

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

1 14.2015, F.S.; revising purposes of the Office
2 of Tourism, Trade, and Economic Development of
3 the Executive Office of the Governor; amending
4 s. 288.1229, F.S.; revising the purposes of the
5 direct-support organization authorized to
6 assist the Office of Tourism, Trade, and
7 Economic Development in the promotion and
8 development of the sports industry and related
9 industries; specifying the duties of the
10 direct-support organization with respect to the
11 promotion of sports industry, amateur sports,
12 and physical fitness; providing requirements
13 with respect to the Sunshine State Games;
14 providing authority of the Executive Office of
15 the Governor with respect to the use of
16 specified property, facilities, and personal
17 services; amending s. 320.08058, F.S.; revising
18 provisions relating to the Florida United
19 States Olympic Committee license plate to
20 remove references to the Sunshine State Games
21 Foundation; revising the distribution of annual
22 use fees from the sale of the Florida United
23 States Olympic Committee license plate;
24 providing for the reversion of funds and
25 property of the Sunshine State Games
26 Foundation, Inc., and the Florida Governor's
27 Council on Physical Fitness and Amateur Sports
28 to the direct-support organization; specifying
29 use of such funds and property; repealing s.
30 14.22, F.S.; removing provisions relating to
31 the Florida Governor's Council on Physical

1 Fitness and Amateur Sports within the Office of
2 the Governor, the Sunshine State Games,
3 national and international amateur athletic
4 competitions and Olympic development centers,
5 direct-support organizations, and the Olympics
6 and Pan American Games Task Force; amending ss.
7 288.108 and 288.90152, F.S.; correcting cross
8 references; repealing s. 288.051, F.S., which
9 provides a short title; repealing s. 288.052,
10 F.S., relating to legislative findings and
11 intent with respect to the "Florida Film and
12 Television Investment Act"; repealing s.
13 288.053, F.S., relating to the Florida Film and
14 Television Investment Board; repealing s.
15 288.054, F.S., relating to the administration
16 and powers of the Florida Film and Television
17 Investment Board; repealing s. 288.055, F.S.,
18 relating to the Florida Film and Investment
19 Trust Fund; repealing s. 288.056, F.S.,
20 relating to conditions for film and television
21 investment by the board; repealing s. 288.057,
22 F.S., requiring an annual report by the board;
23 repealing s. 288.1228, F.S., relating to the
24 direct-support organization authorized by the
25 Office of Tourism, Trade, and Economic
26 Development to assist in the promotion and
27 development of the entertainment industry;
28 repealing s. 288.12285, F.S., relating to
29 confidentiality of identities of donors to the
30 direct-support organization; providing an
31 appropriation; providing an effective date.

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

2
3 Section 1. Short title.--This act may be cited as the
4 "Entertainment Florida Act of 1999."

5 Section 2. Legislative findings and intent.--The
6 Legislature finds that the entertainment industry is comprised
7 of multiple components, including, but not limited to, the
8 operation of motion picture or television studios; the
9 production of motion pictures, made-for-TV motion pictures,
10 television series, commercial advertising, music videos, and
11 sound recordings; the attendance at, participation in, and
12 hosting of professional and amateur sporting events; and the
13 attendance by in-state and out-of-state visitors at commercial
14 and other attractions in the state. The Legislature further
15 finds that these interrelated components form an entertainment
16 industry cluster with the potential to contribute
17 significantly to the efforts of the state to develop its
18 economy and create employment opportunities for its residents.
19 It is the intent of the Legislature to recognize the economic
20 development significance of the entertainment industry and to
21 adopt policies designed to facilitate its growth.

22 Section 3. Section 288.125, Florida Statutes, is
23 created to read:

24 288.125 Definitions.--For the purposes of sections
25 288.1251 through 288.1258, "entertainment industry" means
26 those persons or entities engaged in the operation of motion
27 picture or television studios or recording studios, or those
28 persons or entities engaged in the preproduction, production,
29 or postproduction of motion pictures, made-for-TV motion
30 pictures, television series, commercial advertising, music
31 videos, or sound recordings.

1 Section 4. Section 288.1251, Florida Statutes, is
2 created to read:

3 288.1251 Promotion and development of entertainment
4 industry; Office of the Film Commissioner; creation; purpose;
5 powers and duties.--

6 (1) CREATION.--

7 (a) There is hereby created within the Office of
8 Tourism, Trade, and Economic Development the Office of the
9 Film Commissioner for the purpose of developing, marketing,
10 promoting, and providing services to the state's entertainment
11 industry.

12 (b) The Office of Tourism, Trade, and Economic
13 Development shall conduct a national search for a qualified
14 person to fill the position of Film Commissioner, and the
15 Executive Director of the Office of Tourism, Trade, and
16 Economic Development shall hire the Film Commissioner.
17 Guidelines for selection of the Film Commissioner shall
18 include, but not be limited to, the Film Commissioner having
19 the following:

20 1. A working knowledge of the equipment, personnel,
21 financial, and day-to-day production operations of the
22 industries to be served by the office;

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

25 3. Experience working with a variety of individuals
26 representing large and small entertainment-related businesses,
27 industry associations, local community entertainment industry
28 liaisons, and labor organizations; and

29 4. Experience working with a variety of state and
30 local governmental agencies.

31 (2) POWERS AND DUTIES.--

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

3 1. In consultation with the Florida Film Advisory
4 Council, develop and implement a 5-year strategic plan to
5 guide the activities of the Office of the Film Commissioner in
6 the areas of entertainment industry development, marketing,
7 promotion, liaison services, field office administration, and
8 information. The plan, to be developed by no later than June
9 30, 2000, shall:

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

11 b. Include recommendations relating to the
12 organizational structure of the office.

13 c. Include an annual budget projection for the office
14 for each year of the plan.

15 d. Include an operational model for the office to use
16 in implementing programs for rural and urban areas designed
17 to:

18 (I) Develop and promote the state's entertainment
19 industry.

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

23 (III) Gather statistical information related to the
24 state's entertainment industry.

25 (IV) Provide information and service to businesses,
26 communities, organizations and individuals engaged in
27 entertainment industry activities.

28 (V) Administer field offices outside the state and
29 coordinate with regional offices maintained by counties and
30 regions of the state, as described in sub-sub-subparagraph
31 (II) above, as necessary.

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

3 f. Include an assessment of, and make recommendations
4 on, the feasibility of creating an alternative public private
5 partnership for the purpose of contracting with such a
6 partnership for the administration of the state's
7 entertainment industry promotion, development, marketing, and
8 industry service programs.

9 2. Develop, market, and facilitate a smooth working
10 relationship between state agencies and local governments in
11 cooperation with local film commission offices for
12 out-of-state and indigenous entertainment industry production
13 entities.

14 3. Implement a structured methodology prescribed for
15 coordinating activities of local offices with each other and
16 the commissioner's office.

17 4. Represent the state's indigenous entertainment
18 industry to key decisionmakers within the national and
19 international entertainment industry, and to state and local
20 officials.

21 5. Prepare an inventory and analysis of the state's
22 entertainment industry, including, but not limited to,
23 information on crew, related businesses, support services, job
24 creation, talent, and economic impact and coordinate with
25 local offices to develop an information tool for common use.

26 6. Represent key decisionmakers within the national
27 and international entertainment industry to the indigenous
28 entertainment industry and to state and local officials.

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

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1 8. Identify, solicit, and recruit entertainment
2 production opportunities for the state.

3 9. Assist rural communities and other small
4 communities in the state in developing expertise and capacity
5 necessary for such communities to develop, market, promote,
6 and provide services to the state's entertainment industry.

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

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

15 2. Conduct its affairs, carry on its operations,
16 establish offices, and exercise the powers granted by this act
17 in any state, territory, district, or possession of the United
18 States.

19 3. Carry out any program of information, special
20 events, or publicity designed to attract entertainment
21 industry to Florida.

22 4. Develop relationships and leverage resources with
23 other public and private organizations or groups in their
24 efforts to publicize to the entertainment industry in this
25 state, other states, and other countries the depth of
26 Florida's entertainment industry talent, crew, production
27 companies, production equipment resources, related businesses,
28 and support services, including the establishment of and
29 expenditure for a program of cooperative advertising with
30 these public and private organizations and groups in
31 accordance with the provisions of chapter 120.

1 5. Provide and arrange for reasonable and necessary
2 promotional items and services for such persons as the office
3 deems proper in connection with the performance of the
4 promotional and other duties of the office.

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

7 Section 5. Section 288.1252, Florida Statutes, is
8 created to read:

9 288.1252 Florida Film Advisory Council; creation;
10 purpose; membership; powers and duties.--

11 (1) CREATION.--There is hereby created within the
12 Office of Tourism, Trade, and Economic Development of the
13 Executive Office of the Governor, for administrative purposes
14 only, the Florida Film Advisory Council.

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

21 (3) MEMBERSHIP.--

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

27 (b) When making appointments to the council, the
28 Governor, the President of the Senate, and the Speaker of the
29 House of Representatives shall appoint persons who are
30 residents of the state and who are highly knowledgeable of,
31 active in, and recognized leaders in Florida's motion picture,

1 television, video, sound recording, or other entertainment
2 industries. These persons shall include, but not be limited
3 to, representatives of local film commissions, representatives
4 of entertainment associations, a representative of the
5 broadcast industry, representatives of labor organizations in
6 the entertainment industry, and board chairs, presidents,
7 chief executive officers, chief operating officers, or persons
8 of comparable executive position or stature of leading or
9 otherwise important entertainment industry businesses and
10 offices. Council members shall be appointed in such a manner
11 as to equitably represent the broadest spectrum of the
12 entertainment industry and geographic areas of the state.

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

15 1. The Governor shall appoint one member for a 1-year
16 term, two members for 2-year terms, two members for 3-year
17 terms, and two members for 4-year terms.

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

21 3. The Speaker of the House of Representatives shall
22 appoint one member for a 1-year term, one member for a 2-year
23 term, two members for 3-year terms, and one member for a
24 4-year term.

25 (d) Subsequent appointments shall be made by the
26 official who appointed the council member whose expired term
27 is to be filled.

28 (e) The Film Commissioner, a representative of
29 Enterprise Florida, Inc., and a representative of the Florida
30 Tourism Industry Marketing Corporation shall serve as
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1 ex-officio, non-voting members of the council, and shall be in
2 addition to the 17 appointed members of the council.

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

5 (g) A vacancy on the council shall be filled for the
6 remainder of the unexpired term by the official who appointed
7 the vacating member.

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

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

12 (4) MEETINGS; ORGANIZATION.--

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

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

23 (c) A majority of the members of the council shall
24 constitute a quorum.

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

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

3 (a) Adopt bylaws for the governance of its affairs and
4 the conduct of its business.

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

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

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

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

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

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

29 (h) Suggest policies and practices for the conduct of
30 business by the Office of the Film Commissioner or by the
31 Office of Tourism, Trade and Economic Development that will

1 improve internal operations affecting the entertainment
2 industry and will enhance the economic development initiatives
3 of the state for the industry.

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

7 Section 6. Section 288.1253, Florida Statutes, is
8 created to read:

9 288.1253 Travel and entertainment expenses.--

10 (1) As used in this section:

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

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

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

29 (d) "Travel expenses" means the actual, necessary, and
30 reasonable costs of transportation, meals, lodging, and
31 incidental expenses normally incurred by a traveler, which

1 costs are defined and prescribed by rules adopted by the
2 Office of Tourism, Trade, and Economic Development, subject to
3 approval by the Comptroller.

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

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

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

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

24
25 The rules shall be subject to approval by the Comptroller
26 prior to promulgation. The rules shall require the submission
27 of paid receipts, or other proof of expenditure prescribed by
28 the Comptroller, with any claim for reimbursement and shall
29 require, as a condition for any advancement of funds, an
30 agreement to submit paid receipts or other proof of
31 expenditure and to refund any unused portion of the

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

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

21 (4) The Office of the Film Commissioner and its
 22 employees and representatives, when authorized, may accept and
 23 use complimentary travel, accommodations, meeting space,
 24 meals, equipment, transportation, and any other goods or
 25 services necessary for or beneficial to the performance of the
 26 office's duties and purposes, so long as such acceptance or
 27 use is not in conflict with part III of chapter 112. The
 28 Office of Tourism, Trade, and Economic Development shall, by
 29 rule, develop internal controls to ensure that such goods or
 30 services accepted or used pursuant to this subsection are
 31 limited to those which will assist in the furtherance of the

1 office's goals and are in compliance with part III of chapter
2 112.

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

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

28 14.2015 Office of Tourism, Trade, and Economic
29 Development; creation; powers and duties.--

30 (2) The purpose of the Office of Tourism, Trade, and
31 Economic Development is to assist the Governor in working with

1 the Legislature, state agencies, business leaders, and
2 economic development professionals to formulate and implement
3 coherent and consistent policies and strategies designed to
4 provide economic opportunities for all Floridians. To
5 accomplish such purposes, the Office of Tourism, Trade, and
6 Economic Development shall:

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

15 (a)(b) Contract, notwithstanding the provisions of
16 part I of chapter 287, with the direct-support organization
17 created under s. 288.1229 to guide, stimulate, and promote the
18 sports industry in the state, to promote the participation of
19 Florida's citizens in amateur athletic competition, and to
20 promote Florida as a host for national and international
21 amateur athletic competitions.

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

29 (c)(d) Facilitate the direct involvement of the
30 Governor and the Lieutenant Governor in economic development
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1 projects designed to create, expand, and retain Florida
2 businesses and to recruit worldwide business.

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

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

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

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

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

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

31

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

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

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

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

3 Section 8. Subsections (1) and (2) of section
4 288.1229, Florida Statutes, are amended, and subsections (8)
5 and (9) are added to that section, to read:

6 288.1229 Promotion and development of sports-related
7 industries; direct-support organization; powers and duties.--

8 (1) The Office of Tourism, Trade, and Economic
9 Development may authorize a direct-support organization to
10 assist the office in:

11 (a) The promotion and development of the sports
12 industry and related industries for the purpose of improving
13 the economic presence of these industries in Florida.

14 (b) The promotion of amateur athletic participation
15 for the citizens of Florida and the promotion of Florida as a
16 host for national and international amateur athletic
17 competitions for the purpose of encouraging and increasing the
18 direct and ancillary economic benefits of amateur athletic
19 events and competitions.

20 (2) To be authorized as a direct-support organization,
21 an organization must:

22 (a) Be incorporated as a corporation not for profit
23 pursuant to chapter 617.

24 (b) Be governed by a board of directors, which must
25 consist of up to 15 members appointed by the Governor and up
26 to 15 members appointed by the existing board of directors.
27 In making appointments, the board must consider a potential
28 member's background in community service and sports activism
29 in, and financial support of, the sports industry,
30 professional sports, or organized amateur athletics. Members
31 must be residents of the state and highly knowledgeable about

1 or active in professional or organized amateur sports. The
2 board must contain representatives of all geographical regions
3 of the state and must represent ethnic and gender diversity.
4 The terms of office of the members shall be 4 years. No
5 member may serve more than two consecutive terms. The
6 Governor may remove any member for cause and shall fill all
7 vacancies that occur.

8 (c) Have as its purpose, as stated in its articles of
9 incorporation, to receive, hold, invest, and administer
10 property; to raise funds and receive gifts; and to promote and
11 develop the sports industry and related industries for the
12 purpose of increasing the economic presence of these
13 industries in Florida.

14 (d) Have a prior determination by the Office of
15 Tourism, Trade, and Economic Development that the organization
16 will benefit the office and act in the best interests of the
17 state as a direct-support organization to the office.

18 (8) To promote amateur sports and physical fitness,
19 the direct-support organization shall:

20 (a) Develop, foster, and coordinate services and
21 programs for amateur sports for the people of Florida.

22 (b) Sponsor amateur sports workshops, clinics,
23 conferences, and other similar activities.

24 (c) Give recognition to outstanding developments and
25 achievements in, and contributions to, amateur sports.

26 (d) Encourage, support, and assist local governments
27 and communities in the development of or hosting of local
28 amateur athletic events and competitions.

29 (e) Promote Florida as a host for national and
30 international amateur athletic competitions. As part of this
31 effort, the direct-support organization shall:

1 1. Assist and support Florida cities or communities
2 bidding or seeking to host the Summer Olympics or Pan American
3 Games.

4 2. Annually report to the Governor, the President of
5 the Senate, and the Speaker of the House of Representatives on
6 the status of the efforts of cities or communities bidding to
7 host the Summer Olympics or Pan American Games, including, but
8 not limited to, current financial and infrastructure status,
9 projected financial and infrastructure needs, and
10 recommendations for satisfying the unmet needs and fulfilling
11 the requirements for a successful bid in any year that the
12 Summer Olympics or Pan American Games are held in this state.

13 (f) Develop a statewide program of amateur athletic
14 competition to be known as the "Sunshine State Games."

15 (g) Continue the successful amateur sports programs
16 previously conducted by the Florida Governor's Council on
17 Physical Fitness and Amateur Sports created under s. 14.22.

18 (h) Encourage and continue the use of volunteers in
19 its amateur sports programs to the maximum extent possible.

20 (i) Develop, foster, and coordinate services and
21 programs designed to encourage the participation of Florida's
22 youth in Olympic sports activities and competitions.

23 (j) Foster and coordinate services and programs
24 designed to contribute to the physical fitness of the citizens
25 of Florida.

26 (9)(a) The Sunshine State Games shall be patterned
27 after the Summer Olympics with variations as necessitated by
28 availability of facilities, equipment, and expertise. The
29 games shall be designed to encourage the participation of
30 athletes representing a broad range of age groups, skill
31 levels, and Florida communities. Participants shall be

1 residents of this state. Regional competitions shall be held
2 throughout the state, and the top qualifiers in each sport
3 shall proceed to the final competitions to be held at a site
4 in the state with the necessary facilities and equipment for
5 conducting the competitions.

6 (b) The Executive Office of the Governor is authorized
7 to permit the use of property, facilities, and personal
8 services of or at any State University System facility or
9 institution by the direct-support organization operating the
10 Sunshine State Games. For the purposes of this paragraph,
11 personal services includes full-time or part-time personnel as
12 well as payroll processing.

13 Section 9. Paragraph (a) of subsection (6) of section
14 320.08058, Florida Statutes, 1998 Supplement, is amended to
15 read:

16 320.08058 Specialty license plates.--

17 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
18 PLATES.--

19 (a) Because the United States Olympic Committee has
20 selected this state to participate in a combined fundraising
21 program that provides for one-half of all money raised through
22 volunteer giving to stay in this state and be administered by
23 the direct-support organization established under s. 288.1229
24 ~~Sunshine State Games Foundation~~ to support amateur sports, and
25 because the United States Olympic Committee and the
26 direct-support organization ~~Sunshine State Games Foundation~~
27 are nonprofit organizations dedicated to providing athletes
28 with support and training and preparing athletes of all ages
29 and skill levels for sports competition, and because the
30 direct-support organization ~~Sunshine State Games Foundation~~
31 assists in the bidding for sports competitions that provide

1 significant impact to the economy of this state, and the
2 Legislature supports the efforts of the United States Olympic
3 Committee and the direct-support organization ~~Florida Sunshine~~
4 ~~State Games Foundation~~, the Legislature establishes a Florida
5 United States Olympic Committee license plate for the purpose
6 of providing a continuous funding source to support this
7 worthwhile effort. Florida United States Olympic Committee
8 license plates must contain the official United States Olympic
9 Committee logo and must bear a design and colors that are
10 approved by the department. The word "Florida" must be
11 centered at the top of the plate.

12 (b) The license plate annual use fees are to be
13 annually distributed as follows:

14 1. The first \$5 million collected annually must be
15 paid to the direct-support organization ~~Florida Governor's~~
16 ~~Council on Physical Fitness and Amateur Sports~~ to be
17 distributed as follows:

18 a. Fifty percent must be distributed to the
19 direct-support organization to be used ~~Sunshine State Games~~
20 ~~Foundation~~ for Florida's Sunshine State Games Olympic Sports
21 ~~Festival for Amateur Athletes~~.

22 b. Fifty percent must be distributed to the United
23 States Olympic Committee.

24 2. Any additional fees must be deposited into the
25 General Revenue Fund.

26 Section 10. Any funds or property held in trust by the
27 Sunshine State Games Foundation, Inc., and the Florida
28 Governor's Council on Physical Fitness and Amateur Sports
29 shall revert to the direct-support organization, created under
30 section 288.1229, Florida Statutes, upon expiration or
31 cancellation of the contract with the Sunshine State Games

1 Foundation, Inc., and the Florida Governor's Council on
2 Physical Fitness and Amateur Sports, to be used for the
3 promotion of amateur sports in Florida.

4 Section 11. Section 14.22, Florida Statutes, is
5 repealed.

6 Section 12. Paragraph (e) of subsection (6) of section
7 288.108, Florida Statutes, is amended to read:

8 288.108 High-impact business.--

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

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

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

17 288.90152 Pilot matching grant program.--

18 (7) Upon completing all training funded under this
19 pilot program, the Office of Tourism, Trade, and Economic
20 Development shall report on the outputs and outcomes for this
21 program as part of the annual report prepared under s.
22 14.2015(2)(~~f~~)(~~g~~). Such report must include a recommendation on
23 whether it would be sound public policy to continue or
24 discontinue funding for the program.

25 Section 14. Sections 288.051, 288.052, 288.053,
26 288.054, 288.055, 288.056, 288.057, 288.1228, and 288.12285,
27 Florida Statutes, are repealed.

28 Section 15. Effective July 1, 1999, 3
29 full-time-equivalent positions are hereby appropriated to the
30 Executive Office of the Governor in order to implement the
31 provisions of this act.

1 Section 16. This act shall take effect upon becoming a
2 law.
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