

By Senator Kirkpatrick

5-1573A-99

See HB

1                                   A bill to be entitled  
2           An act relating to the promotion and  
3           development of Florida's entertainment  
4           industry; creating s. 288.125, F.S.; defining  
5           the term "entertainment industry"; creating s.  
6           288.1251, F.S.; creating the Office of the Film  
7           Commissioner; providing procedure for  
8           appointment of the Film Commissioner; providing  
9           powers and duties of the office; creating s.  
10          288.1252, F.S.; creating the Florida Film  
11          Advisory Council within the Office of Tourism,  
12          Trade, and Economic Development of the  
13          Executive Office of the Governor; providing  
14          purpose, membership, terms, organization,  
15          powers, and duties of the council; creating s.  
16          288.1253, F.S.; providing definitions;  
17          requiring the Office of Tourism, Trade, and  
18          Economic Development to adopt rules by which it  
19          may make specified expenditures for expenses  
20          incurred in connection with the performance of  
21          the duties of the Office of the Film  
22          Commissioner; requiring approval of such rules  
23          by the Comptroller; requiring an annual report;  
24          authorizing the acceptance and use of specified  
25          goods and services by employees and  
26          representatives of the Office of the Film  
27          Commissioner; providing certain requirements  
28          with respect to claims for expenses; providing  
29          a penalty for false or fraudulent claims;  
30          providing for civil liability; amending s.  
31          14.2015, F.S.; revising purposes of the Office

1 of Tourism, Trade, and Economic Development of  
2 the Executive Office of the Governor; amending  
3 ss. 288.108 and 288.90152, F.S.; conforming  
4 cross-references; repealing s. 288.051, F.S.,  
5 which provides a short title; repealing s.  
6 288.052, F.S., relating to legislative findings  
7 and intent with respect to the "Florida Film  
8 and Television Investment Act"; repealing s.  
9 288.053, F.S., relating to the Florida Film and  
10 Television Investment Board; repealing s.  
11 288.054, F.S., relating to the administration  
12 and powers of the Florida Film and Television  
13 Investment Board; repealing s. 288.055, F.S.,  
14 relating to the Florida Film and Television  
15 Investment Trust Fund; repealing s. 288.056,  
16 F.S., relating to conditions for film and  
17 television investment by the board; repealing  
18 s. 288.057, F.S., requiring an annual report by  
19 the board; repealing s. 288.1228, F.S.,  
20 relating to the direct-support organization  
21 authorized by the Office of Tourism, Trade, and  
22 Economic Development to assist in the promotion  
23 and development of the entertainment industry;  
24 repealing s. 288.12285, F.S., relating to  
25 confidentiality of identities of donors to the  
26 direct-support organization; providing an  
27 effective date.

28  
29 Be It Enacted by the Legislature of the State of Florida:  
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1 Section 1. Section 288.125, Florida Statutes, is  
2 created to read:

3 288.125 Definitions.--For the purposes of sections  
4 288.1251 through 288.1258, the term "entertainment industry"  
5 means those persons or entities engaged in the operation of  
6 motion picture or television studios or recording studios, or  
7 those persons or entities engaged in the preproduction,  
8 production, or postproduction of motion pictures, made-for-TV  
9 motion pictures, television series, commercial advertising,  
10 music videos, or sound recordings.

11 Section 2. Section 288.1251, Florida Statutes, is  
12 created to read:

13 288.1251 Promotion and development of entertainment  
14 industry; Office of the Film Commissioner; creation; purpose;  
15 powers and duties.--

16 (1) CREATION.--

17 (a) There is created within the Office of Tourism,  
18 Trade, and Economic Development the Office of the Film  
19 Commissioner for the purpose of developing, marketing,  
20 promoting, and providing services to the state's entertainment  
21 industry.

22 (b) The Office of Tourism, Trade, and Economic  
23 Development shall conduct a national search for a qualified  
24 person to fill the position of Film Commissioner, and the  
25 Executive Director of the Office of Tourism, Trade, and  
26 Economic Development shall hire the Film Commissioner.  
27 Guidelines for selection of the Film Commissioner include, but  
28 are not limited to, the Film Commissioner having:

29 1. A working knowledge of the equipment, personnel,  
30 financial, and day-to-day production operations of the  
31 industries to be served by the office;

1           2. Marketing and promotion experience related to the  
2 industries to be served by the office;

3           3. Experience working with a variety of individuals  
4 representing large and small entertainment-related businesses,  
5 industry associations, local community entertainment-industry  
6 liaisons, and labor organizations; and

7           4. Experience working with a variety of state and  
8 local governmental agencies.

9           (2) POWERS AND DUTIES.--

10          (a) The Office of the Film Commissioner, in  
11 performance of its duties, shall:

12           1. In consultation with the Florida Film Advisory  
13 Council, develop and implement a 5-year strategic plan to  
14 guide the activities of the Office of the Film Commissioner in  
15 the areas of entertainment industry development, marketing,  
16 promotion, liaison services, field office administration, and  
17 information. The plan, to be developed by no later than June  
18 30, 2000, shall:

19            a. Be annual in construction and ongoing in nature.

20            b. Include recommendations relating to the  
21 organizational structure of the office.

22            c. Include an annual budget projection for the office  
23 for each year of the plan.

24            d. Include an operational model for the office to use  
25 in implementing programs for rural and urban areas designed  
26 to:

27            (I) Develop and promote the state's entertainment  
28 industry.

29            (II) Have the office serve as a liaison between the  
30 entertainment industry and other state and local governmental  
31 agencies, local film commissions, and labor organizations.

1           (III) Gather statistical information related to the  
2 state's entertainment industry.

3           (IV) Provide information and service to businesses,  
4 communities, organizations, and individuals engaged in  
5 entertainment industry activities.

6           (V) Administer field offices outside the state and  
7 coordinate with regional offices maintained by counties and  
8 regions of the state, as described in sub-sub-subparagraph  
9 (II) above, as necessary.

10           e. Include performance standards and measurable  
11 outcomes for the programs to be implemented by the office.

12           f. Include an assessment of, and make recommendations  
13 on, the feasibility of creating an alternative public-private  
14 partnership for the purpose of contracting with such a  
15 partnership for the administration of the state's  
16 entertainment industry promotion, development, marketing, and  
17 industry service programs.

18           2. Develop, market, and facilitate a smooth working  
19 relationship between state agencies and local governments in  
20 cooperation with local film commission offices for  
21 out-of-state and indigenous entertainment industry production  
22 entities.

23           3. Implement a structured methodology prescribed for  
24 coordinating activities of local offices with each other and  
25 the commissioner's office.

26           4. Represent the state's indigenous entertainment  
27 industry to key decisionmakers within the national and  
28 international entertainment industry, and to state and local  
29 officials.

30           5. Prepare an inventory and analysis of the state's  
31 entertainment industry, including, but not limited to,

1 information on crew, related businesses, support services, job  
2 creation, talent, and economic impact and coordinate with  
3 local offices to develop an information tool for common use.

4 6. Represent key decisionmakers within the national  
5 and international entertainment industry to the indigenous  
6 entertainment industry and to state and local officials.

7 7. Serve as liaison between entertainment industry  
8 producers and labor organizations.

9 8. Identify, solicit, and recruit entertainment  
10 production opportunities for the state.

11 (b) The Office of the Film Commissioner, in the  
12 performance of its duties, may:

13 1. Conduct or contract for specific promotion and  
14 marketing functions, including, but not limited to, production  
15 of a statewide directory, production and maintenance of an  
16 Internet web site, establishment and maintenance of a  
17 toll-free number, organization of trade show participation,  
18 and appropriate cooperative marketing opportunities.

19 2. Conduct its affairs, carry on its operations,  
20 establish offices, and exercise the powers granted by this act  
21 in any state, territory, district, or possession of the United  
22 States.

23 3. Carry out any program of information, special  
24 events, or publicity designed to attract the entertainment  
25 industry to Florida.

26 4. Develop relationships and leverage resources with  
27 other public and private organizations or groups in their  
28 efforts to publicize to the entertainment industry in this  
29 state, other states, and other countries the depth of  
30 Florida's entertainment industry talent, crew, production  
31 companies, production equipment resources, related businesses,

1 and support services, including the establishment of and  
2 expenditure for a program of cooperative advertising with  
3 these public and private organizations and groups in  
4 accordance with the provisions of chapter 120.

5 5. Provide and arrange for reasonable and necessary  
6 promotional items and services for such persons as the office  
7 deems proper in connection with the performance of the  
8 promotional and other duties of the office.

9 6. Prepare an annual economic impact analysis on  
10 entertainment industry-related activities in the state.

11 Section 3. Section 288.1252, Florida Statutes, is  
12 created to read:

13 288.1252 Florida Film Advisory Council; creation;  
14 purpose; membership; powers and duties.--

15 (1) CREATION.--There is hereby created within the  
16 Office of Tourism, Trade, and Economic Development of the  
17 Executive Office of the Governor, for administrative purposes  
18 only, the Florida Film Advisory Council.

19 (2) PURPOSE.--The purpose of the council shall be to  
20 serve as an advisory body to the Office of Tourism, Trade, and  
21 Economic Development and to the Office of the Film  
22 Commissioner to provide these offices with industry insight  
23 and expertise related to developing, marketing, promoting, and  
24 providing service to the state's entertainment industry.

25 (3) MEMBERSHIP.--

26 (a) The council shall consist of 17 members, seven to  
27 be appointed by the Governor, five to be appointed by the  
28 President of the Senate, and five to be appointed by the  
29 Speaker of the House of Representatives, with the initial  
30 appointments being made no later than July 1, 1999.

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1           (b) When making appointments to the council, the  
2 Governor, the President of the Senate, and the Speaker of the  
3 House of Representatives shall appoint persons who are  
4 residents of the state and who are highly knowledgeable  
5 concerning, active in, and recognized leaders in Florida's  
6 motion picture, television, video, sound recording, or other  
7 entertainment industries. These persons shall include, but not  
8 be limited to, representatives of local film commissions,  
9 representatives of entertainment associations, a  
10 representative of labor organizations in the entertainment  
11 industry, and board chairs, presidents, chief executive  
12 officers, chief operating officers, and persons of comparable  
13 executive position or stature in leading or otherwise  
14 important entertainment industry businesses and offices.  
15 Council members shall be appointed in such a manner as to  
16 equitably represent the broadest spectrum of the entertainment  
17 industry and geographic areas of the state.

18           (c) Council members shall serve for 4-year terms,  
19 except that the initial terms shall be staggered:

20           1. The Governor shall appoint one member for a 1-year  
21 term, two members for 2-year terms, two members for 3-year  
22 terms, and two members for 4-year terms.

23           2. The President of the Senate shall appoint one  
24 member for a 1-year term, one member for a 2-year term, two  
25 members for 3-year terms, and one member for a 4-year term.

26           3. The Speaker of the House of Representatives shall  
27 appoint one member for a 1-year term, one member for a 2-year  
28 term, two members for 3-year terms, and one member for a  
29 4-year term.

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1           (d) Subsequent appointments shall be made by the  
2 official who appointed the council member whose expired term  
3 is to be filled.

4           (e) The Film Commissioner shall serve as an ex officio  
5 member of the council.

6           (f) Absence from three consecutive meetings shall  
7 result in automatic removal from the council.

8           (g) A vacancy on the council shall be filled for the  
9 remainder of the unexpired term by the official who appointed  
10 the vacating member.

11           (h) No more than one member of the council may be an  
12 employee of any one company, organization, or association.

13           (i) Any member shall be eligible for reappointment but  
14 may not serve more than two consecutive terms.

15           (4) MEETINGS; ORGANIZATION.--

16           (a) The council shall meet no less frequently than  
17 once each quarter of the calendar year, but may meet more  
18 often as set by the council.

19           (b) The council shall annually elect one member to  
20 serve as chair of the council and one member to serve as vice  
21 chair. The Office of the Film Commissioner shall provide  
22 staff assistance to the council, which shall include, but not  
23 be limited to, keeping records of the proceedings of the  
24 council and serving as custodian of all books, documents, and  
25 papers filed with the council.

26           (c) A majority of the members of the council shall  
27 constitute a quorum.

28           (d) Members of the council shall serve without  
29 compensation but shall be entitled to reimbursement for per  
30 diem and travel expenses in accordance with s. 112.061 while  
31 in performance of their duties.

1           (5) POWERS AND DUTIES.--The Florida Film Advisory  
2 Council shall have all the powers necessary or convenient to  
3 carry out and effectuate the purposes and provisions of this  
4 act, including, but not limited to, the power to:

5           (a) Adopt bylaws for the governance of its affairs and  
6 the conduct of its business.

7           (b) Advise and consult with the Office of the Film  
8 Commissioner on the content, development, and implementation  
9 of the 5-year strategic plan to guide the activities of the  
10 office.

11           (c) Review the Film Commissioner's administration of  
12 the programs related to the strategic plan, and advise the  
13 Commissioner on the programs and any changes that might be  
14 made to better meet the strategic plan.

15           (d) Consider and study the needs of the entertainment  
16 industry for the purpose of advising the commissioner and the  
17 Office of Tourism, Trade, and Economic Development.

18           (e) Identify and make recommendations on state agency  
19 and local government actions that may have an impact on the  
20 entertainment industry or that may appear to industry  
21 representatives as an official state or local action affecting  
22 production in the state.

23           (f) Consider all matters submitted to it by the  
24 commissioner and the Office of Tourism, Trade, and Economic  
25 Development.

26           (g) Advise and consult with the commissioner and the  
27 Office of Tourism, Trade, and Economic Development, at their  
28 request or upon its own initiative, regarding the  
29 promulgation, administration, and enforcement of all laws and  
30 rules relating to the entertainment industry.

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1           (h) Suggest policies and practices for the conduct of  
2 business by the Office of the Film Commissioner or by the  
3 Office of Tourism, Trade, and Economic Development that will  
4 improve internal operations affecting the entertainment  
5 industry and will enhance the economic development initiatives  
6 of the state for the industry.

7           (i) Appear on its own behalf before boards,  
8 commissions, departments, or other agencies of municipal,  
9 county, or state government or the Federal Government.

10           Section 4. Section 288.1253, Florida Statutes, is  
11 created to read:

12           288.1253 Travel and entertainment expenses.--

13           (1) As used in this section:

14           (a) "Business client" means any person, other than a  
15 state official or state employee, who receives the services of  
16 representatives of the Office of the Film Commissioner in  
17 connection with the performance of its statutory duties,  
18 including persons or representatives of entertainment industry  
19 companies considering location, relocation, or expansion of an  
20 entertainment industry business within the state.

21           (b) "Entertainment expenses" means the actual,  
22 necessary, and reasonable costs of providing hospitality for  
23 business clients or guests, which costs are defined and  
24 prescribed by rules adopted by the Office of Tourism, Trade,  
25 and Economic Development, subject to approval by the  
26 Comptroller.

27           (c) "Guest" means a person, other than a state  
28 official or state employee, authorized by the Office of  
29 Tourism, Trade, and Economic Development to receive the  
30 hospitality of the Office of the Film Commissioner in  
31 connection with the performance of its statutory duties.

1           (d) "Travel expenses" means the actual, necessary, and  
2 reasonable costs of transportation, meals, lodging, and  
3 incidental expenses normally incurred by a traveler, which  
4 costs are defined and prescribed by rules adopted by the  
5 Office of Tourism, Trade, and Economic Development, subject to  
6 approval by the Comptroller.

7           (2) Notwithstanding the provisions of s. 112.061, the  
8 Office of Tourism, Trade, and Economic Development shall adopt  
9 rules by which it may make expenditures by advancement or  
10 reimbursement, or a combination thereof, to:

11           (a) State officers and state employees for travel  
12 expenses or entertainment expenses incurred by such officers  
13 and employees in connection with the performance of the  
14 statutory duties of the Office of the Film Commissioner.

15           (b) State officers and state employees for travel  
16 expenses or entertainment expenses incurred by such officers  
17 and employees on behalf of guests, business clients, or  
18 authorized persons as defined in s. 112.061(2)(e) in  
19 connection with the performance of the statutory duties of the  
20 Office of the Film Commissioner.

21           (c) Third-party vendors for the travel or  
22 entertainment expenses of guests, business clients, or  
23 authorized persons as defined in s. 112.061(2)(e) incurred  
24 while such persons are participating in activities or events  
25 carried out by the Office of the Film Commissioner in  
26 connection with that office's statutory duties.

27  
28 The rules shall be subject to approval by the Comptroller  
29 prior to promulgation. The rules shall require the submission  
30 of paid receipts, or other proof of expenditure prescribed by  
31 the Comptroller, with any claim for reimbursement and shall

1 require, as a condition for any advancement of funds, an  
2 agreement to submit paid receipts or other proof of  
3 expenditure and to refund any unused portion of the  
4 advancement within 15 days after the expense is incurred or,  
5 if the advancement is made in connection with travel, within  
6 10 working days after the traveler's return to headquarters.  
7 However, with respect to an advancement of funds made solely  
8 for travel expenses, the rules may allow paid receipts or  
9 other proof of expenditure to be submitted, and any unused  
10 portion of the advancement to be refunded, within 10 working  
11 days after the traveler's return to headquarters. Operational  
12 or promotional advancements, as defined in s. 288.35(4),  
13 obtained pursuant to this section shall not be commingled with  
14 any other state funds.

15 (3) The Office of Tourism, Trade, and Economic  
16 Development shall prepare an annual report of the expenditures  
17 of the Office of the Film Commissioner and provide such report  
18 to the Legislature no later than December 30 of each year for  
19 the expenditures of the previous fiscal year. The report shall  
20 consist of a summary of all travel, entertainment, and  
21 incidental expenses incurred within the United States and all  
22 travel, entertainment, and incidental expenses incurred  
23 outside the United States.

24 (4) The Office of the Film Commissioner and its  
25 employees and representatives, when authorized, may accept and  
26 use complimentary travel, accommodations, meeting space,  
27 meals, equipment, transportation, and any other goods or  
28 services necessary for or beneficial to the performance of the  
29 office's duties and purposes, so long as such acceptance or  
30 use is not in conflict with part III of chapter 112. The  
31 Office of Tourism, Trade, and Economic Development shall, by

1 rule, develop internal controls to ensure that such goods or  
2 services accepted or used pursuant to this subsection are  
3 limited to those that will assist in the furtherance of the  
4 office's goals and are in compliance with part III of chapter  
5 112.

6 (5) Any claim submitted under this section shall not  
7 be required to be sworn to before a notary public or other  
8 officer authorized to administer oaths, but any claim  
9 authorized or required to be made under any provision of this  
10 section shall contain a statement that the expenses were  
11 actually incurred as necessary travel or entertainment  
12 expenses in the performance of official duties of the Office  
13 of the Film Commissioner and shall be verified by written  
14 declaration that it is true and correct as to every material  
15 matter. Any person who willfully makes and subscribes to any  
16 claim which he or she does not believe to be true and correct  
17 as to every material matter or who willfully aids or assists  
18 in, procures, or counsels or advises with respect to, the  
19 preparation or presentation of a claim pursuant to this  
20 section that is fraudulent or false as to any material matter,  
21 whether or not such falsity or fraud is with the knowledge or  
22 consent of the person authorized or required to present the  
23 claim, is guilty of a misdemeanor of the second degree,  
24 punishable as provided in s. 775.082 or s. 775.083. Whoever  
25 receives an advancement or reimbursement by means of a false  
26 claim is civilly liable, in the amount of the overpayment, for  
27 the reimbursement of the public fund from which the claim was  
28 paid.

29 Section 5. Subsections (2) and (7) of section 14.2015,  
30 Florida Statutes, 1998 Supplement, are amended to read:

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1           14.2015 Office of Tourism, Trade, and Economic  
2 Development; creation; powers and duties.--

3           (2) The purpose of the Office of Tourism, Trade, and  
4 Economic Development is to assist the Governor in working with  
5 the Legislature, state agencies, business leaders, and  
6 economic development professionals to formulate and implement  
7 coherent and consistent policies and strategies designed to  
8 provide economic opportunities for all Floridians. To  
9 accomplish such purposes, the Office of Tourism, Trade, and  
10 Economic Development shall:

11           ~~(a) Contract, notwithstanding the provisions of part I~~  
12 ~~of chapter 287, with the direct-support organization created~~  
13 ~~under s. 288.1228, or a designated Florida not-for-profit~~  
14 ~~corporation whose board members have had prior experience in~~  
15 ~~promoting, throughout the state, the economic development of~~  
16 ~~the Florida motion picture, television, radio, video,~~  
17 ~~recording, and entertainment industries, to guide, stimulate,~~  
18 ~~and promote the entertainment industry in the state.~~

19           (a)~~(b)~~ Contract, notwithstanding the provisions of  
20 part I of chapter 287, with the direct-support organization  
21 created under s. 288.1229 to guide, stimulate, and promote the  
22 sports industry in the state.

23           (b)~~(c)~~ Monitor the activities of public-private  
24 partnerships and state agencies in order to avoid duplication  
25 and promote coordinated and consistent implementation of  
26 programs in areas including, but not limited to, tourism;  
27 international trade and investment; business recruitment,  
28 creation, retention, and expansion; minority and small  
29 business development; and rural community development.

30           (c)~~(d)~~ Facilitate the direct involvement of the  
31 Governor and the Lieutenant Governor in economic development

1 projects designed to create, expand, and retain Florida  
2 businesses and to recruit worldwide business.

3 (d)~~(e)~~ Assist the Governor, in cooperation with  
4 Enterprise Florida, Inc., and the Florida Commission on  
5 Tourism, in preparing an annual report to the Legislature on  
6 the state of the business climate in Florida and on the state  
7 of economic development in Florida which will include the  
8 identification of problems and the recommendation of  
9 solutions. This report shall be submitted to the President of  
10 the Senate, the Speaker of the House of Representatives, the  
11 Senate Minority Leader, and the House Minority Leader by  
12 January 1 of each year, and it shall be in addition to the  
13 Governor's message to the Legislature under the State  
14 Constitution and any other economic reports required by law.

15 (e)~~(f)~~ Plan and conduct at least three meetings per  
16 calendar year of leaders in business, government, and economic  
17 development called by the Governor to address the business  
18 climate in the state, develop a common vision for the economic  
19 future of the state, and identify economic development efforts  
20 to fulfill that vision.

21 (f)~~(g)~~1. Administer the Florida Enterprise Zone Act  
22 under ss. 290.001-290.016, the community contribution tax  
23 credit program under ss. 220.183 and 624.5105, the tax refund  
24 program for qualified target industry businesses under s.  
25 288.106, contracts for transportation projects under s.  
26 288.063, the sports franchise facility program under s.  
27 288.1162, the professional golf hall of fame facility program  
28 under s. 288.1168, the Florida Jobs Siting Act under ss.  
29 403.950-403.972, the Rural Community Development Revolving  
30 Loan Fund under s. 288.065, the Regional Rural Development  
31 Grants Program under s. 288.018, the Certified Capital Company



1 Act under s. 288.99, the Florida State Rural Development  
2 Council, and the Rural Economic Development Initiative.

3         2. The office may enter into contracts in connection  
4 with the fulfillment of its duties concerning the Florida  
5 First Business Bond Pool under chapter 159, tax incentives  
6 under chapters 212 and 220, tax incentives under the Certified  
7 Capital Company Act in chapter 288, foreign offices under  
8 chapter 288, the Enterprise Zone program under chapter 290,  
9 the Seaport Employment Training program under chapter 311, the  
10 Florida Professional Sports Team License Plates under chapter  
11 320, Spaceport Florida under chapter 331, Job Siting and  
12 Expedited Permitting under chapter 403, and in carrying out  
13 other functions that are specifically assigned to the office  
14 by law.

15         (g)~~(h)~~ Serve as contract administrator for the state  
16 with respect to contracts with Enterprise Florida, Inc., the  
17 Florida Commission on Tourism, and all direct-support  
18 organizations under this act, excluding those relating to  
19 tourism. To accomplish the provisions of this act and  
20 applicable provisions of chapter 288, and notwithstanding the  
21 provisions of part I of chapter 287, the office shall enter  
22 into specific contracts with Enterprise Florida, Inc., the  
23 Florida Commission on Tourism, and other appropriate  
24 direct-support organizations. Such contracts may be multiyear  
25 and shall include specific performance measures for each year.  
26 The office shall provide the President of the Senate and the  
27 Speaker of the House of Representatives with a report by  
28 February 1 of each year on the status of these contracts,  
29 including the extent to which specific contract performance  
30 measures have been met by these contractors.

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1           (h) Provide administrative oversight for the Office of  
2 the Film Commissioner, created under s. 288.1251, to develop,  
3 promote, and provide services to the state's entertainment  
4 industry and to administratively house the Florida Film  
5 Advisory Council created under s. 288.1252.

6           (i) Prepare and submit as a separate budget entity a  
7 unified budget request for tourism, trade, and economic  
8 development in accordance with chapter 216 for, and in  
9 conjunction with, Enterprise Florida, Inc., and its boards,  
10 the Florida Commission on Tourism and its direct-support  
11 organization, the Florida Black Business Investment Board, the  
12 Office of the Film Commissioner, and the direct-support  
13 organization ~~organizations~~ created to promote the  
14 ~~entertainment and sports~~ industry industries.

15           (j) Promulgate rules to carry out its functions in  
16 connection with the administration of the Qualified Target  
17 Industry program, the Qualified Defense Contractor program,  
18 the Certified Capital Company Act, the Enterprise Zone  
19 program, and the Florida First Business Bond pool.

20           (7) The Office of Tourism, Trade, and Economic  
21 Development shall develop performance measures, standards, and  
22 sanctions for each program it administers under this act and,  
23 in conjunction with the applicable entity, for each program  
24 for which it contracts with another entity under this act.  
25 The performance measures, standards, and sanctions shall be  
26 developed in consultation with the legislative appropriations  
27 committees and the appropriate substantive committees, and are  
28 subject to the review and approval process provided in s.  
29 216.177. The approved performance measures, standards, and  
30 sanctions shall be included and made a part of the strategic  
31

1 plan for the Office of the Film Commissioner and each contract  
2 entered into for delivery of programs authorized by this act.

3 Section 6. Paragraph (e) of subsection (6) of section  
4 288.108, Florida Statutes, is amended to read:

5 288.108 High-impact business.--

6 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT  
7 SECTORS.--

8 (e) The study and its findings and recommendations and  
9 the recommendations gathered from the sector-business network  
10 must be discussed and considered during at least one of the  
11 quarterly meetings required in s. 14.2015(2)(g)(~~h~~).

12 Section 7. Subsection (7) of section 288.90152,  
13 Florida Statutes, is amended to read:

14 288.90152 Pilot matching grant program.--

15 (7) Upon completing all training funded under this  
16 pilot program, the Office of Tourism, Trade, and Economic  
17 Development shall report on the outputs and outcomes for this  
18 program as part of the annual report prepared under s.  
19 14.2015(2)(f)(~~g~~). Such report must include a recommendation on  
20 whether it would be sound public policy to continue or  
21 discontinue funding for the program.

22 Section 8. Sections 288.051, 288.052, 288.053,  
23 288.054, 288.055, 288.056, 288.057, 288.1228, and 288.12285,  
24 Florida Statutes, are repealed.

25 Section 9. This act shall take effect upon becoming a  
26 law.

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LEGISLATIVE SUMMARY

Creates the Office of Film Commissioner within the Office of Tourism, Trade, and Economic Development for the purpose of developing, promoting, and providing services to the state's entertainment industry. Provides procedure for the appointment of the Film Commissioner. Provides powers and duties of the office.

Creates the Florida Film Advisory Council within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor for the purpose of providing industry insight and expertise related to developing, promoting, and providing service to the state's entertainment industry. Provides for membership, terms, organization, and powers and duties of the council.

Requires the Office of Tourism, Trade, and Economic Development to adopt rules by which it may make specified expenditures for expenses incurred in connection with the performance of the duties of the Office of the Film Commissioner. Requires approval of such rules by the Comptroller. Requires an annual report. Authorizes the acceptance and use of specified goods and services by employees and representatives of the Office of the Film Commissioner relative to the performance of the duties of the office. Provides certain requirements with respect to claims for expenses. Provides a second-degree misdemeanor penalty for false or fraudulent claims, and provides for civil liability.

Revises purposes of the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor with respect to the promotion of the entertainment industry within the state. Charges the Office of Tourism, Trade, and Economic Development with administrative oversight of the Office of the Film Commissioner.

Repeals various provisions of chapter 288, F.S., relating to the Florida Film and Television Investment Act and the Florida Film and Television Investment Board, to conform.