commitments of local
16 financial support for the applicant exist. Prior to the
17 adoption of the resolution, the county commission may review
18 the proposed public or private sources of such support and
19 determine whether the proposed sources of local financial
20 support can be provided or, for any applicant whose project is
21 located in a county designated by the Rural Economic
22 Development Initiative, a resolution adopted by the county
23 commissioners of such county requesting that the applicant's
24 project be exempt from the local financial support
25 requirement.

26 13. Any additional information requested by the office
27 ~~division~~.

28 (c) Applications for certification based on the
29 conversion of defense production jobs to nondefense production
30 jobs must be submitted to the office ~~division~~ as prescribed by
31

1 the office ~~Department of Commerce~~ and must include, but are
2 not limited to, the following information:
3 1. The applicant's federal employer identification
4 number, the applicant's Florida sales tax registration number,
5 and a notarized signature of an officer of the applicant.
6 2. The permanent location of the manufacturing,
7 assembling, fabricating, research, development, or design
8 facility in this state at which the project is or is to be
9 located.
10 3. The Department of Defense contract numbers of the
11 contract under which the defense production jobs will be
12 converted to nondefense production jobs.
13 4. The date the contract was executed, and the date
14 the contract is due to expire or is expected to expire, or was
15 canceled.
16 5. The commencement date for the nondefense production
17 operations in this state.
18 6. The number of full-time equivalent jobs in this
19 state which are or will be dedicated to the nondefense
20 production project during the year and the average wage of
21 such jobs.
22 7. The total number of full-time equivalent employees
23 employed by the applicant in this state.
24 8. The percentage of the applicant's gross receipts
25 derived from Department of Defense contracts during the 5
26 taxable years immediately preceding the date the application
27 is submitted.
28 9. The amount of:
29 a. Taxes on sales, use, and other transactions paid
30 pursuant to chapter 212;
31

1 b. Corporate income taxes paid pursuant to chapter
2 220;
3 c. Intangible personal property taxes paid pursuant to
4 chapter 199;
5 d. Emergency excise taxes paid pursuant to chapter
6 221;
7 e. Excise taxes paid on documents pursuant to chapter
8 201; and
9 f. Ad valorem taxes paid
10
11 during the 5 fiscal years immediately preceding the date of
12 the application, and the projected amounts of such taxes to be
13 due in the 3 fiscal years immediately following the date of
14 the application.
15 10. The estimated amount of tax refunds to be claimed
16 in each fiscal year.
17 11. A brief statement concerning the applicant's need
18 for tax refunds, and the proposed uses of such refunds by the
19 applicant.
20 12. A resolution adopted by the county commissioners
21 of the county in which the project will be located, which
22 recommends the applicant be approved as a qualified applicant,
23 and which indicates that the necessary commitments of local
24 financial support for the applicant exist. Prior to the
25 adoption of the resolution, the county commission may review
26 the proposed public or private sources of such support and
27 determine whether the proposed sources of local financial
28 support can be provided or, for any applicant whose project is
29 located in a county designated by the Rural Economic
30 Development Initiative, a resolution adopted by the county
31 commissioners of such county requesting that the applicant's

1 project be exempt from the local financial support
2 requirement.

3 13. Any additional information requested by the office
4 ~~division~~.

5 (d) Applications for certification based on a contract
6 for reuse of a defense-related facility must be submitted to
7 the office ~~division~~ as prescribed by the office ~~Department of~~
8 ~~Commerce~~ and must include, but are not limited to, the
9 following information:

10 1. The applicant's Florida sales tax registration
11 number and a notarized signature of an officer of the
12 applicant.

13 2. The permanent location of the manufacturing,
14 assembling, fabricating, research, development, or design
15 facility in this state at which the project is or is to be
16 located.

17 3. The business entity holding a valid Department of
18 Defense contract or branch of the Armed Forces of the United
19 States that previously occupied the facility, and the date
20 such entity last occupied the facility.

21 4. A copy of the contract to reuse the facility, or
22 such alternative proof as may be prescribed by the office
23 ~~department~~ that the applicant is seeking to contract for the
24 reuse of such facility.

25 5. The date the contract to reuse the facility was
26 executed or is expected to be executed, and the date the
27 contract is due to expire or is expected to expire.

28 6. The commencement date for project operations under
29 the contract in this state.

30
31

1 7. The number of full-time equivalent jobs in this
2 state which are or will be dedicated to the project during the
3 year and the average wage of such jobs.

4 8. The total number of full-time equivalent employees
5 employed by the applicant in this state.

6 9. The amount of:

7 a. Taxes on sales, use, and other transactions paid
8 pursuant to chapter 212.

9 b. Corporate income taxes paid pursuant to chapter
10 220.

11 c. Intangible personal property taxes paid pursuant to
12 chapter 199.

13 d. Emergency excise taxes paid pursuant to chapter
14 221.

15 e. Excise taxes paid on documents pursuant to chapter
16 201.

17 f. Ad valorem taxes paid during the 5 fiscal years
18 immediately preceding the date of the application, and the
19 projected amounts of such taxes to be due in the 3 fiscal
20 years immediately following the date of the application.

21 10. The estimated amount of tax refunds to be claimed
22 in each fiscal year.

23 11. A brief statement concerning the applicant's need
24 for tax refunds, and the proposed uses of such refunds by the
25 applicant.

26 12. A resolution adopted by the county commissioners
27 of the county in which the project will be located, which
28 recommends the applicant be approved as a qualified applicant,
29 and which indicates that the necessary commitments of local
30 financial support for the applicant exist. Prior to the
31 adoption of the resolution, the county commission may review

1 the proposed public or private sources of such support and
2 determine whether the proposed sources of local financial
3 support can be provided or, for any applicant whose project is
4 located in a county designated by the Rural Economic
5 Development Initiative, a resolution adopted by the county
6 commissioners of such county requesting that the applicant's
7 project be exempt from the local financial support
8 requirement.

9 13. Any additional information requested by the office
10 ~~division~~.

11 (e) To qualify for review by the office ~~division~~, the
12 application of an applicant must, at a minimum, establish the
13 following to the satisfaction of the office ~~division~~:

14 1. The jobs proposed to be provided under the
15 application, pursuant to subparagraph (b)6. or subparagraph
16 (c)6., must pay an estimated annual average wage equaling at
17 least 115 percent of the average wage in the area where the
18 project is to be located.

19 2. The consolidation of a Department of Defense
20 contract must result in a net increase of at least 25 percent
21 in the number of jobs at the applicant's facilities in this
22 state or the addition of at least 80 jobs at the applicant's
23 facilities in this state.

24 3. The conversion of defense production jobs to
25 nondefense production jobs must result in net increases in
26 nondefense employment at the applicant's facilities in this
27 state.

28 4. The Department of Defense contract cannot allow the
29 business to include the costs of relocation or retooling in
30 its base as allowable costs under a cost-plus, or similar,
31 contract.

1 5. A business unit of the applicant must have derived
2 not less than 70 percent of its gross receipts in this state
3 from Department of Defense contracts over the applicant's last
4 fiscal year, and must have derived not less than 80 percent of
5 its gross receipts in this state from Department of Defense
6 contracts over the 5 years preceding the date an application
7 is submitted pursuant to this section. This subparagraph does
8 not apply to any application for certification based on a
9 contract for reuse of a defense-related facility.

10 6. The reuse of a defense-related facility must result
11 in the creation of at least 100 jobs at such facility.

12 (f) Each application meeting the requirements of
13 paragraphs (b) and (e), paragraphs (c) and (e), or paragraphs
14 (d) and (e) must be submitted to the office ~~division~~ for a
15 determination of eligibility. The office ~~division~~ shall
16 review, evaluate, and score each application based on, but not
17 limited to, the following criteria:

18 1. Expected contributions to the state strategic
19 economic development plan adopted by Enterprise Florida, Inc.,
20 taking into account the extent to which the project
21 contributes to the state's high-technology base, and the
22 long-term impact of the project and the applicant on the
23 state's economy.

24 2. The economic benefit of the jobs created or
25 retained by the project in this state, taking into account the
26 cost and average wage of each job created or retained, and the
27 potential risk to existing jobs.

28 3. The amount of capital investment to be made by the
29 applicant in this state.

30 4. The local commitment and support for the project
31 and applicant.

1 5. The impact of the project on the local community,
2 taking into account the unemployment rate for the county where
3 the project will be located.

4 6. The dependence of the local community on the
5 defense industry.

6 7. The impact of any tax refunds granted pursuant to
7 this section on the viability of the project and the
8 probability that the project will occur in this state if such
9 tax refunds are granted to the applicant, taking into account
10 the expected long-term commitment of the applicant to economic
11 growth and employment in this state.

12 8. The length of the project, or the expected
13 long-term commitment to this state resulting from the project.

14 (g) The office ~~division~~ shall forward its written
15 findings and evaluation on each application meeting the
16 requirements of paragraphs (b) and (e), paragraphs (c) and
17 (e), or paragraphs (d) and (e) to the director ~~secretary~~
18 within 60 calendar days of receipt of a complete application.
19 The office ~~division~~ shall notify each applicant when its
20 application is complete, and when the 60-day period begins. In
21 its written report to the director ~~secretary~~, the office
22 ~~division~~ shall specifically address each of the factors
23 specified in paragraph (f), and shall make a specific
24 assessment with respect to the minimum requirements
25 established in paragraph (e). The office ~~division~~ shall
26 include in its report projections of the tax refund claims
27 that will be sought by the applicant in each fiscal year based
28 on the information submitted in the application.

29 (h) Within 30 days after receipt of the office's
30 ~~division's~~ findings and evaluation, the director ~~secretary~~
31 shall enter a final order that either approves or disapproves

1 an application. The decision must be in writing and provide
2 the justifications for either approval or disapproval. If
3 appropriate, the director ~~secretary~~ shall enter into a written
4 agreement with the qualified applicant pursuant to subsection
5 (4).

6 (i) The director ~~secretary~~ may not enter any final
7 order that certifies any applicant as a qualified applicant
8 when the value of tax refunds to be included in that final
9 order exceeds the available amount of authority to enter final
10 orders as determined in s. 288.095(3)~~aggregate amount of tax~~
11 ~~refunds for all qualified applicants projected by the division~~
12 ~~in any fiscal year exceeds the lesser of \$25 million or the~~
13 ~~amount appropriated for tax refunds for that fiscal year. A~~
14 final order that approves an application must specify the
15 maximum amount of a tax refund that is to be available to the
16 contractor in each fiscal year and the total amount of tax
17 refunds for all fiscal years.

18 (j) This section does not create a presumption that an
19 applicant should receive any tax refunds under this section.

20 (4) QUALIFIED DEFENSE CONTRACTOR TAX REFUND
21 AGREEMENT.--

22 (a) A qualified applicant shall enter into a written
23 agreement with the office ~~department~~ containing, but not
24 limited to, the following:

25 1. The total number of full-time equivalent jobs in
26 this state that are or will be dedicated to the qualified
27 applicant's project, the average wage of such jobs, the
28 definitions that will apply for measuring the achievement of
29 these terms during the pendency of the agreement, and a time
30 schedule or plan for when such jobs will be in place and
31 active in this state. This information must be the same as the

1 information contained in the application submitted by the
2 contractor pursuant to subsection (3).

3 2. The maximum amount of a refund that the qualified
4 applicant is eligible to receive in each fiscal year.

5 3. An agreement with the office ~~department~~ allowing
6 the office ~~department~~ to review and verify the financial and
7 personnel records of the qualified applicant to ascertain
8 whether the qualified applicant is complying with the
9 requirements of this section.

10 4. The date after which, each fiscal year, the
11 qualified applicant may file an annual claim pursuant to
12 subsection (5).

13 5. That local financial support shall be annually
14 available and will be paid to the Economic Development Trust
15 Fund.

16 (b) Compliance with the terms and conditions of the
17 agreement is a condition precedent for receipt of tax refunds
18 each year. The failure to comply with the terms and conditions
19 of the agreement shall result in the loss of eligibility for
20 receipt of all tax refunds previously authorized pursuant to
21 this section, and the revocation of the certification as a
22 qualified applicant by the director ~~secretary~~.

23 (c) The agreement shall be signed by the director
24 ~~secretary~~ and the authorized officer of the qualified
25 applicant.

26 (d) The agreement must contain the following legend,
27 clearly printed on its face in bold type of not less than 10
28 points:

29

30 "This agreement is neither a general obligation
31 of the State of Florida, nor is it backed by

1 the full faith and credit of the State of
2 Florida. Payment of tax refunds are conditioned
3 on and subject to specific annual
4 appropriations by the Florida Legislature of
5 funds sufficient to pay amounts authorized in
6 s. 288.1045 ~~s. 288.104~~, Florida Statutes."

7
8 (5) ANNUAL CLAIM FOR REFUND FROM A QUALIFIED DEFENSE
9 CONTRACTOR.--

10 (a) Qualified applicants who have entered into a
11 written agreement with the office ~~department~~ pursuant to
12 subsection (4) and who have entered into a valid new
13 Department of Defense contract, commenced the consolidation of
14 a Department of Defense contract, commenced the conversion of
15 defense production jobs to nondefense production jobs or who
16 have entered into a valid contract for reuse of a
17 defense-related facility may apply once each fiscal year to
18 the office ~~Department of Commerce~~ for tax refunds. The
19 application must be made on or after the date contained in the
20 agreement entered into pursuant to subsection (4) and must
21 include a notarized signature of an officer of the applicant.

22 (b) The claim for refund by the qualified applicant
23 must include a copy of all receipts pertaining to the payment
24 of taxes for which a refund is sought, and data related to
25 achieving each performance item contained in the tax refund
26 agreement pursuant to subsection (4). The amount requested as
27 a tax refund may not exceed the amount for the fiscal year in
28 the written agreement entered pursuant to subsection (4).

29 (c) A tax refund may not be approved for any qualified
30 applicant unless local financial support has been paid to the
31 Economic Development Trust Fund in that fiscal year. If the

1 local financial support is less than 20 percent of the
2 approved tax refund, the tax refund shall be reduced. The tax
3 refund paid may not exceed 5 times the local financial support
4 received. Funding from local sources includes tax abatement
5 under s. 196.1995 provided to a qualified applicant. The
6 amount of any tax refund for an applicant approved under this
7 section shall be reduced by the amount of any such tax
8 abatement, and the limitations in subsection (2) and paragraph
9 (3)(h) shall be reduced by the amount of any such tax
10 abatement. A report listing all sources of the local financial
11 support shall be provided to the office ~~division~~ when such
12 support is paid to the Economic Development Trust Fund.

13 (d) The director ~~secretary~~, with assistance from the
14 office ~~division~~, the Department of Revenue, and the Department
15 of Labor and Employment Security, shall determine the amount
16 of the tax refund that is authorized for the qualified
17 applicant for the fiscal year in a written final order within
18 30 days after the date the claim for the annual tax refund is
19 received by the office ~~Department of Commerce~~.

20 (e) The total amount of tax refunds approved by the
21 director ~~secretary~~ under this section in any fiscal year may
22 not exceed the amount appropriated to the Economic Development
23 Trust Fund for such purposes for the fiscal year. If the
24 Legislature does not appropriate an amount sufficient to
25 satisfy projections by the office ~~division~~ for tax refunds in
26 a fiscal year, the director ~~secretary~~ shall, not later than
27 July 15 of such year, determine the proportion of each refund
28 claim which shall be paid by dividing the amount appropriated
29 for tax refunds for the fiscal year by the projected total
30 amount of refund claims for the fiscal year. The amount of
31 each claim for a tax refund shall be multiplied by the

1 resulting quotient. If, after the payment of all such refund
2 claims, funds remain in the Economic Development Trust Fund
3 for tax refunds, the director ~~secretary~~ shall recalculate the
4 proportion for each refund claim and adjust the amount of each
5 claim accordingly.

6 (f) Upon approval of the tax refund pursuant to
7 paragraphs (c) and (d), the Comptroller shall issue a warrant
8 for the amount included in the final order. In the event of
9 any appeal of the final order, the Comptroller may not issue a
10 warrant for a refund to the qualified applicant until the
11 conclusion of all appeals of the final order.

12 (g) A prorated tax refund, less a 5 percent penalty,
13 shall be approved for a qualified applicant provided all other
14 applicable requirements have been satisfied and the applicant
15 proves to the satisfaction of the director that it has
16 achieved at least 80 percent of its projected employment.

17 (6) ADMINISTRATION.--

18 (a) The office may ~~department shall~~ adopt rules
19 pursuant to chapter 120 for the administration of this
20 section.

21 (b) The office ~~department~~ may verify information
22 provided in any claim submitted for tax credits under this
23 section with regard to employment and wage levels or the
24 payment of the taxes with the appropriate agency or authority
25 including the Department of Revenue, the Department of Labor
26 and Employment Security, or any local government or authority.

27 (c) To facilitate the process of monitoring and
28 auditing applications made under this program, the office
29 ~~department~~ may provide a list of qualified applicants to the
30 Department of Revenue, the Department of Labor and Employment
31 Security, or to any local government or authority. The office

1 ~~department~~ may request the assistance of said entities with
2 respect to monitoring the payment of the taxes listed in
3 subsection (2).

4 (d) By December 1 of each year, the office ~~department~~
5 shall submit a complete and detailed report to the Governor,
6 the President of the Senate, and the Speaker of the House of
7 Representatives of all tax refunds paid under this section,
8 including analyses of benefits and costs, types of projects
9 supported, employment and investment created, geographic
10 distribution of tax refunds granted, and minority business
11 participation. The report must indicate whether the moneys
12 appropriated by the Legislature to the qualified applicant tax
13 refund program were expended in a prudent, fiducially sound
14 manner.

15 (7) EXPIRATION.--An applicant may not be certified as
16 qualified under this section after June 30, 1999.

17 Section 10. Paragraph (b) of subsection (4) of section
18 288.106, Florida Statutes, is amended to read:

19 288.106 Tax refund program for qualified target
20 industry businesses.--

21 (4) APPLICATION AND APPROVAL PROCESS.--

22 (b) To qualify for review by the office, the
23 application of a target industry business must, at a minimum,
24 establish the following to the satisfaction of the office:

25 1. The jobs proposed to be provided under the
26 application, pursuant to subparagraph (a)4., must pay an
27 estimated annual average wage equaling at least 115 percent of
28 the average private sector wage in the area where the business
29 is to be located or the statewide private sector average wage.
30 The office may waive this average wage requirement at the
31 request of the local governing body recommending the project

1 and Enterprise Florida, Inc. The wage requirement may only be
2 waived for a project located in a rural city or county or in
3 an enterprise zone and only when the merits of the individual
4 project or the specific circumstances in the community in
5 relationship to the project warrant such action. If the local
6 governing body and Enterprise Florida, Inc., make such a
7 recommendation, it must be transmitted in writing and the
8 specific justification for the waiver recommendation must be
9 explained. If the director elects to waive the wage
10 requirement, the waiver must be stated in writing and the
11 reasons for granting the waiver must be explained.

12 2. The target industry business's project must result
13 in the creation of at least 10 jobs at such project and, if an
14 expansion of an existing business, must result in a net
15 increase in employment of not less than 10 percent at such
16 business. Notwithstanding the definition of the term
17 "expansion of an existing business" under paragraph (2)(g), at
18 the request of the local governing body recommending the
19 project and Enterprise Florida, Inc., the office may define an
20 "expansion of an existing business" in a rural city, a rural
21 county, or an enterprise zone as the expansion of a business
22 resulting in a net increase in employment of less than 10
23 percent at such business, if the merits of the individual
24 project or the specific circumstances in the community in
25 relationship to the project warrant such action. If the local
26 governing body and Enterprise Florida, Inc., make such a
27 request, it must be transmitted in writing and the specific
28 justification for the request must be explained. If the
29 director elects to accept such request, such election must be
30 stated in writing and the reason for granting the request must
31 be explained.

1 3. The business activity or product for the
2 applicant's project is within an industry or industries that
3 have been identified by the office to be high-value-added
4 industries that contribute to the area and to the economic
5 growth of the state and that produce a higher standard of
6 living for citizens of this state in the new global economy or
7 that can be shown to make an equivalent contribution to the
8 area and state's economic progress.

9 Section 11. Subsection (1) of section 288.1221,
10 Florida Statutes, is amended to read:

11 288.1221 Legislative intent.--

12 (1) It is the intent of the Legislature to establish a
13 public-private partnership to provide policy direction to and
14 technical expertise in the promotion and marketing of the
15 state's tourism attributes. The Legislature further intends to
16 authorize this partnership to recommend the tenets of an
17 industry standard 4-year ~~5-year~~ marketing plan for an annual
18 marketing plan for tourism promotion and recommend a
19 comparable organizational structure to carry out such a plan.
20 The Legislature intends to have such a plan funded by that
21 portion of the rental car surcharge annually dedicated to the
22 Tourism Promotional Trust Fund, pursuant to s. 212.0606, and
23 by the tourism industry. The Legislature intends that the
24 exercise of this authority by the public-private partnership
25 shall take into consideration the recommendations made to the
26 1992 Legislature in the report submitted by the Florida
27 Tourism Commission created pursuant to chapter 91-31, Laws of
28 Florida.

29 Section 12. Subsection (2) of section 288.1222,
30 Florida Statutes, is amended to read:

31

1 288.1222 Definitions.--For the purposes of ss.
2 288.017, 288.121-288.1226, and 288.124, the term:

3 (2) "Tourist" means any person who participates in
4 trade or recreation activities outside the county ~~country~~ of
5 his or her permanent residence or who rents or leases
6 transient living quarters or accommodations as described in s.
7 125.0104(3)(a).

8 Section 13. Paragraphs (f) and (g) of subsection (2)
9 of section 288.1223, Florida Statutes, are amended to read:

10 288.1223 Florida Commission on Tourism; creation;
11 purpose; membership.--

12 (2)

13 (f) The commission shall ~~hold its first meeting no~~
14 ~~later than September 1992 and must~~ meet at least quarterly. A
15 majority of the members shall constitute a quorum for the
16 purpose of conducting business.

17 (g) The Governor shall serve as chair of the
18 commission. The commission shall annually ~~biennially~~ elect one
19 of its tourism-industry-related members as vice chair, who
20 shall preside in the absence of the chair.

21 Section 14. Subsections (12) and (13) are added to
22 section 288.1224, Florida Statutes, to read:

23 288.1224 Powers and duties.--The commission:

24 (12) Shall, upon completion of the plan required under
25 subsection (11), establish a standing statewide advisory
26 committee of the commission to assist the commission with
27 implementation of such plan, including, but not limited to,
28 helping to develop and review ecotourism and heritage tourism
29 policies, coordinate governmental and private-sector interests
30 in ecotourism and heritage tourism, and integrate federal,
31 state, regional, and local ecotourism and heritage tourism

1 marketing strategies. The chairman of the commission shall
2 appoint members of the advisory committee based upon
3 recommendations from the commission. Members shall include:
4 (a) Representatives of the state governmental
5 organizations identified in paragraph (11)(a).
6 (b) A representative of Enterprise Florida, Inc.
7 (c) Representatives of regional ecotourism or heritage
8 tourism committees or associations that are established by
9 local tourism organizations throughout the state.
10 (d) Representatives of the private sector with
11 experience in environmental, historical, cultural,
12 recreational, or other tourism-related activities.
13 (e) Representatives of two not-for-profit
14 environmental organizations with expertise in environmental
15 resource protection and land management.
16 (f) Representatives from any other organizations that
17 the chairman of the commission, based upon recommendations
18 from the commission, deems appropriate.
19 (13) Shall incorporate ecotourism and heritage tourism
20 components into its comprehensive tourism marketing plan for
21 the state, including, but not limited to:
22 (a) Promoting travel experiences that combine visits
23 to commercial destinations in the state with visits to
24 nature-based or heritage-based sites in the state;
25 (b) Promoting travel experiences that combine visits
26 to multiple nature-based or heritage-based sites within a
27 region or within two or more regions in the state;
28 (c) Assisting local and regional tourism organizations
29 in incorporating ecotourism and heritage tourism components
30 into local marketing plans and in establishing cooperative
31

1 local or regional advisory committees on ecotourism and
2 heritage tourism; and

3 (d) Working with local and regional tourism
4 organizations to identify ecotourism and heritage tourism
5 sites, including identifying private-sector businesses engaged
6 in activities supporting or related to ecotourism and heritage
7 tourism.

8 Section 15. (1) The Legislature finds that tourism
9 associated with the natural, cultural, and historical assets
10 of this state constitutes one of the fastest growing segments
11 of the travel and tourism industry. Such ecotourism and
12 heritage tourism hold significant potential for contributing
13 to the economic well-being of this state and its citizens
14 through the generation of revenues and the creation of jobs.
15 The Legislature further finds that there are opportunities to
16 promote travel experiences that link this state's traditional
17 travel destinations with its ecotourism or heritage tourism
18 destinations, and to promote travel experiences that link
19 ecotourism or heritage tourism destinations within a county or
20 among multiple counties. Overarching these findings is the
21 Legislature's recognition that the state's ecotourism and
22 heritage tourism assets must be preserved and maintained if
23 they are to be enjoyed by future generations. It is the intent
24 of the Legislature to encourage the promotion of sustainable
25 ecotourism and heritage tourism in this state.

26 (2)(a) Subject to a specific appropriation in the
27 General Appropriations Act, the Florida Commission on Tourism,
28 in cooperation with the Office of Tourism, Trade, and Economic
29 Development, is authorized to establish and administer an
30 ecotourism and heritage tourism promotion grant program, for
31 the 1998-1999 fiscal year, in order to assist localities and

1 regions in promoting such tourism or the economic development
2 activities related to such tourism.

3 (b) An eligible grant applicant is a governmental or
4 not-for-profit tourism or economic development organization in
5 this state. An application may be submitted jointly on behalf
6 of a combination of such organizations, in which case the
7 organizations together shall be deemed to be one applicant. An
8 organization may not participate in the submission of more
9 than one application.

10 (c) An applicant must submit a grant application to
11 the Florida Commission on Tourism through the commission's
12 direct-support organization. The application must include a
13 requested grant amount and a detailed plan governing the
14 proposed use of the grant award. The commission, with the
15 assistance of its direct-support organization, shall review
16 each application and shall submit award recommendations to the
17 Office of Tourism, Trade, and Economic Development for final
18 approval.

19 (d) The Florida Commission on Tourism and the Office
20 of Tourism, Trade, and Economic Development together shall
21 establish guidelines for administering this program and shall
22 establish criteria for the competitive evaluation of grant
23 applications. Evaluation criteria must include, but need not
24 be limited to:

25 1. The employment and other economic needs of the
26 community or region that is the subject of the application.

27 2. The extent to which the plan submitted with the
28 application links tourism sites within the community or region
29 or links tourism sites within two or more communities or
30 regions.

31

1 3. Whether the community or region that is the subject
2 of the application has been identified by WAGES Program
3 administrators as an area of critical concern because of a low
4 ratio of new jobs to number of WAGES clients.

5 4. The extent to which the plan submitted with the
6 application includes efforts to help ensure that use of the
7 site or sites for ecotourism or heritage tourism activities
8 does not jeopardize the environmental value or the
9 sustainability of the resources.

10 (e) Eligible uses of funds under this program include:

11 1. Marketing ecotourism or heritage tourism sites;

12 2. Rehabilitating or establishing ecotourism or
13 heritage tourism sites;

14 3. Marketing areas as appropriate sites for the
15 location or expansion of businesses engaged in, or that
16 facilitate, ecotourism or heritage tourism activities;

17 4. Establishing local or regional ecotourism and
18 heritage tourism advisory and promotion organizations.

19 (f) Each grant awarded to an applicant under this
20 program shall not exceed \$50,000. Before allocating any grant
21 award under this program, the Office of Tourism, Trade, and
22 Economic Development shall enter into a grant agreement with
23 the grant recipient governing the use of such grant award.

24 Section 16. Section 288.90151, Florida Statutes, is
25 amended to read:

26 288.90151 Funding for contracting with Enterprise
27 Florida, Inc.--

28 (1)(a) From funds appropriated from the General
29 Revenue Fund to the Office of Tourism, Trade, and Economic
30 Development for the purpose of annually contracting with
31 Enterprise Florida, Inc., 10 percent of such funds for the

1 fiscal year 1996-1997, 20 percent of such funds for the fiscal
2 year 1997-1998, 30 percent of such funds for the fiscal year
3 1998-1999, 40 percent of such funds for the fiscal year
4 1999-2000, and 50 percent of such funds for the fiscal year
5 2000-2001 shall be placed in reserve by the Executive Office
6 of the Governor. The funds may be released through a budget
7 amendment, in accordance with chapter 216, as requested by
8 Enterprise Florida, Inc., through the Office of Tourism,
9 Trade, and Economic Development if Enterprise Florida, Inc.,
10 has provided sufficient documentation that the same amount of
11 matching private funds as the amount placed in reserve has
12 been contributed during the same fiscal year to Enterprise
13 Florida, Inc., in support of its economic development efforts.
14 If sufficient documentation is not provided by the end of the
15 fiscal year, such funds shall revert back to the General
16 Revenue Fund.

17 (b) In fiscal years 1999-2000 and 2000-2001, 50
18 percent of the funds placed in reserve may be released by the
19 same budget amendment process if Enterprise Florida, Inc., has
20 provided sufficient documentation that the amount of matching
21 private funds contributed during the same fiscal year to
22 Enterprise Florida, Inc., is equal to 75 percent of the funds
23 placed in reserve. The remaining funds in reserve may be
24 released by the same budget amendment process if Enterprise
25 Florida, Inc., meets the requirements of paragraph (a).

26
27 In each fiscal year, at least 55 percent of the matching
28 private funds required to be documented under this subsection
29 must be comprised of the first category of matching private
30 funds described in subsection (3).

31

1 (2) Prior to the 1999 Regular Session of the
2 Legislature, the Office of Program Policy Analysis and
3 Government Accountability shall conduct a review of the
4 contributions made to Enterprise Florida, Inc., during the
5 prior 3 years pursuant to this section. The review must be
6 conducted in such a manner as to determine the amount and type
7 of matching private funds contributed and the circumstances
8 affecting the ability to achieve or not achieve the specified
9 amount of matching private funds for each year. Based on this
10 information and historical data, the Office of Program Policy
11 Analysis and Governmental Accountability shall determine
12 whether the funding levels of matching private funds for
13 fiscal year 1999-2000, and fiscal year 2000-2001, as specified
14 in this section, are appropriate. This report shall be
15 submitted by January 1, 1999, to the President of the Senate,
16 the Speaker of the House of Representatives, the Senate
17 Minority Leader, and the House Minority Leader.

18 (3) For the purposes of this section, matching private
19 funds shall be divided into two categories. The first category
20 of matching private funds shall include any payment of cash
21 made ~~in response to a solicitation by~~ Enterprise Florida,
22 Inc., and used ~~exclusively~~ by Enterprise Florida, Inc., in its
23 operations or programs, excluding any payment of cash made by
24 any entity to qualify for any Enterprise Florida, Inc., state,
25 or local incentive, grant, or loan program, or any cash
26 received by Enterprise Florida, Inc., pursuant to a grant or
27 contract. The second category of matching private funds shall
28 include a conveyance of property, or payment or distribution
29 of property or anything of value, including contributions
30 in-kind having an attributable monetary value in any form, and
31 including any payment of cash not counted within the first

1 category of matching private funds. Contributions in-kind
2 include, but are not limited to, goods or services rendered.
3 The cost of the contribution shall be the reasonable cost to
4 the sponsor of the goods or services.

5 Section 17. Subsection (3) is added to section
6 288.9618, Florida Statutes, to read:

7 288.9618 Microenterprises.--

8 (3) Not more than 15 percent of the funds appropriated
9 each fiscal year for activities under this section may be used
10 for administrative expenses of the Office of Tourism, Trade,
11 and Economic Development or for administrative expenses of the
12 organization with which the office contracts under this
13 section.

14 Section 18. Section 288.9958, Florida Statutes, is
15 created to read:

16 288.9958 PRIDE Job Placement Incentive Program.--

17 (1) The Legislature recognizes that the location of
18 some correctional facilities has been determined by the desire
19 to provide employment opportunities for residents of
20 communities that have not experienced the economic growth of
21 other portions of the state. Partnerships between the state
22 and the corporation authorized by chapter 946 to manage
23 correctional work programs may result in increased employment
24 opportunities for local citizens. To assist the corporation
25 authorized by chapter 946 in economic development initiatives
26 that specifically enhance the employment opportunities for
27 WAGES participants, the PRIDE Job Placement Incentive Program
28 is created.

29 (2) The PRIDE Job Placement Incentive Program is
30 created to encourage the use of correctional facilities in the
31 economic development of the state. The program shall be

1 administered by the Workforce Development Board of Enterprise
2 Florida, Inc. The Workforce Development Board shall adopt
3 guidelines for the administration of this program.

4 (a) The Workforce Development Board may authorize a
5 grant of \$1,000 to the corporation authorized by chapter 946,
6 or a business working in association with such corporation,
7 for full-time employment of a WAGES participant in those
8 workforce development regions identified by the Workforce
9 Development Board pursuant to subsection (3). The incentive
10 payment shall be paid incrementally, with a payment of \$250
11 upon initial employment, \$250 at an employment duration of six
12 months, and \$500 at an employment duration of one year. Such
13 grants are provided to off-set the costs of business location
14 and training the local workforce. Grants may not be issued for
15 the employment of individuals who have participated in a
16 prison rehabilitative industry program in the two years prior
17 to employment.

18 (b) WAGES participants eligible for employment in the
19 PRIDE Job Placement Incentive Program must be referred by
20 local WAGES coalitions to the corporation authorized by
21 chapter 946. Awarding of grants is dependent upon legislative
22 appropriation; however, no more than \$100,000 shall be awarded
23 statewide in any fiscal year, and no more than \$25,000 may be
24 awarded for jobs provided in any particular workforce region.

25 (3) The Workforce Development Board shall determine
26 those workforce development regions in the state which have
27 the fewest employment opportunities per WAGES participant. The
28 five workforce development regions designated by the Workforce
29 Development Board as having the fewest employment
30 opportunities per WAGES participant are those in which the
31 corporation authorized by chapter 946 or businesses working in

1 association with such corporation may be eligible for job
2 placement incentives.

3 (4) Businesses that have accepted a job placement
4 incentive pursuant to this section may also be eligible to
5 apply for any tax credits, wage supplementation, wage subsidy,
6 or employer payment for that employee which are authorized in
7 law or by agreement with the employer.

8 (5) WAGES participants may be employed by the
9 corporation authorized by chapter 946 in those facilities
10 managed by such corporation if approved by the Department of
11 Corrections and after development of a safety plan for those
12 WAGES participants employed in such a facility.

13 Section 19. As part of the sector strategy approach to
14 economic development planning identified in section
15 288.905(2)(j), Florida Statutes, Enterprise Florida, Inc.,
16 shall examine the current and potential economic development
17 contribution of the biotechnology industry and other health
18 technology industries to this state. In conducting this
19 examination, Enterprise Florida, Inc., shall work in
20 conjunction with representatives of the biotechnology industry
21 and other health technology industries in this state. Such
22 examination shall include, but not be limited to, an
23 identification of impediments to the maintenance and growth of
24 these industries in this state. One of the issues Enterprise
25 Florida, Inc., shall consider is whether there are impediments
26 to the transfer of technology stemming from the state's
27 policies governing the working relationships between
28 university scientists and private businesses. Enterprise
29 Florida, Inc., shall also consider issues related to tax
30 policies applicable to these industries, the capital and
31 financing needs of these industries, and the research and

1 development needs of these industries, as well as any other
2 issues that Enterprise Florida, Inc., and the private-sector
3 representatives deem significant. Enterprise Florida, Inc.,
4 shall report to the Legislature on its findings by October 1,
5 1998, including any recommendations for legislative or other
6 action to improve the business climate for these industries.

7 Section 20. Notwithstanding any provision of law to
8 the contrary, the governing body of a municipality or county
9 containing a United States Environmental Protection Agency
10 brownfield pilot project that was designated as of May 1,
11 1997, may apply to the Office of Tourism, Trade, and Economic
12 Development for designation of one enterprise zone
13 encompassing the brownfield pilot project if the project is
14 located in a county with a population less than one million.
15 The application must be submitted by December 31, 1999, and
16 must comply with the requirements of section 290.0055, Florida
17 Statutes, except section 290.0055(3), Florida Statutes.
18 Notwithstanding the provisions of section 290.0065, Florida
19 Statutes, limiting the total number of enterprise zones
20 designated and the number of enterprise zones within a
21 population category, the Office of Tourism, Trade, and
22 Economic Development shall designate one enterprise zone under
23 this section if the zone is consistent with the limitations
24 imposed under this section. The Office of Tourism, Trade, and
25 Economic Development shall establish the initial effective
26 date of the enterprise zone designated pursuant to this
27 section.

28 Section 21. This act shall take effect July 1, 1998.
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31

1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB 760

4 The committee substitute differs substantially from Senate
5 Bill 760 through the inclusion of additional provisions:

6 Allowing a new employee who is a Job Training Partnership Act
7 classroom training participant or a WAGES Program participant
8 to provide a basis for the employer job tax credit against
9 sales or corporate income tax under the enterprise zone
10 program, regardless of whether the employee resides in the
11 zone;

12 Providing for the establishment of a new enterprise zone in a
13 community that has a U.S. Environmental Protection Agency
14 brownfield pilot project;

15 Expanding the list of eligible businesses under the urban
16 high-crime area and rural job tax credit programs to include
17 certain call centers or similar customer service operations;

18 Making conforming and technical amendments to the entire
19 statute governing the Qualified Defense Contractor (QDC) Tax
20 Refund , rather than to one subsection only, in order to limit
21 the amount of tax refunds that may be approved for a single
22 fiscal year to the amount appropriated by the Legislature for
23 such refunds under s. 288.095, F.S., and in order to change
24 references from the Department of Commerce to the Office of
25 Tourism, Trade, and Economic Development (OTTED);

26 Authorizing OTTED to allow an expanding business in a rural
27 city, a rural county, or an enterprise zone to participate in
28 the Qualified Target Industry (QTI) Tax Refund Program even if
29 the expansion project does not result in a net increase in
30 employment of 10 percent at the business;

31 Revising certain provisions governing the Florida Commission
on Tourism, including providing for the election of a vice
chairman on an annual rather than biennial basis;

Directing the tourism commission to establish a standing
advisory committee on ecotourism and heritage tourism and to
incorporate such tourism components into the overall tourism
marketing plan for the state;

Authorizing the tourism commission to establish a promotion
grant program for ecotourism and heritage tourism, subject to
legislative appropriation;

Limiting the portion of appropriations for the microenterprise
program that may be used for administrative expenses;

Creating the PRIDE Job Placement Incentive Program to
encourage the use of correctional facilities in the economic
development of the state; and

Requiring Enterprise Florida, Inc., to examine the current and
potential contribution of the biotechnology industry and other
health-technology industries to the economic development of

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