

1 A bill to be entitled
2 An act relating to economic development;
3 creating s. 11.35, F.S.; creating the Joint
4 Legislative Committee on Tax Exemptions;
5 providing for its membership and prescribing
6 its duties; requiring it to periodically review
7 and make recommendations concerning tax
8 exemptions prescribed in ch. 212, F.S.;
9 creating s. 212.25, F.S.; providing for the
10 periodic expiration and review of tax
11 exemptions under ch. 212, F.S.; providing that
12 sales of goods or services that are neither
13 expressly taxable nor expressly exempt from
14 taxation by a specified date become taxable;
15 exempting specified transactions from taxation
16 and from the the expiration and review
17 requirements of the act; creating the "Florida
18 Technology Development Act"; providing a
19 definition; providing purposes and objectives
20 of a center of excellence; defining terms;
21 creating the Emerging Technology Commission;
22 providing for membership, powers, and duties of
23 the commission; providing for Florida Research
24 Consortium, Inc., to report to the commission
25 regarding factors contributing to the success
26 of the creation of a center of excellence;
27 requiring the commission to develop and approve
28 criteria for evaluating proposals related to
29 the creation of centers of excellence;
30 requiring the commission to solicit such
31 proposals from state universities; requiring

1 the commission to submit recommended plans to
2 the State Board of Education for establishing
3 centers of excellence in the state; providing
4 for the State Board of Education to develop and
5 approve a final plan for establishing centers
6 of excellence in the state and authorize
7 expenditures for plan implementation; providing
8 commission reporting requirements; providing an
9 expiration date; providing an appropriation for
10 commission staff support and certain
11 administrative expenses; amending s. 159.705,
12 F.S.; specifying that certain entities may
13 operate a project located in a research and
14 development park and financed under the Florida
15 Industrial Development Financing Act; amending
16 s. 445.045, F.S.; reassigning responsibility
17 for development and maintenance of an
18 information technology promotion and workforce
19 recruitment website to Workforce Florida, Inc.;
20 requiring consistency and compatibility with
21 other information systems; authorizing
22 Workforce Florida, Inc., to secure website
23 services from outside entities; requiring
24 coordination of the information technology
25 website with other marketing, promotion, and
26 advocacy efforts; authorizing Workforce
27 Florida, Inc., to act through the Agency for
28 Workforce Innovation in fulfilling its
29 responsibilities related to the website;
30 directing the agency to provide services to
31 Workforce Florida, Inc.; authorizing a

1 demonstration program to be called Learning
2 Gateway; creating a steering committee;
3 providing for membership and appointment of
4 steering committee members; establishing duties
5 of the steering committee; authorizing
6 demonstration projects in specified counties;
7 authorizing designated agencies to provide
8 confidential information to such program;
9 providing for funding; providing a short title;
10 amending s. 125.0104, F.S.; providing that the
11 additional tax authorized for bonds for a
12 professional sports franchise facility, a
13 retained spring training franchise facility, or
14 a convention center, and for operation and
15 maintenance costs of a convention center, and
16 the additional tax authorized for bonds for
17 facilities for a new professional sports
18 franchise or a retained spring training
19 franchise, may also be used to promote and
20 advertise tourism; amending s. 240.2605, F.S.;
21 creating an account within the Trust Fund for
22 Major Gifts for the deposit of funds
23 appropriated as state match for qualified sales
24 tax exemptions that a certified business
25 designates for use by state universities and
26 community colleges to support research and
27 development projects requested by the certified
28 business pursuant to s. 212.08(5)(j), F.S.;
29 authorizing specified criteria to be used in a
30 presently required legislative review of
31 certain technology programs; providing for the

1 Office of Program Policy Analysis and
2 Government Accountability to conduct such
3 review; providing an effective date.
4

5 WHEREAS, the Legislature has identified a crisis in the
6 economy which compels the Legislature to take a broad and
7 comprehensive approach to economic development, addressing its
8 many facets, including both economic stimulus for emerging
9 technologies and the state's tax policy, and

10 WHEREAS, the Legislature recognizes the obvious natural
11 and logical connection between economic development and the
12 distribution of the tax burden among the diverse segments of
13 the economy, and

14 WHEREAS, the Legislature seeks by this legislation to
15 accomplish goals that are not separate or disassociated
16 objects of legislative effort, but that are integrated and
17 dependent elements of a comprehensive approach to a rational
18 economic policy that will fairly and equitably promote
19 economic development throughout the diverse segments of the
20 economy, and

21 WHEREAS, the Legislature, as part of this comprehensive
22 approach to a rational economic policy, seeks to create a
23 process by which the Legislature will periodically review, on
24 an orderly schedule, the array of tax exemptions and identify
25 those that serve as a widespread stimulus to the economy and
26 those that hamper economic development by unfairly
27 distributing the tax burden or giving an undue competitive
28 advantage to a business over others similarly situated, and

29 WHEREAS, the commercialization of technologies
30 developed in academic laboratories and research centers
31

1 through the application of new innovations is critical for
2 Florida to maintain a competitive economy, and

3 WHEREAS, the development of high-technology industries
4 in Florida, including artificial intelligence/human-centered
5 computing, information technology and communications,
6 biotechnology, bioinformatics, biomedical, electro-optics,
7 life science, nanotechnology, and computer simulation, is
8 critical to the long-term economic vitality of this state, and

9 WHEREAS, high-technology industries will further
10 diversify and strengthen the Florida economy and complement
11 industries already recognized as being critical to Florida's
12 economic health, and

13 WHEREAS, attracting leading scholars and researchers in
14 advanced and emerging technology disciplines to Florida's
15 universities is critical to building Florida's knowledge base,
16 and

17 WHEREAS, promoting collaboration among academic and
18 industrial researchers, scientists, and engineers is essential
19 to the process of commercializing knowledge gained through
20 applied research, and

21 WHEREAS, centers of excellence within, and in
22 collaboration with, the State University System would provide
23 an infrastructure for recruiting and retaining world-class
24 faculty, increasing the number of graduates in advanced and
25 emerging technology programs, increasing the amount of base
26 and applied research conducted in Florida, incubating new
27 companies, developing new educational and industrial
28 applications for such research, helping Florida's businesses
29 adopt emerging technologies, and developing a highly skilled,
30 high-wage workforce, NOW, THEREFORE,

31

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

2

3 Section 1. Effective upon this act becoming a law,
4 section 11.35, Florida Statutes, is created to read:

5 11.35 Joint Legislative Committee on Tax Exemptions;
6 membership; duties.--

7 (1) The Joint Legislative Committee on Tax Exemptions
8 is created as a joint standing committee of the Legislature
9 composed of 12 members, 6 of whom are members of the Senate
10 appointed by the President of the Senate and 6 of whom are
11 members of the House of Representatives appointed by the
12 Speaker of the House of Representatives. The terms of members
13 are 2 years and run from one organization session of the
14 Legislature to the following organization session. In each
15 even-numbered year, the President of the Senate shall appoint
16 a member of the Senate to serve as chair for a term of 1 year;
17 and, in each odd-numbered year, the Speaker of the House of
18 Representatives shall appoint a member of the House of
19 Representatives to serve as chair for a term of 1 year. A
20 vacancy is to be filled for the unexpired portion of the term
21 in the same manner as the original appointment.

22 (2) The committee shall conduct a periodic review of
23 all exemptions from taxation under chapter 212, except those
24 specified in s. 212.25(3). The committee must complete the
25 first of its reviews by December 1, 2004, and its initial
26 review of all exemptions by December 1, 2009. For purposes of
27 the review, the committee shall:

28 (a) Assign each exemption to a discrete category of
29 exemptions, placing, to the extent practicable, similar and
30 related exemptions within the same category. The committee
31 shall identify discrete classes of transactions exempted by s.

1 212.25(2) and assign the exemption of each class to the
2 appropriate category.

3 (b) Schedule, for each year, one or more of the
4 categories to be reviewed before the following regular session
5 of the Legislature. Each category must be reviewed once by
6 December 1, 2009. By December 1, 2003, the committee shall
7 prepare, and submit to the President of the Senate and the
8 Speaker of the House of Representatives for introduction at
9 the 2004 regular session of the Legislature, a proposed bill
10 that amends the statutes to set the expiration date for each
11 exemption 18 months after the year in which it is scheduled
12 for review. The proposed bill shall set July 1, 2006, as the
13 expiration date for those exemptions which are scheduled to be
14 reviewed by December 1, 2004.

15 (c) Adopt standards and criteria that it will use for
16 its review of exemptions and upon which it will base its
17 recommendation to reauthorize an exemption. In developing
18 these standards and criteria, the committee should consider
19 the following principles of taxation:

20 1. Equity.--The Florida tax system should treat
21 individuals equitably. It should impose similar tax burdens on
22 people in similar circumstances and should minimize
23 regressivity.

24 2. Compliance.--The Florida tax system should
25 facilitate taxpayer compliance. It should be simple and easy
26 to understand so as to minimize compliance costs and increase
27 the visibility and awareness of the taxes being paid.
28 Enforcement and collection of tax revenues should be done in a
29 fair, consistent, professional, predictable, and
30 cost-effective manner.

31

1 3. Promotion of competition.--The Florida tax system
2 should be responsive to interstate and international
3 competition in order to encourage savings and investment in
4 plant, equipment, people, and technology.

5 4. Neutrality.--The Florida tax system should affect
6 competitors uniformly and not become a tool for "social
7 engineering." It should minimize government involvement in
8 investment decisions, making any such involvement explicit,
9 and should minimize pyramiding.

10 5. Stability.--The Florida tax system should produce
11 revenues in a stable and reliable manner which are sufficient
12 to fund appropriate governmental functions and expenditures.

13 6. Integration.--The Florida tax system should balance
14 the need for integration of federal, state, and local
15 taxation.

16 7. Public purpose.--Any sales tax exemption should be
17 based upon a determination that the exemption promotes an
18 important state interest, including, but not limited to,
19 economic development, job creation and retention, economic
20 diversification, and community revitalization.

21 (3) By December 1 of each year, the committee shall
22 submit to the President of the Senate and the Speaker of the
23 House of Representatives a separate report for each category
24 of exemptions reviewed during that year. Each report must
25 contain the committee's recommendations with respect to each
26 exemption assigned to that category and include, for
27 consideration at the next regular session of the Legislature,
28 a proposed bill to reauthorize, for a period not to exceed 10
29 years, those exemptions that the committee recommends be
30 reauthorized and to cleanse the statutes of those exemptions
31 that the committee recommends be allowed to expire. Each

1 report must also include, for each exemption for which the
2 committee makes no recommendation, a separate bill to
3 reauthorize that exemption for a period not to exceed 10
4 years. Each proposed bill must provide that each reauthorized
5 exemption expires on a specified date occurring no more than
6 10 years after the effective date of the bill and is to be
7 reviewed pursuant to this section at least 18 months prior to
8 its expiration.

9 Section 2. Effective upon this act becoming a law,
10 section 212.25, Florida Statutes, is created to read:

11 212.25 Expiration and review of tax exemptions; status
12 of transactions neither expressly taxable nor exempt.--

13 (1) Effective July 1, 2011, and on July 1 of every
14 10th year thereafter, each exemption from taxation under this
15 chapter expires, except those specified in subsection (3) and
16 those specifically set by law to expire on another date. Prior
17 to its expiration, each such exemption shall be reviewed by
18 the Joint Legislative Committee on Tax Exemptions in
19 accordance with the law governing such reviews.

20 (2) Until July 1, 2011, any sale of goods or services
21 that is neither expressly taxable nor expressly exempt from
22 taxation under this chapter is exempt from such taxation, and
23 the exemptions provided by this subsection are subject to
24 review under s. 11.35. Effective July 1, 2011, any sale of
25 goods or services that is neither expressly taxable nor
26 expressly exempt from taxation under this chapter is subject
27 to tax at the same rate as the general tax rate prescribed by
28 this chapter for the retail sale of items of tangible personal
29 property.

30 (3) Notwithstanding the other provisions of this
31 section, the following transactions remain exempt from

1 taxation under this chapter and are not subject to expiration
2 or review under this section or s. 11.35: the sale of
3 groceries, prescription drugs, health services, real property,
4 intangible personal property, or communications services; the
5 sale of tangible personal property purchased for resale or
6 imported, produced, or manufactured in this state for export;
7 and the payment of residential rent or employee salaries or
8 benefits.

9 Section 3. Section 240.72, Florida Statutes, is
10 created to read:

11 240.72 Florida Technology Development Act.--

12 (1) This section may be cited as the "Florida
13 Technology Development Act."

14 (2) "Center of excellence," as used in this section,
15 means an organization of personnel, facilities, and equipment
16 established at or in collaboration with one or more
17 universities in Florida to accomplish the purposes and
18 objectives of this section. The purposes and objectives of a
19 center of excellence include:

20 (a) Identifying and pursuing opportunities for
21 university scholars, research center scientists and engineers,
22 and private businesses to form collaborative partnerships to
23 foster and promote the research required to develop
24 commercially promising, advanced, and innovative technologies
25 and to transfer those technologies to commercial sectors.

26 (b) Acquiring and leveraging public and private-sector
27 funding to provide the totality of funds, personnel,
28 facilities, equipment, and other resources needed to support
29 the research required to develop commercially promising,
30 advanced, and innovative technologies and to transfer those
31 technologies to commercial sectors.

1 (c) Recruiting and retaining world-class scholars,
2 high-performing students, and leading scientists and engineers
3 in technology disciplines to engage in research in this state
4 to develop commercially promising, advanced, and innovative
5 technologies.

6 (d) Enhancing and expanding technology curricula and
7 laboratory resources at universities and research centers in
8 this state.

9 (e) Increasing the number of high-performing students
10 in technology disciplines who graduate from universities in
11 this state and pursue careers in this state.

12 (f) Stimulating and supporting the inception, growth,
13 and diversification of technology-based businesses and
14 ventures in Florida and increasing employment opportunities
15 for the workforce needed to support such businesses.

16 (3) Subject to legislative appropriation, the Emerging
17 Technology Commission, or "commission," is created within the
18 Executive Office of the Governor to guide the establishment of
19 centers of excellence.

20 (a) The commission shall consist of five regular
21 members appointed by the Governor, one of whom the Governor
22 shall appoint as chair of the commission; two regular members
23 appointed by the President of the Senate; two regular members
24 appointed by the Speaker of the House of Representatives;
25 before January 7, 2003, the Secretary of Education as an ex
26 officio nonvoting member; effective January 7, 2003, the
27 Commissioner of Education as an ex officio nonvoting member;
28 and, as ex officio nonvoting members, the member of the Senate
29 and the member of the House of Representatives who serve as
30 members of the Florida Research Consortium, Inc. The regular
31 members shall be business leaders, industrial researchers,

1 academic researchers, scientists, or engineers who have been
2 recognized as leaders in the state's emerging and advanced
3 technology sectors. Regular members must be appointed on or
4 before July 1, 2002.

5 (b) Members of the commission shall serve without
6 compensation but shall be entitled to receive per diem and
7 travel expenses in accordance with s. 112.061 while in
8 performance of their duties.

9 (c) The Executive Office of the Governor shall provide
10 staff support for the activities of the commission and per
11 diem and travel expenses for commission members.

12 (4) By August 1, 2002, Florida Research Consortium,
13 Inc., shall provide a report to the commission which describes
14 in detail and prioritizes factors that contribute to the
15 success of the creation of centers of excellence. At a
16 minimum, the report should describe and prioritize the
17 following factors:

18 (a) Maturity of existing university programs relating
19 to a proposed center of excellence.

20 (b) Existing amount of university resources dedicated
21 to activities relating to a proposed center of excellence.

22 (c) Comprehensiveness and effectiveness of site plans
23 relating to a proposed center of excellence.

24 (d) Regional economic structure and climate.

25 (e) The degree to which a university proposed to house
26 a center of excellence identifies and seizes opportunities to
27 collaborate with other public or private entities for research
28 purposes.

29 (f) The presence of a comprehensive performance and
30 accountability measurement system.

31

1 (g) The use of an integrated research and development
2 strategy utilizing multiple levels of the educational system.

3 (h) The ability of a university proposed to house a
4 center of excellence to raise research funds and leverage
5 public and private investment dollars to support advanced and
6 emerging technological research and development projects.

7 (i) The degree to which a university proposed to house
8 a center of excellence transfers advanced and emerging
9 technologies from its laboratories to the commercial sector.

10 (j) The degree to which a university proposed to house
11 a center of excellence stimulates and supports new venture
12 creation.

13 (k) The existence of a plan to enhance academic
14 curricula by improving communication between academia and
15 industry.

16 (l) The existence of a plan to increase the number,
17 quality, and retention rate of faculty, graduate students, and
18 eminent scholars in advanced and emerging technology-based
19 disciplines.

20 (m) The existence of a plan to increase the likelihood
21 of faculty, graduate students, and eminent scholars pursuing
22 private-sector careers in the state.

23 (n) Ability to provide capital facilities necessary to
24 support research and development.

25 (5) By September 15, 2002, the commission shall
26 develop and approve criteria for evaluating proposals
27 submitted under subsection (6). When developing such criteria,
28 the commission shall consider the report provided by Florida
29 Research Consortium, Inc., under subsection (4) and hold at
30 least two public hearings, at times and locations designated
31 by the chair of the commission, for the purpose of soliciting

1 expert testimony. By October 1, 2002, the commission shall
2 provide a list of such criteria to each university in the
3 State University System and to the State Technology Office for
4 publishing on the Internet within 24 hours after the office's
5 receipt of the list.

6 (6) Concurrent with the provision of the list of
7 criteria to the universities, the commission shall notify each
8 university, in writing, of the opportunity to submit to the
9 commission written proposals for establishing one or more
10 centers of excellence. Proposals must specifically address the
11 evaluation criteria developed by the commission and delineate
12 how funding would be used to develop one or more centers of
13 excellence. Proposals must be submitted to the commission by
14 December 1, 2002. Notwithstanding this deadline, the
15 commission, upon an affirmative vote of a majority of its
16 members, may accept a proposal submitted after the deadline.

17 (7) By February 1, 2003, the commission shall submit
18 to the State Board of Education a minimum of two, but no more
19 than five, recommended plans for the establishment of one or
20 more centers of excellence in the state. Recommended plans
21 must specifically address the evaluation criteria developed by
22 the commission and delineate how funding would be used to
23 develop one or more centers of excellence. When developing
24 such recommended plans, the commission shall consider the
25 university proposals submitted under subsection (6) and hold
26 at least three public hearings, at times and locations
27 designated by the chair of the commission, for the purpose of
28 soliciting expert testimony including, but not limited to,
29 viewing presentations of university proposals.

30 (8) By March 15, 2003, the State Board of Education
31 shall develop and approve a final plan for the establishment

1 of one or more centers of excellence in the state and
2 authorize expenditures for implementation of the plan. The
3 final plan must allocate at least \$10 million to each center
4 of excellence established by the plan. When developing this
5 final plan, the board shall consider the commission's
6 recommended plans submitted under subsection (7) and hold at
7 least one public hearing for the purpose of soliciting expert
8 testimony. The final plan must include performance and
9 accountability measures that can be used to assess the
10 progress of plan implementation and the success of the centers
11 of excellence established under the final plan. By March 22,
12 2003, the board shall provide a copy of the final plan to the
13 Governor, the President of the Senate, and the Speaker of the
14 House of Representatives.

15 (9) Beginning June 30, 2003, the commission shall
16 report quarterly, in writing, to the Commissioner of Education
17 on the progress of the implementation of the final plan
18 approved under subsection (8) and the success of the centers
19 of excellence established under that plan.

20 (10) This section expires July 1, 2004.

21 Section 4. The sum of \$50,000 is appropriated from the
22 General Revenue Fund to the Executive Office of the Governor
23 for the 2002-2003 fiscal year for the purpose of providing
24 staff support to the Emerging Technology Commission and per
25 diem and travel expenses for commission members.

26 Section 5. Subsection (10) of section 159.705, Florida
27 Statutes, is amended to read:

28 159.705 Powers of the authority.--The authority is
29 authorized and empowered:

30 (10) Other provisions of law to the contrary
31 notwithstanding, to acquire by lease, without consideration,

1 purchase, or option any lands owned, administered, managed,
2 controlled, supervised, or otherwise protected by the state or
3 any of its agencies, departments, boards, or commissions for
4 the purpose of establishing a research and development park,
5 subject to being first designated a research and development
6 authority under the provisions of ss. 159.701-159.7095. The
7 authority may cooperate with state and local political
8 subdivisions and with private profit and nonprofit entities to
9 implement the public purposes set out in s. 159.701. Such
10 cooperation may include agreements for the use of the
11 resources of state and local political subdivisions, agencies,
12 or entities on a fee-for-service basis or on a cost-recovery
13 basis. Notwithstanding any other provision of this chapter, a
14 project that is located in a research and development park and
15 is financed under the provisions of the Florida Industrial
16 Development Financing Act may be operated by a research and
17 development authority, a state university, a Florida community
18 college, or a governmental agency if the purpose and operation
19 of the project is consistent with the purposes and policies
20 specified in ss. 159.701-159.7095.

21 Section 6. Section 445.045, Florida Statutes, is
22 amended to read:

23 445.045 Development of an Internet-based system for
24 information technology industry promotion and workforce
25 recruitment.--

26 (1) Workforce Florida, Inc., is responsible for
27 directing ~~The Department of Labor and Employment Security~~
28 ~~shall facilitate efforts to ensure~~ the development and
29 maintenance of a website that promotes and markets the
30 information technology industry in this state. The website
31 shall be designed to inform the public concerning the scope of

1 the information technology industry in the state and shall
2 also be designed to address the workforce needs of the
3 industry. The website shall include, through links or actual
4 content, information concerning information technology
5 businesses in this state, including links to such businesses;
6 information concerning employment available at these
7 businesses; and the means by which a jobseeker may post a
8 resume on the website.

9 (2) Workforce Florida, Inc., ~~The Department of Labor~~
10 ~~and Employment Security~~ shall coordinate with the State
11 Technology Office and the Agency for Workforce Innovation
12 ~~Workforce Development Board of Enterprise Florida, Inc.~~, to
13 ensure links, where feasible and appropriate, to existing job
14 information websites maintained by the state and state
15 agencies and to ensure that information technology positions
16 offered by the state and state agencies are posted on the
17 information technology website.

18 (3) Workforce Florida, Inc., shall ensure that the
19 website developed and maintained under this section is
20 consistent, compatible, and coordinated with the workforce
21 information systems required under s. 445.011, including, but
22 not limited to, the automated job-matching information system
23 for employers, job seekers, and other users.

24 (4)(a) Workforce Florida, Inc., shall coordinate
25 development and maintenance of the website under this section
26 with the state's Chief Information Officer in the State
27 Technology Office to ensure compatibility with the state's
28 information system strategy and enterprise architecture.

29 (b) Workforce Florida, Inc., may enter into an
30 agreement with the State Technology Office, the Agency for
31 Workforce Innovation, or any other public agency with the

1 requisite information technology expertise for the provision
2 of design, operating, or other technological services
3 necessary to develop and maintain the website.

4 (c) Workforce Florida, Inc., may procure services
5 necessary to implement the provisions of this section, if it
6 employs competitive processes, including requests for
7 proposals, competitive negotiation, and other competitive
8 processes to ensure that the procurement results in the most
9 cost-effective investment of state funds.

10 (5) In furtherance of the requirements of this section
11 that the website promote and market the information technology
12 industry by communicating information on the scope of the
13 industry in this state, Workforce Florida, Inc., shall
14 coordinate its efforts with the high-technology industry
15 marketing efforts of Enterprise Florida, Inc., under s.
16 288.911. Through links or actual content, the website
17 developed under this section shall serve as a forum for
18 distributing the marketing campaign developed by Enterprise
19 Florida, Inc., under s. 288.911. In addition, Workforce
20 Florida, Inc., shall solicit input from the not-for-profit
21 corporation created to advocate on behalf of the information
22 technology industry as an outgrowth of the Information Service
23 Technology Development Task Force created under chapter
24 99-354, Laws of Florida.

25 (6) In fulfilling its responsibilities under this
26 section, Workforce Florida, Inc., may enlist the assistance of
27 and act through the Agency for Workforce Innovation. The
28 agency is authorized and directed to provide the services that
29 Workforce Florida, Inc., and the agency consider necessary to
30 implement this section.

31 Section 7. Learning Gateway.--

1 (1) PROGRAM GOALS.--The Legislature authorizes a
2 3-year demonstration program, to be called the Learning
3 Gateway, the purpose of which is to provide parents access to
4 information, referral, and services to lessen the effects of
5 learning disabilities in children from birth to age 9.
6 Parental consent shall be required for initial contact and
7 referral for evaluation and services provided through the
8 Learning Gateway. Each pilot program must design and test an
9 integrated, community-based system to help parents identify
10 learning problems and access early-education and intervention
11 services in order to minimize or prevent learning
12 disabilities. The Learning Gateway must be available to
13 parents in the settings where they and their children live,
14 work, seek care, or study. The goals of the Learning Gateway
15 are to:

16 (a) Improve community awareness and education of
17 parents and practitioners about the warning signs or
18 precursors of learning problems and learning disabilities,
19 including disorders or delayed development in language,
20 attention, behavior, and social-emotional functioning,
21 including dyslexia and attention deficit hyperactivity
22 disorder, in children from birth through age 9.

23 (b) Improve access for children who are experiencing
24 early learning problems and their families to appropriate
25 programs, services, and supports through improved outreach and
26 referral processes among providers.

27 (c) Improve developmental monitoring and the
28 availability to parents of appropriate screening resources,
29 with emphasis on children from birth through age 9 who are at
30 high risk of having learning problems.

31

1 (d) Improve the availability to parents of appropriate
2 education and intervention programs, services, and supports to
3 address learning problems and learning disabilities.

4 (e) Identify gaps in the array of services and
5 supports so that an appropriate child-centered and
6 family-centered continuum of education and support would be
7 readily available in each community.

8 (f) Improve accountability of the system through
9 improved planning, integration, and collaboration among
10 providers and through outcome measurement in collaboration
11 with parents.

12 (2) LEARNING GATEWAY STEERING COMMITTEE.--

13 (a) To ensure that parents of children with potential
14 learning problems and learning disabilities have access to the
15 appropriate necessary services and supports, an 18-member
16 steering committee is created. The steering committee is
17 assigned to the Department of Education for administrative
18 purposes.

19 (b) The duties of the Learning Gateway Steering
20 Committee are to provide policy development, consultation,
21 oversight, and support for the implementation of three
22 demonstration programs and to advise the agencies, the
23 Legislature, and the Governor on statewide implementation of
24 system components and issues and on strategies for continuing
25 improvement to the system.

26 (c) The steering committee shall direct the
27 administering agency of the Learning Gateway program to expend
28 the funds appropriated for the steering committee's use to
29 procure the products delineated in section 8 of this act
30 through contracts or other means. The steering committee and
31 the Learning Gateway pilot programs will provide information

1 and referral for services but will not provide direct services
2 to parents or children.

3 (d) The steering committee must include parents,
4 service providers, and representatives of the disciplines
5 relevant to diagnosis of and intervention in early learning
6 problems. The Governor shall appoint one member from the
7 private sector who has expertise in communications, management
8 or service provision, one member who has expertise in
9 children's vision, one member who has expertise in learning
10 disabilities, one member who has expertise in audiology, one
11 member who is a parent of a child eligible for services by the
12 Learning Gateway, and one provider of related diagnostic and
13 intervention services. The President of the Senate shall
14 appoint one member from the private sector who has expertise
15 in communications, management or service provision, one member
16 who has expertise in emergent literacy, one member who has
17 expertise in pediatrics, one member who has expertise in brain
18 development, one member who is a parent of a child eligible
19 for services by the Learning Gateway, and one member who is a
20 provider of related diagnostic and intervention services. The
21 Speaker of the House of Representatives shall appoint one
22 member from the private sector who has expertise in
23 communications, management or service provision, one member
24 who has expertise in environmental health and allergies, one
25 member who has expertise in children's nutrition, one member
26 who has expertise in family medicine, one parent of a child
27 eligible for services by the Learning Gateway, and one member
28 who is a school psychologist providing diagnostic and
29 intervention services.

30 (e) To support and facilitate system improvements, the
31 steering committee must consult with representatives from the

1 Department of Education, the Department of Health, the Florida
2 Partnership for School Readiness, the Department of Children
3 and Family Services, the Agency for Health Care
4 Administration, the Department of Juvenile Justice, and the
5 Department of Corrections and the director of the Learning
6 Development and Evaluation Center of Florida Agricultural and
7 Mechanical University.

8 (f) Steering committee appointments must be made, and
9 the committee must hold its first meeting, within 90 days
10 after this act takes effect. Steering committee members shall
11 be appointed to serve a term of 3 years. The Governor shall
12 designate the chairman of the steering committee.

13 (g) Steering committee members shall not receive
14 compensation for their services, but may receive reimbursement
15 for travel expenses incurred under section 112.061, Florida
16 Statutes.

17 (3) LEARNING GATEWAY DEMONSTRATION PROJECTS.--

18 (a) Within 90 days after its initial meeting, the
19 Learning Gateway Steering Committee shall accept proposals
20 from interagency consortia in Orange, Manatee, and St. Lucie
21 counties which comprise public and private providers,
22 community agencies, business representatives, and the local
23 school board in each county to serve as demonstration sites
24 for design and development of a system that addresses the
25 requirements in section 8 of this act. If there is no proposal
26 from one of the designated counties, the steering committee
27 may select another county to serve as a demonstration site by
28 majority vote.

29 (b) The proposals for demonstration projects must
30 provide a comprehensive and detailed description of the system
31 of care. The description of the proposed system of care must

1 clearly indicate the point of access for parents, integration
2 of services, linkages of providers, and additional array of
3 services required to address the needs of children and
4 families.

5 (c) The demonstration projects should ensure that the
6 system of care appropriately includes existing services to the
7 fullest extent possible and should determine additional
8 programs, services, and supports that would be necessary to
9 implement the requirements of this act.

10 (d) The projects, in conjunction with the steering
11 committee, shall determine what portion of the system can be
12 funded using existing funds, demonstration funds provided by
13 this act, and other available private and community funds.

14 (e) The demonstration projects shall recommend to the
15 steering committee the linking or combining of some or all of
16 the local planning bodies, including school readiness
17 coalitions, Healthy Start coalitions, Part C advisory
18 councils, Department of Children and Family Services community
19 alliances, and other boards or councils that have a primary
20 focus on services for children from birth to age 9, to the
21 extent allowed by federal regulations, if such changes would
22 improve coordination and reduce unnecessary duplication of
23 effort.

24 (f) Demonstration projects shall use public and
25 private partnerships, partnerships with faith-based
26 organizations, and volunteers, as appropriate, to enhance
27 accomplishment of the goals of the system.

28 (g) Addressing system components delineated in section
29 8 of this act, each demonstration project proposal must
30 include, at a minimum:
31

1 1. Protocols for requiring and receiving parental
2 consent for Learning Gateway services.

3 2. A method for establishing communication with
4 parents and coordination and planning processes within the
5 community.

6 3. Action steps for making appropriate linkages to
7 existing services within the community.

8 4. Procedures to determine gaps in services and
9 identify appropriate providers.

10 5. A lead agency to serve as the system access point,
11 or gateway.

12 (h) As authorized under the budget authority of the
13 Department of Education, demonstration projects,
14 representative of the diversity of the communities in this
15 state, shall be established in Manatee, Orange, and St. Lucie
16 counties as local Learning Gateway sites and shall be
17 authorized to hire staff, establish office space, and contract
18 for administrative services as needed to implement the project
19 within the budget designated by the Legislature.

20 (i) The steering committee must approve, deny, or
21 conditionally approve a Learning Gateway proposal within 60
22 days after receipt of the proposal. If a proposal is
23 conditionally approved, the steering committee must assist the
24 Learning Gateway applicant to correct deficiencies in the
25 proposal by December 1, 2002. Funds must be available to a
26 pilot program 15 days after final approval of its proposal by
27 the steering committee. Funds must be available to all pilot
28 programs by January 1, 2003.

29 Section 8. Components of the Learning Gateway.--

30 (1) The Learning Gateway system consists of the
31 following components:

1 (a) Community education strategies and family-oriented
2 access.--

3 1. Each local demonstration project shall establish
4 the system access point, or gateway, by which parents can
5 receive information about available appropriate services. An
6 existing public or private agency or provider or new provider
7 may serve as the system gateway. The local Learning Gateway
8 should provide parents and caretakers with a single point of
9 access for screening, assessment, and referral for services
10 for children from birth through age 9. The demonstration
11 projects have the budgetary authority to hire appropriate
12 personnel to perform administrative functions. These staff
13 members must be knowledgeable about child development, early
14 identification of learning problems and learning disabilities,
15 family service planning, and services in the local area. Each
16 demonstration project must arrange for the following services
17 to be provided by existing service systems:

18 a. Conducting intake with families.

19 b. Conducting appropriate screening or referral for
20 such services.

21 c. Conducting needs/strengths-based family assessment.

22 d. Developing family resource plans.

23 e. Making referrals for needed services and assisting
24 families in the application process.

25 f. Providing service coordination as needed by
26 families.

27 g. Assisting families in establishing a medical home.

28 h. Conducting case management and transition planning
29 as necessary.

30 i. Monitoring performance of service providers against
31 appropriate standards.

1 2. The Learning Gateway Steering Committee and
2 demonstration projects shall designate a central information
3 and referral access phone number for parents in each pilot
4 community. This centralized phone number should be used to
5 increase public awareness and to improve access to local
6 supports and services for children from birth through age 9
7 and their families. The number should be highly publicized as
8 the primary source of information on services for young
9 children. The telephone staff should be trained and supported
10 to offer accurate and complete information and to make
11 appropriate referrals to existing public and private community
12 agencies.

13 3. In collaboration with local resources such as
14 Healthy Start, the demonstration projects shall develop
15 strategies for offering hospital visits or home visits by
16 trained staff to new mothers. The Learning Gateway Steering
17 Committee shall provide technical assistance to local
18 demonstration projects in developing brochures and other
19 materials to be distributed to parents of newborns.

20 4. In collaboration with other local resources, the
21 demonstration projects shall develop public awareness
22 strategies to disseminate information about developmental
23 milestones, precursors of learning problems and other
24 developmental delays, and the service system that is
25 available. The information should target parents of children
26 from birth through age 9 and should be distributed to parents,
27 health care providers, and caregivers of children from birth
28 through age 9. A variety of media should be used as
29 appropriate, such as print, television, radio, and a
30 community-based internet web site, as well as opportunities
31 such as those presented by parent visits to physicians for

1 well-child check-ups. The Learning Gateway Steering Committee
2 shall provide technical assistance to the local demonstration
3 projects in developing and distributing educational materials
4 and information.

5 a. Public awareness strategies targeting parents of
6 children from birth through age 5 shall be designed to provide
7 information to public and private preschool programs,
8 childcare providers, pediatricians, parents, and local
9 businesses and organizations. These strategies should include
10 information on the school readiness performance standards for
11 kindergarten adopted by the School Readiness Partnership
12 Board.

13 b. Public awareness strategies targeting parents of
14 children from ages 6 through 9 must be designed to disseminate
15 training materials and brochures to parents and public and
16 private school personnel, and must be coordinated with the
17 local school board and the appropriate school advisory
18 committees in the demonstration projects. The materials should
19 contain information on state and district proficiency levels
20 for grades K-3.

21 (b) Screening and developmental monitoring.--

22 1. In coordination with the Partnership for School
23 Readiness, the Department of Education, and the Florida
24 Pediatric Society, and using information learned from the
25 local demonstration projects, the Learning Gateway Steering
26 Committee shall establish guidelines for screening children
27 from birth through age 9. The guidelines should incorporate
28 recent research on the indicators most likely to predict early
29 learning problems, mild developmental delays, child-specific
30 precursors of school failure, and other related developmental
31 indicators in the domains of cognition; communication;

1 attention; perception; behavior; and social, emotional,
2 sensory, and motor functioning.

3 2. Based on the guidelines established by the steering
4 committee and in cooperation with the Florida Pediatric
5 Society, the steering committee shall adopt a comprehensive
6 checklist for child healthcare checkups and a corresponding
7 training package for physicians and other medical personnel in
8 implementing more effective screening for precursors of
9 learning problems, learning disabilities, and mild
10 developmental delays.

11 3. Using the screening guidelines developed by the
12 steering committee, local demonstration projects should engage
13 local physicians and other medical professionals in enhancing
14 the screening opportunities presented by immunization visits
15 and other well-child appointments, in accordance with the
16 American Academy of Pediatrics Periodicity Schedule.

17 4. Using the screening guidelines developed by the
18 steering committee, the demonstration projects shall develop
19 strategies to increase early identification of precursors to
20 learning problems and learning disabilities through providing
21 parents the option of improved screening and referral
22 practices within public and private early care and education
23 programs and K-3 public and private school settings.
24 Strategies may include training and technical assistance teams
25 to assist program providers and teachers. The program shall
26 collaborate appropriately with the school readiness
27 coalitions, local school boards, and other community resources
28 in arranging training and technical assistance for early
29 identification and screening with parental consent.

30 5. The demonstration project shall work with
31 appropriate local entities to reduce the duplication of

1 cross-agency screening in each demonstration project area.
2 Demonstration projects shall provide opportunities for public
3 and private providers of screening and assessment at each age
4 level to meet periodically to identify gaps or duplication of
5 efforts in screening practices.

6 6. Based on technical assistance and support provided
7 by the steering committee and in conjunction with the school
8 readiness coalitions and other appropriate entities,
9 demonstration projects shall develop a system to log the
10 number of children screened, assessed, and referred for
11 services. After development and testing, tracking should be
12 supported by a standard electronic data system for screening
13 and assessment information.

14 7. In conjunction with the technical assistance of the
15 steering committee, demonstration projects shall develop a
16 system for targeted screening. The projects should conduct a
17 needs assessment of existing services and programs where
18 targeted screening programs should be offered. Based on the
19 results of the needs assessment, the project shall develop
20 procedures within the demonstration community whereby periodic
21 developmental screening could be offered to parents of
22 children from birth through age 9 who are served by state
23 intervention programs or whose parents or caregivers are in
24 state intervention programs. Intervention programs for
25 children, parents, and caregivers include those administered
26 or funded by the:

- 27 a. Agency for Health Care Administration;
28 b. Department of Children and Family Services;
29 c. Department of Corrections and other criminal
30 justice programs;
31 d. Department of Education;

- 1 e. Department of Health; and
2 f. Department of Juvenile Justice.
3 8. When results of screening suggest developmental
4 problems, potential learning problems, or learning
5 disabilities, the intervention program shall inform the
6 child's parent of the results of the screening and shall offer
7 to refer the child to the Learning Gateway for coordination of
8 further assessment. If the parent chooses to have further
9 assessment, the Learning Gateway shall make referrals to the
10 appropriate entities within the service system.
11 9. The local Learning Gateway shall provide for
12 followup contact to all families whose children have been
13 found ineligible for services under Part B or Part C of the
14 IDEA to inform them of other services available in the county.
15 10. Notwithstanding any law to the contrary, each
16 agency participating in the Learning Gateway is authorized to
17 provide to a Learning Gateway program confidential information
18 exempt from disclosure under chapter 119, Florida Statutes,
19 regarding a developmental screening on any child participating
20 in the Learning Gateway who is or has been the subject of a
21 developmental screening within the jurisdiction of each
22 agency.
23 (c) Early education, services and supports.--
24 1. The demonstration projects shall develop a
25 conceptual model system of care that builds upon, integrates,
26 and fills the gaps in existing services. The model shall
27 indicate how qualified providers of family-based or
28 center-based interventions or public and private school
29 personnel may offer services in a manner consistent with the
30 standards established by their profession and by the standards
31 and criteria adopted by the steering committee and consistent

1 with effective and proven strategies. The specific services
2 and supports may include:

3 a. High-quality early education and care programs.

4 b. Assistance to parents and other caregivers, such as
5 home-based modeling programs for parents and play programs to
6 provide peer interactions.

7 c. Speech and language therapy that is
8 age-appropriate.

9 d. Parent education and training.

10 e. Comprehensive medical screening and referral with
11 biomedical interventions as necessary.

12 f. Referral as needed for family therapy, other mental
13 health services, and treatment programs.

14 g. Family support services as necessary.

15 h. Therapy for learning differences in reading and
16 math, and attention to subject material for children in grades
17 K-3.

18 i. Referral for Part B or Part C services as required.

19 j. Expanded access to community-based services for
20 parents.

21 k. Parental choice in the provision of services by
22 public and private providers.

23
24 The model shall include a statement of the cost of
25 implementing the model.

26 2. Demonstration projects shall develop strategies to
27 increase the use of appropriate intervention practices with
28 children who have learning problems and learning disabilities
29 within public and private early care and education programs
30 and K-3 public and private school settings. Strategies may
31 include training and technical assistance teams. Intervention

1 must be coordinated and must focus on providing effective
2 supports to children and their families within their regular
3 education and community environment. These strategies must
4 incorporate, as appropriate, school and district activities
5 related to the student's academic improvement plan and must
6 provide parents with greater access to community-based
7 services that should be available beyond the traditional
8 school day. Academic expectations for public school students
9 in grades K-3 must be based upon the local school board's
10 adopted proficiency levels. When appropriate, school personnel
11 shall consult with the local Learning Gateway to identify
12 other community resources for supporting the child and the
13 family.

14 3. The steering committee, in cooperation with the
15 Department of Children and Family Services, the Department of
16 Education, and the Florida Partnership for School Readiness,
17 shall identify the elements of an effective research-based
18 curriculum for early care and education programs.

19 4. The steering committee, in conjunction with the
20 demonstration projects, shall develop processes for
21 identifying and sharing promising practices and shall showcase
22 these programs and practices at a dissemination conference.

23 5. The steering committee shall establish processes
24 for facilitating state and local providers' ready access to
25 information and training concerning effective instructional
26 and behavioral practices and interventions based on advances
27 in the field and for encouraging researchers to regularly
28 guide practitioners in designing and implementing
29 research-based practices. The steering committee shall assist
30 the demonstration projects in conducting a conference for
31 participants in the three demonstration projects for the

1 dissemination of information on best practices and new
2 insights about early identification, education, and
3 intervention for children from birth through age 9. The
4 conference should be established so that continuing education
5 credits may be awarded to medical professionals, teachers, and
6 others for whom this is an incentive.

7 6. Demonstration projects shall investigate and may
8 recommend to the steering committee more effective resource
9 allocation and flexible funding strategies if such strategies
10 are in the best interest of the children and families in the
11 community. The Department of Education and other relevant
12 agencies shall assist the demonstration projects in securing
13 state and federal waivers as appropriate.

14 Section 9. Accountability.--

15 (1) The steering committee shall provide information
16 to the School Readiness Estimating Conference and the
17 Enrollment Conference for Public Schools regarding estimates
18 of the population of children from birth through age 9 who are
19 at risk of learning problems and learning disabilities.

20 (2) The steering committee, in conjunction with the
21 demonstration projects, shall develop accountability
22 mechanisms to ensure that the demonstration programs are
23 effective and that resources are used as efficiently as
24 possible. Accountability should be addressed through a
25 multilevel evaluation system, including measurement of
26 outcomes and operational indicators. Measurable outcomes must
27 be developed to address improved child development, improved
28 child health, and success in school. Indicators of system
29 improvements must be developed to address quality of programs
30 and integration of services. Agency monitoring of programs
31 shall include a review of child and family outcomes and system

1 effectiveness indicators with a specific focus on elimination
2 of unnecessary duplication of planning, screening, and
3 services.

4 (3) The steering committee shall oversee a formative
5 evaluation of the project during implementation, including
6 reporting short-term outcomes and system improvements. By
7 January 2005, the steering committee shall make
8 recommendations to the Governor, the President of the Senate,
9 the Speaker of the House of Representatives, and the
10 Commissioner of Education related to the merits of expansion
11 of the demonstration projects.

12 (4) By January 1, 2005, the steering committee, in
13 conjunction with the demonstration projects, shall develop a
14 model county-level strategic plan to formalize the goals,
15 objectives, strategies, and intended outcomes of the
16 comprehensive system, and to support the integration and
17 efficient delivery of all services and supports for parents of
18 children from birth through age 9 who have learning problems
19 or learning disabilities. The model county-level strategic
20 plan must include, but need not be limited to, strategies to:

21 (a) Establish a system whereby parents can access
22 information about learning problems in young children and
23 receive services at their discretion;

24 (b) Improve early identification of those who are at
25 risk for learning problems and learning disabilities;

26 (c) Provide access to an appropriate array of services
27 within the child's natural environment or regular classroom
28 setting or specialized training in other settings;

29 (d) Improve and coordinate screening for children from
30 birth through age 9;

31

1 (e) Improve and coordinate services for children from
2 birth through age 9;

3 (f) Address training of professionals in effectively
4 identifying factors, across all domains, which place children
5 from birth through age 9 at risk of school failure and in
6 appropriate interventions for the learning differences;

7 (g) Provide appropriate support to families;

8 (h) Share best practices with caregivers and referral
9 sources;

10 (i) Address resource needs of the assessment and
11 intervention system; and

12 (j) Address development of implementation plans to
13 establish protocols for requiring and receiving parental
14 consent for services; to identify action steps, responsible
15 parties, and implementation schedules; and to ensure
16 appropriate alignment with agency strategic plans.

17 Section 10. The Legislature shall appropriate a sum of
18 money to fund the demonstration programs and shall authorize
19 selected communities to blend funding from existing programs
20 to the extent that this is advantageous to the community and
21 is consistent with federal requirements.

22 Section 11. Sections 11 and 12 of this act may be
23 cited as the "Tourism Industry Recovery Act of 2002."

24 Section 12. Paragraphs (l) and (n) of subsection (3)
25 of section 125.0104, Florida Statutes, are amended to read:

26 125.0104 Tourist development tax; procedure for
27 levying; authorized uses; referendum; enforcement.--

28 (3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.--

29 (1) In addition to any other tax which is imposed
30 pursuant to this section, a county may impose up to an
31 additional 1-percent tax on the exercise of the privilege

1 described in paragraph (a) by majority vote of the governing
2 board of the county in order to:

3 1. Pay the debt service on bonds issued to finance the
4 construction, reconstruction, or renovation of a professional
5 sports franchise facility, or the acquisition, construction,
6 reconstruction, or renovation of a retained spring training
7 franchise facility, either publicly owned and operated, or
8 publicly owned and operated by the owner of a professional
9 sports franchise or other lessee with sufficient expertise or
10 financial capability to operate such facility, and to pay the
11 planning and design costs incurred prior to the issuance of
12 such bonds.

13 2. Pay the debt service on bonds issued to finance the
14 construction, reconstruction, or renovation of a convention
15 center, and to pay the planning and design costs incurred
16 prior to the issuance of such bonds.

17 3. Pay the operation and maintenance costs of a
18 convention center for a period of up to 10 years. Only
19 counties that have elected to levy the tax for the purposes
20 authorized in subparagraph 2. may use the tax for the purposes
21 enumerated in this subparagraph. Any county that elects to
22 levy the tax for the purposes authorized in subparagraph 2.
23 after July 1, 2000, may use the proceeds of the tax to pay the
24 operation and maintenance costs of a convention center for the
25 life of the bonds.

26 4. Promote and advertise tourism in the State of
27 Florida and nationally and internationally; however, if tax
28 revenues are expended for an activity, service, venue, or
29 event, the activity, service, venue, or event shall have as
30 one of its main purposes the attraction of tourists as

31

1 evidenced by the promotion of the activity, service, venue, or
2 event to tourists.

3
4 The provision of paragraph (b) which prohibits any county
5 authorized to levy a convention development tax pursuant to s.
6 212.0305 from levying more than the 2-percent tax authorized
7 by this section, and the provisions of paragraphs (4)(a)-(d),
8 shall not apply to the additional tax authorized in this
9 paragraph. The effective date of the levy and imposition of
10 the tax authorized under this paragraph shall be the first day
11 of the second month following approval of the ordinance by the
12 governing board or the first day of any subsequent month as
13 may be specified in the ordinance. A certified copy of such
14 ordinance shall be furnished by the county to the Department
15 of Revenue within 10 days after approval of such ordinance.

16 (n) In addition to any other tax that is imposed under
17 this section, a county that has imposed the tax under
18 paragraph (l) may impose an additional tax that is no greater
19 than 1 percent on the exercise of the privilege described in
20 paragraph (a) by a majority plus one vote of the membership of
21 the board of county commissioners in order to:

22 1. Pay the debt service on bonds issued to finance:
23 a.1. The construction, reconstruction, or renovation
24 of a facility either publicly owned and operated, or publicly
25 owned and operated by the owner of a professional sports
26 franchise or other lessee with sufficient expertise or
27 financial capability to operate such facility, and to pay the
28 planning and design costs incurred prior to the issuance of
29 such bonds for a new professional sports franchise as defined
30 in s. 288.1162.

31

1 ~~b.2.~~ The acquisition, construction, reconstruction, or
2 renovation of a facility either publicly owned and operated,
3 or publicly owned and operated by the owner of a professional
4 sports franchise or other lessee with sufficient expertise or
5 financial capability to operate such facility, and to pay the
6 planning and design costs incurred prior to the issuance of
7 such bonds for a retained spring training franchise.

8 2. Promote and advertise tourism in the State of
9 Florida and nationally and internationally; however, if tax
10 revenues are expended for an activity, service, venue, or
11 event, the activity, service, venue, or event shall have as
12 one of its main purposes the attraction of tourists as
13 evidenced by the promotion of the activity, service, venue, or
14 event to tourists.

15
16 A county that imposes the tax authorized in this paragraph may
17 not expend any ad valorem tax revenues for the acquisition,
18 construction, reconstruction, or renovation of ~~a that~~ facility
19 for which tax revenues are used pursuant to subparagraph 1.

20 The provision of paragraph (b) which prohibits any county
21 authorized to levy a convention development tax pursuant to s.
22 212.0305 from levying more than the 2-percent tax authorized
23 by this section shall not apply to the additional tax
24 authorized by this paragraph in counties which levy convention
25 development taxes pursuant to s. 212.0305(4)(a). Subsection
26 (4) does not apply to the adoption of the additional tax
27 authorized in this paragraph. The effective date of the levy
28 and imposition of the tax authorized under this paragraph is
29 the first day of the second month following approval of the
30 ordinance by the board of county commissioners or the first
31 day of any subsequent month specified in the ordinance. A

1 certified copy of such ordinance shall be furnished by the
2 county to the Department of Revenue within 10 days after
3 approval of the ordinance.

4 Section 13. Subsection (1) of section 240.2605,
5 Florida Statutes, is amended to read:

6 240.2605 Trust Fund for Major Gifts.--

7 (1) There is established a Trust Fund for Major Gifts.
8 The purpose of the trust fund is to enable the Board of
9 Regents Foundation, each university, and New College to
10 provide donors with an incentive in the form of matching
11 grants for donations for the establishment of permanent
12 endowments and sales tax exemption matching funds received
13 pursuant to s. 212.08(5)(j), which must be invested, with the
14 proceeds of the investment used to support libraries and
15 instruction and research programs, as defined by ~~procedure of~~
16 the State Board of Education Regents. All funds appropriated
17 for the challenge grants, new donors, major gifts, sales tax
18 exemption matching funds pursuant to s. 212.08(5)(j), or
19 eminent scholars program must be deposited into the trust fund
20 and invested pursuant to s. 18.125 until the State Board of
21 Education Regents allocates the funds to universities to match
22 private donations. Notwithstanding s. 216.301 and pursuant to
23 s. 216.351, any undisbursed balance remaining in the trust
24 fund and interest income accruing to the portion of the trust
25 fund which is not matched and distributed to universities must
26 remain in the trust fund and be used to increase the total
27 funds available for challenge grants. Funds deposited in the
28 trust fund for the sales tax exemption matching program
29 authorized in s. 212.08(5)(j), and interest earnings thereon,
30 shall be maintained in a separate account within the Trust
31 Fund for Major Gifts, and may be used only to match qualified

1 sales tax exemptions that a certified business designates for
2 use by state universities and community colleges to support
3 research and development projects requested by the certified
4 business. The State Board of Education ~~Regents~~ may authorize
5 any university to encumber the state matching portion of a
6 challenge grant from funds available under s. 240.272.

7 Section 14. The legislative review required under
8 section 14 of chapter 93-187, Laws of Florida, shall be
9 conducted by the Office of Program Policy Analysis and
10 Government Accountability before December 1, 2002, using
11 applicable criteria under section 11.513(3), Florida Statutes.

12 Section 15. This act shall take effect upon becoming a
13 law.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31