

By the Committee on Commerce and Economic Opportunities; and
Senator Holzendorf

310-2203-02

1 A bill to be entitled
2 An act relating to economically distressed
3 communities; amending s. 288.901, F.S.;
4 expanding the membership of the board of
5 directors of Enterprise Florida, Inc., to
6 include certain economic development or
7 community development representatives; amending
8 s. 288.9015, F.S.; revising duties of
9 Enterprise Florida, Inc., relating to economic
10 development in certain communities; providing
11 legislative findings and intent regarding
12 economically distressed communities;
13 prescribing duties and activities of Enterprise
14 Florida, Inc., relating to economically
15 distressed communities; requiring information
16 on such duties and activities to be included in
17 the annual report of Enterprise Florida, Inc.;
18 providing an effective date.

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20 WHEREAS, there are many economically distressed
21 communities in the state which have not experienced the
22 economic prosperity enjoyed by other communities in the state,
23 and

24 WHEREAS, the state has created a number of programs,
25 designations, and initiatives designed to improve conditions
26 in economically distressed communities, and

27 WHEREAS, these programs, designations, and initiatives
28 tend to operate in isolation and cannot alone effect
29 substantial improvement in all economically distressed
30 communities, and

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1 WHEREAS, businesses that are expanding or relocating
2 would be more willing to invest in economically distressed
3 communities were they aware of the opportunities and
4 advantages available in such areas, and

5 WHEREAS, Enterprise Florida, Inc., as the principal
6 economic development organization for the state, is in regular
7 contact with existing, expanding, and relocating businesses
8 and is in a unique position to provide such businesses with
9 information concerning available sites and investment
10 incentives in the state, and

11 WHEREAS, Enterprise Florida, Inc., is in a unique
12 position to market economically distressed communities to
13 expanding and relocating businesses and to help coordinate the
14 various programs, designations, and initiatives designed to
15 encourage greater business investment in such communities, and

16 WHEREAS, in a December 2001 review of Enterprise
17 Florida, Inc., the Office of Program Policy Analysis and
18 Government Accountability found that, although Enterprise
19 Florida, Inc., has implemented some strategies to assist
20 economic-development efforts in the state's urban and rural
21 distressed areas, many of the jobs Enterprise Florida, Inc.,
22 claims that it helped to create and retain in urban distressed
23 areas may not have resulted from its specific strategies and
24 activities targeted to these areas, and

25 WHEREAS, the Office of Program Policy Analysis and
26 Government Accountability also found that Enterprise Florida,
27 Inc., is not providing certain types of services needed by
28 some rural economic-development organizations, NOW, THEREFORE,

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

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1 Section 1. Paragraphs (i) and (j) are added to
2 subsection (3) of section 288.901, Florida Statutes, to read:

3 288.901 Enterprise Florida, Inc.; creation;
4 membership; organization; meetings; disclosure.--

5 (3) Enterprise Florida, Inc., shall be governed by a
6 board of directors. The board of directors shall consist of
7 the following members:

8 (i) A representative of a local or regional
9 economic-development organization or community-development
10 organization serving a large urban area that contains multiple
11 economically distressed communities or neighborhoods. The
12 representative must have experience in working to improve
13 economic conditions in these communities or neighborhoods. The
14 representative shall be appointed by the Governor.

15 (j) A representative of a local or regional
16 economic-development organization or community-development
17 organization serving a rural area that contains multiple
18 economically distressed communities or neighborhoods. The
19 representative must have experience in working to improve
20 economic conditions in these communities or neighborhoods. The
21 representative shall be appointed by the Governor.

22 Section 2. Subsection (2) of section 288.9015, Florida
23 Statutes, is amended to read:

24 288.9015 Enterprise Florida, Inc.; purpose; duties.--

25 (2) It shall be the responsibility of Enterprise
26 Florida, Inc., to aggressively market Florida's rural
27 communities, economically distressed urban communities, and
28 enterprise zones as locations for potential new investment, to
29 aggressively assist in the retention and expansion of existing
30 businesses in these communities, and to aggressively assist
31 these communities in the identification and development of new

1 economic development opportunities for job creation, fully
2 marketing and facilitating use of state incentive programs
3 such as the Qualified Target Industry Tax Refund Program under
4 s. 288.106, ~~and~~ the Quick Action Closing Fund under s.
5 288.1088, high-impact performance grants under s. 288.108, and
6 contracts for transportation projects under s. 288.063 in
7 economically distressed areas.

8 Section 3. Duties of Enterprise Florida, Inc.;
9 economically distressed communities.--

10 (1) The Legislature finds that achieving meaningful
11 economic development in the most economically distressed
12 communities in the state requires a concerted effort by state
13 and local economic-development organizations, including the
14 dedication of substantial human and financial resources by
15 such organizations. The Legislature further finds that,
16 although it is important for Enterprise Florida, Inc., to
17 incorporate the needs of economically distressed communities
18 into all of its programs and activities, it is also critical
19 that Enterprise Florida, Inc., focus special attention on such
20 communities. It is, therefore, the intent of the Legislature
21 that Enterprise Florida, Inc., develop and implement a
22 comprehensive program of activities designed specifically to
23 facilitate economic development in economically distressed
24 communities.

25 (2) Enterprise Florida, Inc., shall establish a
26 programmatic unit within the organization which is dedicated
27 specifically to facilitating business formation and business
28 expansion in, as well as business relocation to, economically
29 distressed communities. One of the principal outcomes of the
30 programmatic unit should be improved economic conditions in
31 those communities in the state which have traditionally

1 experienced less economic-development activity than the
2 communities in the state which are experiencing the most
3 economic development activity.

4 (3) In determining whether a community is appropriate
5 for assistance under this section, Enterprise Florida, Inc.,
6 shall develop and consider criteria that include, without
7 limitation, whether:

8 (a) The state has made few or no state
9 economic-development incentive awards to businesses or
10 economic-development projects located in the community.

11 (b) The number of new jobs created in the community
12 lags significantly behind the number of new jobs created in
13 communities in the state which are experiencing the most
14 growth and economic activity.

15 (c) The community has a large number of abandoned
16 business properties.

17 (d) The community has a high rate of unemployment or
18 underemployment compared to the state average.

19 (e) The community is not currently part of a specific
20 geographic area targeted for economic revitalization under a
21 state or federal program, such as the enterprise zone program,
22 or, if it is part of such an area, whether it has not
23 experienced marked economic revitalization in the time since
24 it was designated under the program.

25 (4) As part of its duties under this section,
26 Enterprise Florida, Inc., shall:

27 (a) Establish at least seven regions around the state,
28 consistent with the strategic plan developed under section
29 288.905, Florida Statutes, and assign one new or existing
30 staff member from the organization per region to serve as a
31 representative to the region for the specific purpose of

1 coordinating activities of Enterprise Florida, Inc., designed
2 to facilitate economic development in economically distressed
3 communities within that region.

4 1. Each regional representative shall coordinate with
5 economic-development organizations and community-development
6 organizations serving the economically distressed communities
7 in the region, as well as with state agencies that have
8 programs of potential benefit to such communities.

9 2. Each regional representative shall regularly
10 coordinate with the business-development representatives of
11 Enterprise Florida, Inc., to ensure that prospective new,
12 expanding, or relocating businesses are provided information
13 concerning potential sites within the economically distressed
14 communities in the region.

15 3. Each regional representative shall serve as a point
16 of contact for existing businesses in the economically
17 distressed communities in the region which are seeking
18 assistance to sustain or expand business operations.

19 4. Enterprise Florida, Inc., shall market the
20 existence and services of the regional representatives to
21 local governments, businesses, economic-development
22 organizations, and community-development organizations within
23 the regions. At a minimum, Enterprise Florida, Inc., shall
24 ensure that contact information for the representatives is
25 available on the website for the organization and in pertinent
26 marketing materials for the organization.

27 5. As part of the annual report submitted prior to
28 December 1, 2002, under section 288.906, Florida Statutes,
29 Enterprise Florida, Inc., shall include recommendations
30 concerning whether the organization should expand the use of
31 regional representatives beyond service to economically

1 distressed communities. This report shall consider whether the
2 organization should use regional representatives to conduct a
3 wide variety of business-development activities throughout the
4 region in order to enhance the organization's service to
5 businesses, economic-development organizations, and other
6 customers and to improve the organization's understanding of
7 the needs of the various regions in the state. If Enterprise
8 Florida, Inc., recommends greater use of regional
9 representatives, it shall include in the report information
10 concerning budget changes it considers necessary to implement
11 that recommendation.

12 (b) Work with economic-development organizations and
13 community-development organizations to identify properties in
14 the economically distressed community which are suitable for
15 use by expanding or relocating businesses.

16 (c) Market properties identified under paragraph (b)
17 to relocating or expanding businesses.

18 (d) Work with Workforce Florida, Inc., and the Agency
19 for Workforce Innovation to assess and enhance the workforce
20 skills of individuals residing in the economically distressed
21 community, in order to make the community more marketable to
22 expanding or relocating businesses.

23 (e) Market and use, as fully as practicable, general
24 economic-development incentives in economically distressed
25 communities, such as the tax refund program for qualified
26 target industry businesses under section 288.106, Florida
27 Statutes; high-impact performance grants under section
28 288.108, Florida Statutes; the Quick Action Closing Fund under
29 section 288.1088, Florida Statutes; and contracts for
30 transportation projects under section 288.063, Florida
31 Statutes. Enterprise Florida, Inc., also shall market and use,

1 as fully as practicable, economic-development incentives that
2 are specifically targeted toward economically distressed
3 communities, such as the Urban High-Crime Area Job Tax Credit
4 Program under section 212.097, Florida Statutes, and the Rural
5 Job Tax Credit Program under section 212.098, Florida
6 Statutes.

7 (f) Recommend to the Legislature revisions to existing
8 economic-development incentives to promote greater use of such
9 incentives in economically distressed communities or the
10 creation of new economic-development incentives tailored to
11 such communities.

12 (g) Develop, in consultation with the Office of
13 Program Policy Analysis and Government Accountability,
14 measures to assess the performance of Enterprise Florida,
15 Inc., under this section and to assess changes in the level of
16 economic investment in economically distressed communities.

17 (h) Include, as part of the annual report submitted
18 under section 288.906, Florida Statutes, a report of the
19 organization's activities and performance under this section.
20 The report must include the most recent performance data
21 available for the measures developed under paragraph (g).

22 (5) In carrying out the provisions of this section,
23 Enterprise Florida, Inc., shall consult and coordinate with
24 other agencies and organizations engaged in activities related
25 to economically distressed communities, including, without
26 limitation:

27 (a) The Department of Community Affairs;

28 (b) The Office of Tourism, Trade, and Economic
29 Development;

30 (c) The Office of Urban Opportunity;

31 (d) The Black Business Investment Board;

1 (e) Workforce Florida, Inc.;
2 (f) The Rural Economic Development Initiative; and
3 (g) Small Business Development Centers.
4 (6) Working with such organizations, Enterprise
5 Florida, Inc., shall maximize opportunities to combine and
6 leverage economic-development programs, designations, and
7 initiatives in order to secure job-creating projects for
8 economically distressed communities. Enterprise Florida, Inc.,
9 also shall maximize opportunities to reduce any administrative
10 burdens on businesses or communities relating to the services
11 provided under this section.

12 (7) This section does not relieve Enterprise Florida,
13 Inc., of its duties under section 288.9015, Florida Statutes,
14 relating to rural communities, economically distressed urban
15 communities, enterprise zones, or other economically
16 distressed communities.

17 Section 4. This act shall take effect July 1, 2002.

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19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
20 COMMITTEE SUBSTITUTE FOR
21 Senate Bill 2428

22 The committee substitute provides that the two additional
23 members of the Enterprise Florida, Inc., board of directors
24 shall be appointed by the Governor.

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