

By Senator Klein

28-481B-99

1 A bill to be entitled
2 An act relating to economic development;
3 amending s. 15.18, F.S.; providing for
4 coordination of international activities of the
5 Department of State; requiring the Secretary of
6 State to maintain lists relating to foreign
7 money judgments; amending s. 55.604, F.S.;
8 requiring that foreign judgments be filed with
9 the Secretary of State; amending s. 55.605,
10 F.S.; requiring the Secretary of State to
11 create and maintain a specified list relative
12 to foreign money judgments; creating s. 257.34,
13 F.S.; creating the Florida International
14 Archive and Repository; providing requirements
15 for the archive; providing for access to the
16 archive; reviving, reenacting, and amending s.
17 288.012, F.S., relating to establishment and
18 operation of foreign offices by the Office of
19 Tourism, Trade, and Economic Development;
20 abrogating the repeal of the section; requiring
21 offices to report annually on activities and
22 accomplishments; prescribing the content of the
23 reports; providing for future review of foreign
24 offices; requiring Enterprise Florida, Inc., to
25 develop a master plan for integrating
26 international trade and reverse investment
27 resources; prescribing procedures, content, and
28 a submission deadline related to the plan;
29 requiring Enterprise Florida, Inc., in
30 conjunction with the Office of Tourism, Trade,
31 and Economic Development, to prepare a plan to

1 promote foreign direct investment in Florida;
2 prescribing procedures, content, and a
3 submission deadline related to the plan;
4 requiring Enterprise Florida, Inc., to develop
5 a strategic plan that will allow Florida to
6 capitalize on the economic opportunities
7 associated with a post-embargo Cuba; amending
8 s. 14.2015, F.S.; revising the reporting
9 requirements of the Office of Tourism, Trade,
10 and Economic Development relating to permits
11 and rules; authorizing the Office of Tourism,
12 Trade, and Economic Development to coordinate
13 establishment of a one-stop permit registry;
14 requiring prompt disbursement of certain funds
15 by the Office of Tourism, Trade, and Economic
16 Development; requiring notification when funds
17 are not timely disbursed; amending ss. 212.097
18 and 212.098, F.S.; clarifying the definition of
19 an "eligible business" under the Urban
20 High-Crime Area Job Tax Credit Program and the
21 Rural Job Tax Credit Program; providing that
22 certain call centers or similar customer
23 service operations are eligible businesses
24 under these programs; providing that certain
25 retail businesses are eligible businesses under
26 the Urban High-Crime Area Job Tax Credit
27 Program; amending s. 288.075, F.S.; replacing a
28 reference to the Department of Commerce with a
29 reference to the Office of Tourism, Trade, and
30 Economic Development in the definition of
31 "economic development agency" under a provision

1 relating to the confidentiality of certain
2 economic development information; specifying
3 that the prohibition against contracting with
4 entities that have requested confidentiality
5 concerning certain economic development
6 information does not apply to a public officer
7 or employee or an economic development agency
8 employee acting in his or her official
9 capacity; amending s. 288.095, F.S.;
10 establishing a cap on the total amount of the
11 state share of tax refunds which may be
12 approved for a single fiscal year under the tax
13 refund programs for qualified defense
14 contractors, qualified target industry
15 businesses, and brownfield redevelopment;
16 amending s. 288.1045, F.S.; conforming the
17 limitation on the amount of tax refunds
18 approved for payment under the qualified
19 defense contractor tax refund program to the
20 amount appropriated by the Legislature for such
21 refunds; correcting references relating to
22 program administration; amending s. 288.106,
23 F.S.; authorizing a reduced employment
24 threshold for expanding businesses in certain
25 rural areas or enterprise zones under the tax
26 refund program for qualified target industry
27 businesses; amending s. 288.1221, F.S.;
28 conforming legislative intent on the time
29 period covered by a tourism promotion marketing
30 plan to the time period covered by the
31 marketing plan prepared by the Florida

1 Commission on Tourism under s. 288.1224, F.S.;
2 amending s. 288.1222, F.S.; revising the
3 definition of "tourist" to clarify that the
4 term applies to a person participating in trade
5 or recreation activities outside the county of
6 permanent residence; amending s. 288.9618,
7 F.S.; limiting the amount of appropriations for
8 the microenterprise program that may be used
9 for administrative expenses; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 15.18, Florida Statutes, is amended
15 to read:

16 15.18 International and cultural relations.--The
17 Divisions of Cultural Affairs, Historical Resources, and
18 Library and Information Services of the Department of State
19 promote programs having substantial cultural, artistic, and
20 indirect economic significance that emphasize American
21 creativity. The Secretary of State, as the head administrator
22 of these divisions, shall hereafter be known as "Florida's
23 Chief Cultural Officer." As this officer, the Secretary of
24 State is encouraged to initiate and develop relationships
25 between the state and foreign cultural officers, their
26 representatives, and other foreign governmental officials in
27 order to promote Florida as the center of American creativity.
28 The Secretary of State shall coordinate international
29 activities pursuant to this section with Enterprise Florida,
30 Inc., and any other organization the secretary deems
31 appropriate ~~the Florida International Affairs Commission.~~ For

1 the accomplishment of this purpose, the Secretary of State
2 shall have the power and authority to:

3 (1) Disseminate any information pertaining to the
4 State of Florida which promotes the state's cultural assets.

5 (2) Plan and carry out activities designed to cause
6 improved cultural and governmental programs and exchanges with
7 foreign countries.

8 (3) Plan and implement cultural and social activities
9 for visiting foreign heads of state, diplomats, dignitaries,
10 and exchange groups.

11 (4) Encourage and cooperate with other public and
12 private organizations or groups in their efforts to promote
13 the cultural advantages of Florida.

14 (5) Establish and maintain the list prescribed in s.
15 55.605(2)(g), relating to recognition of foreign money
16 judgments.

17 ~~(6)(5)~~ Serve as the liaison with all foreign consular
18 and ambassadorial corps, as well as international
19 organizations, that are consistent with the purposes of this
20 section.

21 ~~(7)(6)~~ Provide, arrange, and make expenditures for the
22 achievement of any or all of the purposes specified in this
23 section.

24 ~~(8)(7)~~ Notwithstanding the provisions of part I of
25 chapter 287, promulgate rules for entering into contracts
26 which are primarily for promotional services and events, which
27 may include commodities involving a service. Such rules shall
28 include the authority to negotiate costs with the offerors of
29 such services and commodities who have been determined to be
30 qualified on the basis of technical merit, creative ability,
31 and professional competency. The rules shall only apply to the

1 expenditure of funds donated for promotional services and
2 events. Expenditures of appropriated funds shall be made only
3 in accordance with part I of chapter 287.

4 Section 2. Subsections (1) and (6) of section 55.604,
5 Florida Statutes, are amended to read:

6 55.604 Recognition and enforcement.--Except as
7 provided in s. 55.605, a foreign judgment meeting the
8 requirements of s. 55.603 is conclusive between the parties to
9 the extent that it grants or denies recovery of a sum of
10 money. Procedures for recognition and enforceability of a
11 foreign judgment shall be as follows:

12 (1) The foreign judgment shall be filed with the
13 Department of State and the clerk of the court and recorded in
14 the public records in the county or counties where enforcement
15 is sought. The filing with the Department of State shall not
16 create a lien on any property.

17 (a) At the time of the recording of a foreign
18 judgment, the judgment creditor shall make and record with the
19 clerk of the circuit court an affidavit setting forth the
20 name, social security number, if known, and last known
21 post-office address of the judgment debtor and of the judgment
22 creditor.

23 (b) Promptly upon the recording of the foreign
24 judgment and the affidavit, the clerk shall mail notice of the
25 recording of the foreign judgment, by registered mail with
26 return receipt requested, to the judgment debtor at the
27 address given in the affidavit and shall make a note of the
28 mailing in the docket. The notice shall include the name and
29 address of the judgment creditor and of the judgment
30 creditor's attorney, if any, in this state. In addition, the
31 judgment creditor may mail a notice of the recording of the

1 judgment to the judgment debtor and may record proof of
2 mailing with the clerk. The failure of the clerk to mail
3 notice of recording will not affect the enforcement
4 proceedings if proof of mailing by the judgment creditor has
5 been recorded.

6 (6) Once an order recognizing the foreign judgment has
7 been entered by a court of this state, the order and a copy of
8 the judgment shall be filed with the Department of State and
9 may be recorded in any other county of this state without
10 further notice or proceedings, and shall be enforceable in the
11 same manner as the judgment of a court of this state.

12 Section 3. Paragraph (g) of subsection (2) of section
13 55.605, Florida Statutes, is amended to read:

14 55.605 Grounds for nonrecognition.--

15 (2) A foreign judgment need not be recognized if:

16 (g) The foreign jurisdiction where judgment was
17 rendered would not give recognition to a similar judgment
18 rendered in this state. For purposes of this paragraph, the
19 Secretary of State shall establish and maintain a list of
20 foreign jurisdictions where the condition specified in this
21 paragraph has been found to apply.

22 Section 4. Section 257.34, Florida Statutes, is
23 created to read:

24 257.34 Florida International Archive and Repository.--

25 (1) There is created within the Division of Library
26 and Information Services of the Department of State the
27 Florida International Archive and Repository for the
28 preservation of those public records, as defined in s.
29 119.011(1), manuscripts, international judgments involving
30 disputes between domestic and foreign businesses, and all
31 other public matters that the department or the Florida

1 Council of International Development deem relevant to
2 international issues. It is the duty and responsibility of the
3 division to:

4 (a) Organize and administer the Florida International
5 Archive and Repository;

6 (b) Preserve and administer records that are
7 transferred to its custody; accept, arrange, and preserve
8 them, according to approved archival and repository practices;
9 and permit them, at reasonable times and under the supervision
10 of the division, to be inspected, examined, and copied. All
11 public records transferred to the custody of the division are
12 subject to the provisions of s. 119.07(1).

13 (c) Assist the records and information management
14 program in the determination of retention values for records;

15 (d) Cooperate with and assist insofar as practicable
16 state institutions, departments, agencies, counties,
17 municipalities, and individuals engaged in internationally
18 related activities;

19 (e) Provide a public research room where, under rules
20 established by the division, the materials in the
21 international archive and repository may be studied;

22 (f) Conduct, promote, and encourage research in
23 international trade, government, and culture and maintain a
24 program of information, assistance, coordination, and guidance
25 for public officials, educational institutions, libraries, the
26 scholarly community, and the general public engaged in such
27 research;

28 (g) Cooperate with and, insofar as practicable, assist
29 agencies, libraries, institutions, and individuals in projects
30 concerned with internationally related issues and preserve
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1 original materials relating to internationally related issues;
2 and

3 (h) Assist and cooperate with the records and
4 information management program in the training and information
5 program described in s. 257.36(1)(g).

6 (2) Any agency is authorized and empowered to turn
7 over to the division any record no longer in current official
8 use. The division may accept such record and provide for its
9 administration and preservation as provided in this section
10 and, upon acceptance, be considered the legal custodian of
11 such record. The division may direct and effect the transfer
12 to the archives of any records that are determined by the
13 division to have such historical or other value to warrant
14 their continued preservation or protection, unless the head of
15 the agency that has custody of the records certifies in
16 writing to the division that the records must be retained in
17 the agency's custody for use in the conduct of the regular
18 current business of the agency.

19 (3) Title to any record transferred to the Florida
20 International Archive and Repository, as authorized in this
21 chapter, is vested in the division.

22 (4) The division shall make certified copies under
23 seal of any record transferred to it upon the application of
24 any person, and the certificates shall have the same force and
25 effect as if made by the agency from which the record was
26 received. The division may charge a fee for this service based
27 upon the cost of service.

28 (5) The division may establish and maintain a schedule
29 of fees for services that may include, but need not be limited
30 to, restoration of materials, storage of materials, special
31 research services, and publications.

1 (6) The division shall establish and maintain a
2 mechanism by which the information contained within the
3 Florida International Archive and Repository may be accessed
4 by computer via the World Wide Web. In doing so, the division
5 shall take whatever measures it deems appropriate to ensure
6 the validity, quality, and safety of the information being
7 accessed.

8 (7) The division shall adopt rules necessary to
9 implement this section.

10 (8) The Florida Council of International Development
11 may select materials for inclusion in the Florida
12 International Archive and Repository and shall be consulted
13 closely by the division in all matters relating to its
14 establishment and maintenance.

15 Section 5. Notwithstanding section 3 of chapter
16 89-150, section 112 of chapter 90-201, and section 53 of
17 chapter 91-5, Laws of Florida, section 288.012, Florida
18 Statutes, is not repealed but is revived, reenacted, and
19 amended to read:

20 288.012 State of Florida foreign offices.--The
21 Legislature finds that the expansion of international trade
22 and tourism is vital to the overall health and growth of the
23 economy of this state. This expansion is hampered by the lack
24 of technical and business assistance, financial assistance,
25 and information services for businesses in this state. The
26 Legislature finds that these businesses could be assisted by
27 providing these services at State of Florida foreign offices.
28 The Legislature further finds that the accessibility and
29 provision of services at these offices can be enhanced through
30 cooperative agreements or strategic alliances between state
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1 entities, local entities, foreign entities, and private
2 businesses.

3 (1) The Office of Tourism, Trade, and Economic
4 Development is authorized to:

5 (a) Establish and operate offices in foreign countries
6 for the purpose of promoting the trade and economic
7 development of the state, and promoting the gathering of trade
8 data information and research on trade opportunities in
9 specific countries.

10 (b) Enter into agreements with governmental and
11 private sector entities to establish and operate offices in
12 foreign countries containing provisions which may be in
13 conflict with general laws of the state pertaining to the
14 purchase of office space, employment of personnel, and
15 contracts for services. When agreements pursuant to this
16 section are made which set compensation in foreign currency,
17 such agreements shall be subject to the requirements of s.
18 215.425, but the purchase of foreign currency by the Office of
19 Tourism, Trade, and Economic Development to meet such
20 obligations shall be subject only to s. 216.311.

21 (c) By September 1, 1997, the Office of Tourism,
22 Trade, and Economic Development shall develop a plan for the
23 disposition of the current foreign offices and the development
24 and location of additional foreign offices. The plan shall
25 include, but is not limited to, a determination of the level
26 of funding needed to operate the current offices and any
27 additional offices and whether any of the current offices need
28 to be closed or relocated. Enterprise Florida, Inc., the
29 Florida Tourism Commission, the Florida Ports Council, the
30 Department of State, the Department of Citrus, and the
31 Department of Agriculture shall assist the Office of Tourism,

1 Trade, and Economic Development in the preparation of the
2 plan. All parties shall cooperate on the disposition or
3 establishment of the offices and ensure that needed space,
4 technical assistance, and support services are provided to
5 such entities at such foreign offices.

6 (2) By June 30, 1998, each foreign office shall have
7 in place an operational plan approved by the participating
8 boards or other governing authority, a copy of which shall be
9 provided to the Office of Tourism, Trade, and Economic
10 Development. These operating plans shall be reviewed and
11 updated each fiscal year and shall include, at a minimum, the
12 following:

13 (a) Specific policies and procedures encompassing the
14 entire scope of the operation and management of each office.

15 (b) A comprehensive, commercial strategic plan
16 identifying marketing opportunities and industry sector
17 priorities for the foreign country or area in which a foreign
18 office is located.

19 (c) Provisions for access to information for Florida
20 businesses through the Florida Trade Data Center. Each
21 foreign office shall obtain and forward trade leads and
22 inquiries to the center on a regular basis as called for in
23 the plan pursuant to paragraph (1)(c).

24 (d) Identification of new and emerging market
25 opportunities for Florida businesses. Each foreign office
26 shall provide the Florida Trade Data Center with a compilation
27 of foreign buyers and importers in industry sector priority
28 areas on an annual basis. In return, the Florida Trade Data
29 Center shall make available to each foreign office, and to the
30 entities identified in paragraph (1)(c), trade industry,
31 commodity, and opportunity information as specified in the

1 plan required in that paragraph. This information shall be
2 provided to the offices and the entities identified in
3 paragraph (1)(c) either free of charge or on a fee basis with
4 fees set only to recover the costs of providing the
5 information.

6 (e) Provision of access for Florida businesses to the
7 services of the Florida Trade Data Center, international trade
8 assistance services provided by state and local entities,
9 seaport and airport information, and other services identified
10 in the plan pursuant to paragraph (1)(c).

11 (f) Qualitative and quantitative performance measures
12 for each office including, but not limited to, the number of
13 businesses assisted, the number of trade leads and inquiries
14 generated, the number of foreign buyers and importers
15 contacted, and the amount and type of marketing conducted.

16 (3) By October 1 of each year, each foreign office
17 shall submit to the Office of Tourism, Trade, and Economic
18 Development a complete and detailed report on its activities
19 and accomplishments during the preceding fiscal year. In a
20 format provided by Enterprise Florida, Inc., the report must
21 set forth information on:

22 (a) The number of Florida companies assisted.

23 (b) The number of inquiries received about investment
24 opportunities in this state.

25 (c) The number of trade leads generated.

26 (d) The number of investment projects announced.

27 (e) The estimated U.S. dollar value of sales
28 confirmations.

29 (f) The number of representation agreements.

30 (g) The number of company consultations.

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1 (h) Barriers or other issues affecting the effective
2 operation of the office.

3 (i) Changes in office operations which are planned for
4 the current fiscal year.

5 (j) Marketing activities conducted.

6 (k) Strategic alliances formed with organizations in
7 the country in which the office is located.

8 (l) Activities conducted with other Florida foreign
9 offices.

10 (m) Any other information that the office believes
11 would contribute to an understanding of its activities.

12 ~~(4)(3)~~ The Office of Tourism, Trade, and Economic
13 Development, in connection with the establishment, operation,
14 and management of any of its offices located in a foreign
15 country, is exempt from the provisions of ss. 255.21, 255.25,
16 and 255.254 relating to leasing of buildings; ss. 283.33 and
17 283.35 relating to bids for printing; ss. 287.001-287.20
18 relating to purchasing and motor vehicles; and ss.
19 282.003-282.111 relating to communications, and from all
20 statutory provisions relating to state employment.

21 (a) The Office of Tourism, Trade, and Economic
22 Development may exercise such exemptions only upon prior
23 approval of the Governor.

24 (b) If approval for an exemption under this section is
25 granted as an integral part of a plan of operation for a
26 specified foreign office, such action shall constitute
27 continuing authority for the Office of Tourism, Trade, and
28 Economic Development to exercise the exemption, but only in
29 the context and upon the terms originally granted. Any
30 modification of the approved plan of operation with respect to
31 an exemption contained therein must be resubmitted to the

1 Governor for his or her approval. An approval granted to
2 exercise an exemption in any other context shall be restricted
3 to the specific instance for which the exemption is to be
4 exercised.

5 (c) As used in this subsection, the term "plan of
6 operation" means the plan developed pursuant to subsection
7 (2).

8 (d) Upon final action by the Governor with respect to
9 a request to exercise the exemption authorized in this
10 subsection, the Office of Tourism, Trade, and Economic
11 Development shall report such action, along with the original
12 request and any modifications thereto, to the President of the
13 Senate and the Speaker of the House of Representatives within
14 30 days.

15 (5)~~(4)~~ Where feasible and appropriate, and subject to
16 s. 288.1224(10), foreign offices established and operated
17 under this section may provide one-stop access to the economic
18 development, trade, and tourism information, services, and
19 programs of the state. Where feasible and appropriate, and
20 subject to s. 288.1224(10), such offices may also be
21 collocated with other foreign offices of the state.

22 (6)~~(5)~~ The Office of Tourism, Trade, and Economic
23 Development is authorized to make and to enter into contracts
24 with Enterprise Florida, Inc., and the Florida Commission on
25 Tourism to carry out the provisions of this section. The
26 authority, duties, and exemptions provided in this section
27 apply to Enterprise Florida, Inc., and the Florida Commission
28 on Tourism to the same degree and subject to the same
29 conditions as applied to the Office of Tourism, Trade, and
30 Economic Development. To the greatest extent possible, such
31 contracts shall include provisions for cooperative agreements

1 or strategic alliances between state entities, foreign
2 entities, local entities, and private businesses to operate
3 foreign offices.

4 Section 6. By December 31, 2001, the Legislature shall
5 review Florida's foreign offices, including, but not limited
6 to, those offices established and operated under sections
7 288.012 and 288.1224, Florida Statutes, to determine whether
8 the state is experiencing effective international trade,
9 investment, and tourism representation through such offices.

10 Section 7. Enterprise Florida, Inc., shall develop a
11 master plan for integrating public-sector and private-sector
12 international-trade and reverse-investment resources, in order
13 that businesses may obtain comprehensive assistance and
14 information in the most productive and efficient manner. The
15 scope of this plan shall include, but need not be limited to,
16 resources related to the provision of trade information, such
17 as trade leads and reverse investment opportunities, trade
18 counseling, and trade financing services. In developing the
19 master plan, Enterprise Florida, Inc., shall solicit the
20 participation and input of organizations providing these
21 resources, the consumers of these resources, and others who
22 have expertise and experience in international trade and
23 reverse investment. The master plan may include
24 recommendations for legislative action designed to enhance the
25 delivery of international-trade and reverse-investment
26 assistance. The master plan, which Enterprise Florida, Inc.,
27 may include within the annual update or modification to the
28 strategic plan required under section 288.905, Florida
29 Statutes, must be submitted to the Legislature and the
30 Governor before January 1, 2000.

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1 Section 8. Enterprise Florida, Inc., in conjunction
2 with the Office of Tourism, Trade, and Economic Development,
3 shall prepare a plan for promoting direct investment in
4 Florida by foreign businesses. This plan must assess and
5 inventory Florida's strengths as a location for foreign direct
6 investment and must include a detailed strategy for
7 capitalizing upon those strengths. In developing the plan,
8 Enterprise Florida, Inc., shall focus on businesses with
9 site-election criteria that are consistent with Florida's
10 business climate, businesses likely to facilitate the
11 trans-shipment of goods through Florida or to export
12 Florida-produced goods from the state, and businesses that
13 complement or correspond to those industries identified as
14 part of the sector-strategy approach to economic development
15 required under section 288.905, Florida Statutes. The plan
16 must also identify weaknesses in Florida's ability to attract
17 foreign direct investment and must include a detailed strategy
18 for addressing those weaknesses. The plan may include
19 recommendations for legislative action designed to enhance
20 Florida's ability to attract foreign direct investment. In
21 developing the plan, Enterprise Florida, Inc., shall solicit
22 the participation and input of entities that have expertise
23 and experience in foreign direct investment. The plan, which
24 Enterprise Florida, Inc., may include within the annual update
25 or modification to the strategic plan required under section
26 288.905, Florida Statutes, must be submitted to the
27 Legislature and the Governor before January 1, 2000.

28 Section 9. In anticipation of the day when the people
29 of Cuba are no longer denied the inalienable rights and
30 freedom that all men and women should be guaranteed,
31 Enterprise Florida, Inc., shall prepare a strategic plan

1 designed to allow Florida to capitalize on the economic
2 opportunities associated with a free Cuba. The plan should
3 recognize the historical and cultural ties between this state
4 and Cuba and should focus on building a long-term economic
5 relationship between these communities. The plan should also
6 recognize existing economic infrastructure in Florida that
7 could be applied toward trade and other business activities
8 with Cuba. The plan should identify specific preparatory steps
9 to be taken in advance of a lifting of the trade embargo with
10 Cuba. In developing this plan, Enterprise Florida, Inc., shall
11 solicit the participation and input of individuals who have
12 expertise concerning Cuba and its economy, including, but not
13 limited to, business leaders in Florida who have had previous
14 business experience in Cuba. The plan may include
15 recommendations for legislative action necessary to implement
16 the strategic plan. The plan must be submitted to the Governor
17 and Legislature before January 1, 2000.

18 Section 10. Subsection (6) of section 14.2015, Florida
19 Statutes, 1998 Supplement, is amended and subsection (10) is
20 added to that section to read:

21 14.2015 Office of Tourism, Trade, and Economic
22 Development; creation; powers and duties.--

23 (6)(a) In order to improve the state's regulatory
24 environment, the Office of Tourism, Trade, and Economic
25 Development shall consider the impact of agency rules on
26 businesses, provide one-stop permit information and
27 assistance, and serve as an advocate for businesses,
28 particularly small businesses, in their dealings with state
29 agencies.

30 (b) As used in this subsection, the term "permit"
31 means any approval of an agency required as a condition of

1 operating a business in this state, including, but not limited
2 to, licenses and registrations.

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

4 1. Review proposed agency actions for impacts on small
5 businesses and offer alternatives to mitigate such impacts, as
6 provided in s. 120.54.

7 2. In consultation with the Governor's rules
8 ombudsman, make recommendations to agencies on any existing
9 and proposed rules for alleviating unnecessary or
10 disproportionate adverse effects to businesses.

11 3. Make recommendations to the Legislature and to
12 agencies for improving permitting procedures affecting
13 business activities in the state. By October 1, 1997, and
14 annually thereafter as part of the report prepared under
15 paragraph (2)(e), the Office of Tourism, Trade, and Economic
16 Development shall ~~submit a~~ report to the Legislature on
17 containing the following:

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

20 b. An identification and description of those agency
21 rules repealed or modified during each calendar year to
22 improve the regulatory climate for businesses operating in the
23 state.

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

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

29 (II) Assistance in the completion of such
30 applications.

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1 (III) Centralized collection of any permit fees and
2 distribution of such fees to agencies.

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

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6 Subject to legislative appropriation, the Office of Tourism,
7 Trade, and Economic Development is authorized to coordinate
8 the establishment of such a one-stop permit registry,
9 including, but not limited to, working with all appropriate
10 state agencies on the implementation of the operating plan.~~If~~
11 ~~the Legislature establishes~~ such a registry is established,
12 subsequent annual reports to the Legislature from the Office
13 of Tourism, Trade, and Economic Development under this
14 paragraph must cover the status and performance of this
15 registry.

16 4. Serve as a clearinghouse for information on which
17 permits are required for a particular business and on the
18 respective application process, including criteria applied in
19 making a determination on a permit application. Each state
20 agency that requires a permit, license, or registration for a
21 business shall submit to the Office of Tourism, Trade, and
22 Economic Development by August 1 of each year a list of the
23 types of businesses and professions that it regulates and of
24 each permit, license, or registration that it requires for a
25 type of business or profession.

26 5. Obtain information and permit applications from
27 agencies and provide such information and permit applications
28 to the public.

29 6. Arrange, upon request, informal conferences between
30 a business and an agency to clarify regulatory requirements or
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1 standards or to identify and address problems in the permit
2 review process.

3 7. Determine, upon request, the status of a particular
4 permit application.

5 8. Receive complaints and suggestions concerning
6 permitting policies and activities of governmental agencies
7 which affect businesses.

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

11 (e) In carrying out its duties under this subsection,
12 the Office of Tourism, Trade, and Economic Development may
13 consult with state agency personnel appointed to serve as
14 economic development liaisons under s. 288.021.

15 (f) The office shall clearly represent that its
16 services are advisory, informational, and facilitative only.
17 Advice, information, and assistance rendered by the office
18 does not relieve any person or business from the obligation to
19 secure a required permit. The office is not liable for any
20 consequences resulting from the failure to issue or to secure
21 a required permit. However, an applicant who uses the services
22 of the office and who receives a written statement identifying
23 required state permits relating to a business activity may not
24 be assessed a penalty for failure to obtain a state permit
25 that was not identified, if the applicant submits an
26 application for each such permit within 60 days after written
27 notification from the agency responsible for issuing the
28 permit.

29 (10) The Office of Tourism, Trade, and Economic
30 Development shall ensure the prompt disbursement of funds when
31 responsible for the disbursement of funds. When the funds have

1 not been disbursed on or before legislatively or contractually
2 prescribed disbursement dates, or within 30 days after the
3 beginning of the state fiscal year, whichever is applicable,
4 the Office of Tourism, Trade, and Economic Development must
5 notify the President of the Senate and the Speaker of the
6 House of Representatives of the fact that the funds have not
7 been disbursed, along with a brief description of the reasons
8 for the delay in disbursement. At the end of each succeeding
9 30-day period that the funds remain undisbursed, the Office of
10 Tourism, Trade, and Economic Development must provide a
11 supplemental report to the President of the Senate and the
12 Speaker of the House of Representatives with a brief
13 description of the reasons for the continued delay in
14 disbursement.

15 Section 11. Subsection (2) of section 212.097, Florida
16 Statutes, 1998 Supplement, is amended to read:

17 212.097 Urban High-Crime Area Job Tax Credit
18 Program.--

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

20 (a) "Eligible business" means any sole proprietorship,
21 firm, partnership, or corporation that is located in a
22 qualified county and is predominantly engaged in, or is
23 headquarters for a business predominantly engaged in,
24 activities usually provided for consideration by firms
25 classified within the following standard industrial
26 classifications: SIC 01 through SIC 09 (agriculture,
27 forestry, and fishing); SIC 20 through SIC 39 (manufacturing);
28 SIC 52 through SIC 57 and SIC 59 (retail); SIC 422 (public
29 warehousing and storage); SIC 70 (hotels and other lodging
30 places); SIC 7391 (research and development); SIC 7992 (public
31 golf courses); and SIC 7996 (amusement parks). A call center

1 or similar customer service operation that services a
2 multistate market or international market is also an eligible
3 business. Excluded from eligible receipts are receipts from
4 retail sales, except such receipts for SIC 52 through SIC 57
5 and SIC 59 (retail), hotels and other lodging places
6 classified in SIC 70, public golf courses in SIC 7992, and
7 amusement parks in SIC 7996. For purposes of this paragraph,
8 the term "predominantly" means that more than 50 percent of
9 the business's gross receipts from all sources is generated by
10 those activities usually provided for consideration by firms
11 in the specified standard industrial classification. The
12 determination of whether the business is located in a
13 qualified high-crime area and the tier ranking of that area
14 must be based on the date of application for the credit under
15 this section. Commonly owned and controlled entities are to be
16 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 high-crime area in which the eligible
22 business is located. An owner or partner of the eligible
23 business is not a qualified employee. The term also includes
24 an employee leased from an employee leasing company licensed
25 under chapter 468, if such employee has been continuously
26 leased to the employer for an average of at least 36 hours per
27 week for more than 6 months.

28 (c) "New business" means any eligible business first
29 beginning operation on a site in a qualified high-crime area
30 and clearly separate from any other commercial or business
31 operation of the business entity within a qualified high-crime

1 area. A business entity that operated an eligible business
2 within a qualified high-crime area within the 48 months before
3 the period provided for application by subsection (3) is not
4 considered a new business.

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

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

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

15 2. Highest reported crime volume and rate of specific
16 property crimes such as business and residential burglary,
17 motor vehicle theft, and vandalism;

18 3. Highest percentage of reported index crimes that
19 are violent in nature;

20 4. Highest overall index crime volume for the area;
21 and

22 5. Highest overall index crime rate for the geographic
23 area.

24
25 Tier-one areas are ranked 1 through 5 and represent the
26 highest crime areas according to this ranking. Tier-two areas
27 are ranked 6 through 10 according to this ranking. Tier-three
28 areas are ranked 11 through 15.

29 Section 12. Subsection (2) of section 212.098, Florida
30 Statutes, 1998 Supplement, is amended to read:

31 212.098 Rural Job Tax Credit Program.--

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

2 (a) "Eligible business" means any sole proprietorship,
3 firm, partnership, or corporation that is located in a
4 qualified county and is predominantly engaged in, or is
5 headquarters for a business predominantly engaged in,
6 activities usually provided for consideration by firms
7 classified within the following standard industrial
8 classifications: SIC 01 through SIC 09 (agriculture,
9 forestry, and fishing); SIC 20 through SIC 39 (manufacturing);
10 SIC 422 (public warehousing and storage); SIC 70 (hotels and
11 other lodging places); SIC 7391 (research and development);
12 SIC 7992 (public golf courses); and SIC 7996 (amusement
13 parks). A call center or similar customer service operation
14 that services a multistate market or an international market
15 is also an eligible business. Excluded from eligible receipts
16 are receipts from retail sales, except such receipts for
17 hotels and other lodging places classified in SIC 70, public
18 golf courses in SIC 7992, and amusement parks in SIC 7996.
19 For purposes of this paragraph, the term "predominantly" means
20 that more than 50 percent of the business's gross receipts
21 from all sources is generated by those activities usually
22 provided for consideration by firms in the specified standard
23 industrial classification. The determination of whether the
24 business is located in a qualified county and the tier ranking
25 of that county must be based on the date of application for
26 the credit under this section. Commonly owned and controlled
27 entities are to be considered a single business entity.

28 (b) "Qualified employee" means any employee of an
29 eligible business who performs duties in connection with the
30 operations of the business on a regular, full-time basis for
31 an average of at least 36 hours per week for at least 3 months

1 within the qualified county in which the eligible business is
2 located. An owner or partner of the eligible business is not a
3 qualified employee.

4 (c) "Qualified county" means a county that has a
5 population of fewer than 75,000 persons, or any county that
6 has a population of 100,000 or less and is contiguous to a
7 county that has a population of less than 75,000, selected in
8 the following manner: every third year, the Office of
9 Tourism, Trade, and Economic Development shall rank and tier
10 the state's counties according to the following four factors:

11 1. Highest unemployment rate for the most recent
12 36-month period.

13 2. Lowest per capita income for the most recent
14 36-month period.

15 3. Highest percentage of residents whose incomes are
16 below the poverty level, based upon the most recent data
17 available.

18 4. Average weekly manufacturing wage, based upon the
19 most recent data available.

20
21 Tier-one qualified counties are those ranked 1 through 5 and
22 represent the state's least-developed counties according to
23 this ranking. Tier-two qualified counties are those ranked 6
24 through 10, and tier-three counties are those ranked 11
25 through 15.

26 (d) "New business" means any eligible business first
27 beginning operation on a site in a qualified county and
28 clearly separate from any other commercial or business
29 operation of the business entity within a qualified county. A
30 business entity that operated an eligible business within a
31 qualified county within the 48 months before the period

1 provided for application by subsection (3) is not considered a
2 new business.

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

5 Section 13. Section 288.075, Florida Statutes, is
6 amended to read:

7 288.075 Confidentiality of records.--

8 (1) As used in this section, the term "economic
9 development agency" means the Office of Tourism, Trade, and
10 Economic Development ~~Division of Economic Development of the~~
11 ~~Department of Commerce~~, any industrial development authority
12 created in accordance with part III of chapter 159 or by
13 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 14. 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 15. 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.

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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, 2004 ~~1999~~.

17 Section 16. Paragraph (b) of subsection (4) of section
18 288.106, Florida Statutes, 1998 Supplement, is amended to
19 read:

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

22 (4) APPLICATION AND APPROVAL PROCESS.--

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

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

1 request of the local governing body recommending the project
2 and Enterprise Florida, Inc. The wage requirement may only be
3 waived for a project located in a brownfield area designated
4 under s. 376.80 or in a rural city or county or in an
5 enterprise zone and only when the merits of the individual
6 project or the specific circumstances in the community in
7 relationship to the project warrant such action. If the local
8 governing body and Enterprise Florida, Inc., make such a
9 recommendation, it must be transmitted in writing and the
10 specific justification for the waiver recommendation must be
11 explained. If the director elects to waive the wage
12 requirement, the waiver must be stated in writing and the
13 reasons for granting the waiver must be explained.

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

1 stated in writing and the reason for granting the request must
2 be explained.

3 3. The business activity or product for the
4 applicant's project is within an industry or industries that
5 have been identified by the office to be high-value-added
6 industries that contribute to the area and to the economic
7 growth of the state and that produce a higher standard of
8 living for citizens of this state in the new global economy or
9 that can be shown to make an equivalent contribution to the
10 area and state's economic progress. The director must approve
11 requests to waive the wage requirement for brownfield areas
12 designated under s. 376.80 unless it is demonstrated that such
13 action is not in the public interest.

14 Section 17. Subsection (1) of section 288.1221,
15 Florida Statutes, is amended to read:

16 288.1221 Legislative intent.--

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

1 Tourism Commission created pursuant to chapter 91-31, Laws of
2 Florida.

3 Section 18. Subsection (2) of section 288.1222,
4 Florida Statutes, is amended to read:

5 288.1222 Definitions.--For the purposes of ss.
6 288.017, 288.121-288.1226, and 288.124, the term:

7 (2) "Tourist" means any person who participates in
8 trade or recreation activities outside the county ~~country~~ of
9 his or her permanent residence or who rents or leases
10 transient living quarters or accommodations as described in s.
11 125.0104(3)(a).

12 Section 19. Subsection (3) is added to section
13 288.9618, Florida Statutes, to read:

14 288.9618 Microenterprises.--

15 (3) Not more than 15 percent of the funds appropriated
16 each fiscal year for activities under this section may be used
17 for administrative expenses of the Office of Tourism, Trade,
18 and Economic Development or for administrative expenses of the
19 organization with which the office contracts under this
20 section.

21 Section 20. This act shall take effect July 1, 1999.
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SENATE SUMMARY

Authorizes the Office of Tourism, Trade, and Economic Development to implement a one-stop permit registry, subject to legislative appropriation. Requires the Office of Tourism, Trade, and Economic Development to inform the Legislature when it experiences problems in making funding disbursements in a timely manner. Requires the Secretary of State to create and maintain a list of jurisdictions that do not provide adequate recognition of Florida money judgments for purposes of the Uniform Recognition of Foreign Money Judgments Act. Revises the criteria governing eligibility of businesses for the Urban High-Crime Area Job Tax Credit Program and the Rural Job Tax Credit Program. Creates the Florida International Archive and Repository within the Department of State for the preservation of those public records, manuscripts, international judgments, and all other public matters considered relevant to international issues. Prescribes specific information regarding activities and accomplishments that must be reported annually by Florida's foreign offices. Provides that the prohibition against contracting with entities that have requested confidentiality of certain economic development information does not apply to a public officer or employee or economic development agency employee acting in an official capacity. Caps the total amount of the state share of tax refunds that may be approved for a single fiscal year under certain economic development incentive programs. Requires Enterprise Florida, Inc., to develop reports, strategies, or plans relating to the integration of international trade and reverse investment, the promotion of foreign direct investment in Florida, economic opportunities associated with a free Cuba, and the economic development potential of the biotechnology and health technology industries.