

CHAMBER ACTION

1 The Committee on Finance & Tax recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to economic stimulus and insurance
7 regulation; amending s. 163.2517, F.S.; encouraging local
8 government grant applicants to involve institutions of
9 higher education as participants in visioning and
10 collaborative planning processes for urban infill and
11 redevelopment areas; amending s. 163.2526, F.S.; requiring
12 local government grant recipients to annually report on
13 certain urban infill and redevelopment plan performance
14 measures; specifying criteria for evaluating performance
15 of local governments in creating urban infill and
16 redevelopment area plans; requiring grant recipients to
17 establish certain measures to evaluate grant impacts on
18 local conditions; providing criteria; requiring the
19 Department of Community Affairs to provide technical
20 assistance to certain grant recipients; requiring the
21 Office of Tourism, Trade, and Economic Development to
22 develop methods and procedures to assist state agencies
23 and local governments in accessing state and federal

HB 617 CS

2004
CS

24 grants for revitalization programs for distressed urban
25 communities; providing criteria; directing the Office of
26 Program Policy Analysis and Government Accountability to
27 identify and review current state economic development
28 programs relating to distressed communities and provide a
29 report to the Legislature; providing report requirements;
30 amending s. 212.08, F.S.; revising sales price criteria
31 for characterizing business property; conforming
32 provisions to the designated urban job tax credit area
33 revision; amending s. 212.097, F.S.; revising provisions
34 providing for an urban job tax credit program to apply to
35 designated urban job tax credit areas rather than high-
36 crime areas; revising and providing definitions,
37 eligibility criteria, application procedures and
38 requirements, and area characteristics and criteria;
39 authorizing transfer of unused credits under the Urban Job
40 Tax Credit Area Program; specifying use of transferred
41 credits; prohibiting transfer of transferred credits;
42 amending s. 212.098, F.S.; authorizing transfer of unused
43 credits under the Rural Job Tax Credit Program; specifying
44 use of transferred credits; prohibiting transfer of
45 transferred credits; amending s. 220.13, F.S.; providing
46 that amounts included in taxable income by reason of
47 membership or ownership of an interest in a limited
48 liability company engaged in a space flight business may
49 be subtracted from taxable income for purposes of
50 determining adjusted federal income; amending s. 220.1895,
51 F.S.; conforming provisions to amendments relating to

HB 617 CS

2004
CS

52 designated urban job tax credit area program provisions;
53 removing a historical reference; amending s. 288.095,
54 F.S.; deleting a report requirement relating to the
55 Economic Development Incentives Account; amending s.
56 288.1045, F.S.; extending an expiration date for the tax
57 refund program for qualified defense contractors;
58 preserving the effect of certain tax refund agreements
59 after the expiration date; amending s. 288.106, F.S.;
60 extending an expiration date for the tax refund program
61 for qualified target industry businesses; preserving the
62 effect of certain tax refund agreements after the
63 expiration date; amending s. 288.901, F.S.; revising
64 operational criteria of members of the board of directors
65 of Enterprise Florida, Inc.; amending s. 288.90151, F.S.;
66 revising requirements, criteria, and limitations for
67 returns on investment from activities of Enterprise
68 Florida, Inc.; amending s. 288.903, F.S.; deleting an
69 employment compensation limitation for employees of
70 Enterprise Florida, Inc.; amending s. 288.904, F.S.;
71 revising limitations on contractual powers of the board of
72 directors of Enterprise Florida, Inc.; amending s.
73 288.905, F.S.; revising a pay raise or bonus limitation
74 for certain employees; amending s. 288.9515, F.S.;
75 revising and clarifying powers of Enterprise Florida,
76 Inc., to develop authorized technology development and
77 applications programs; specifying uses of moneys in the
78 Florida Technology Research Investment Fund; providing for
79 payment of certain claims from the fund; revising

80 | limitations on revenues from certain investments used for
81 | operating expenses associated with the Florida Technology
82 | Research Investment Fund and the Florida Small Business
83 | Technology Growth Program; requiring Enterprise Florida,
84 | Inc., to coordinate with certain organizations to
85 | facilitate development of a statewide entrepreneurial
86 | growth stimulation strategy; providing criteria; amending
87 | s. 288.99, F.S.; conforming provisions to the designated
88 | urban job tax credit area revision; amending s. 626.015,
89 | F.S.; defining the term "personal lines agent"; amending
90 | s. 626.022, F.S.; providing for application to personal
91 | lines agents and applicants; amending s. 626.241, F.S.;
92 | limiting the scope of personal lines agent examinations
93 | for licensure; amending s. 626.311, F.S.; limiting the
94 | types of business that may be transacted by personal lines
95 | agents; amending s. 626.727, F.S.; providing for
96 | application of provisions to personal lines agents and
97 | applicants; amending s. 626.732, F.S.; revising certain
98 | education and experience requirements for personal lines
99 | agents and general lines agents; authorizing the
100 | Department of Financial Services to delay issuing personal
101 | lines agent licenses under certain circumstances; amending
102 | s. 626.747, F.S.; requiring branch agencies to have
103 | certain licensed agents at each location; amending s.
104 | 627.351, F.S.; providing that certain employees of the
105 | Citizens Property Insurance Corporation need not be
106 | licensed as agents; repealing s. 288.041(3) and (4), F.S.,
107 | relating to Enterprise Florida, Inc., and the Department

HB 617 CS

2004
CS

108 of Commerce, respectively, assisting in expanding the
 109 solar energy industry in this state; repealing s.
 110 288.8155, F.S., relating to the International Trade Data
 111 Resource and Research Center; repealing s. 288.9015(3),
 112 F.S., relating to the responsibility of Enterprise
 113 Florida, Inc., to develop a comprehensive approach to
 114 workforce development; repealing s. 288.9517, F.S.,
 115 relating to audits and examinations of the technology
 116 development board and programs and entities created by the
 117 board; repealing s. 14, ch. 93-187, Laws of Florida,
 118 relating to the December 31, 2003, repeal of Enterprise
 119 Florida Innovation Partnership provisions; providing
 120 effective dates.

121
 122 Be It Enacted by the Legislature of the State of Florida:

123
 124 Section 1. Paragraph (c) is added to subsection (2) of
 125 section 163.2517, Florida Statutes, to read:

126 163.2517 Designation of urban infill and redevelopment
 127 area.--

128 (2)

129 (c) If a community college, university, or other
 130 institution of higher education is within the geographical
 131 vicinity, local government grant applicants are encouraged to
 132 involve such institutions in the visioning and collaborative
 133 planning process and to enter into agreements specifying that
 134 the institution will contribute resources and expertise to the
 135 redevelopment effort.

HB617CS

2004
CS

136 Section 2. Section 163.2526, Florida Statutes, is amended
137 to read:

138 163.2526 Review and evaluation.--

139 (1) Before the 2004 Regular Session of the Legislature,
140 the Office of Program Policy Analysis and Government
141 Accountability shall perform a review and evaluation of ss.
142 163.2511-163.2526, including the financial incentives listed in
143 s. 163.2520. The report must evaluate the effectiveness of the
144 designation of urban infill and redevelopment areas in
145 stimulating urban infill and redevelopment and strengthening the
146 urban core. A report of the findings and recommendations of the
147 Office of Program Policy Analysis and Government Accountability
148 shall be submitted to the President of the Senate and the
149 Speaker of the House of Representatives before the 2004 Regular
150 Session of the Legislature.

151 (2) Subsequent to June 1, 2004, local governments awarded
152 grants pursuant to s. 163.2523 shall make annual reports to the
153 Department of Community Affairs on performance measures
154 identified in the urban infill and redevelopment plan pursuant
155 to s. 163.2517(3)(n).

156 (a) Local governments that receive planning grants shall
157 report their progress in creating urban infill and redevelopment
158 plans. The report shall include:

159 1. A description of the redevelopment objectives of the
160 area.

161 2. Information on stakeholder involvement in creating
162 plans.

163 3. Specification of whether goals of the plan are
 164 consistent with community input they received.

165 4. Specification of whether plans were adopted by local
 166 governments.

167 5. Identification of local incentives which were approved
 168 to encourage private investment.

169 (b) Local governments that receive implementation grants
 170 shall report:

171 1. Progress in implementing activities specified in their
 172 urban infill and redevelopment plans.

173 2. Changes in economic and demographic indicators over
 174 time and how these changes compare to objectives specified in
 175 their urban infill and redevelopment plans.

176 3. Information on the types and dollar amounts of
 177 financial incentives used to encourage private investment in
 178 designated areas.

179 (c) Grant recipients shall establish appropriate measures
 180 such as inputs, outputs, and outcomes and standards for
 181 evaluating the impact of the grants on local conditions. These
 182 measures and standards shall be directly linked to goals for
 183 redeveloping an area specified in the grant recipient's urban
 184 infill and redevelopment plans pursuant to s. 163.2517. Grant
 185 recipients shall also compile baseline data on conditions
 186 existing prior to an area's designation that can be used to
 187 assess changes in conditions over time. Depending on the goals
 188 of a grant recipient's urban infill and redevelopment plan,
 189 baseline data may include, but not be limited to, property tax
 190 revenues, property tax values, net job creation, and changes in

HB 617 CS

2004
CS

191 characteristics of resident population to include employment
 192 rates, high school graduation rates, homeownership rates, and
 193 median income levels.

194 (3) The Department of Community Affairs shall provide
 195 technical assistance to planning grant and implementation grant
 196 recipients. Such assistance shall include assisting grant
 197 recipients in creating appropriate measures such as inputs,
 198 outputs, outcomes and standards, and uniform data collection
 199 procedures to ensure the reliability and consistency of data
 200 that will be used to evaluate performance. The department shall
 201 also adopt rules to specify reporting requirements for grant
 202 recipients.

203 Section 3. The Office of Tourism, Trade, and Economic
 204 Development of the Executive Office of the Governor shall
 205 develop methods and procedures to assist state agencies and
 206 local governments to access state and federal grants for
 207 revitalization programs for distressed urban communities. Such
 208 assistance shall include, but not be limited to: developing and
 209 maintaining a current listing of available federal grants;
 210 assigning appropriate staff as contacts for information on each
 211 grant; and providing technical assistance necessary for local
 212 governments to submit completed grant proposals. Such methods
 213 may include the expansion of the existing rural resource
 214 directory database to include grants available to urban areas
 215 and designation of one or more state entities to provide such
 216 assistance as necessary.

217 Section 4. The Office of Program Policy Analysis and
 218 Government Accountability shall, with the assistance of other

219 legislative committee and state agency staff as appropriate,
 220 identify and review current state economic development programs
 221 created by law relative to revitalization of distressed
 222 communities in this state and provide a report to the President
 223 of the Senate and the Speaker of the House of Representatives by
 224 January 31, 2005. Specifically, the report shall:

225 (1) Identify and profile state economic development
 226 programs, including the use of incentives, to be included in the
 227 review.

228 (2) Through site visits, review how local governments use
 229 a state economic development program or a combination of state
 230 economic development programs to help revitalize distressed
 231 communities.

232 (3) Consider in its fieldwork municipal or county
 233 jurisdictions with populations that are small, meaning less than
 234 30,000 in population, medium, meaning between 30,000 and 75,000
 235 in population, and large, meaning more than 75,000 in
 236 population.

237 (4) Identify best practices contributing to the successful
 238 implementation of these programs.

239 (5) Identify state practices that facilitate or impede the
 240 use of these programs.

241 Section 5. Paragraphs (h) and (o) of subsection (5) of
 242 section 212.08, Florida Statutes, are amended to read:

243 212.08 Sales, rental, use, consumption, distribution, and
 244 storage tax; specified exemptions.--The sale at retail, the
 245 rental, the use, the consumption, the distribution, and the
 246 storage to be used or consumed in this state of the following

247 are hereby specifically exempt from the tax imposed by this
248 chapter.

249 (5) EXEMPTIONS; ACCOUNT OF USE.--

250 (h) Business property used in an enterprise zone.--

251 1. Business property purchased for use by businesses
252 located in an enterprise zone which is subsequently used in an
253 enterprise zone shall be exempt from the tax imposed by this
254 chapter. This exemption inures to the business only through a
255 refund of previously paid taxes. A refund shall be authorized
256 upon an affirmative showing by the taxpayer to the satisfaction
257 of the department that the requirements of this paragraph have
258 been met.

259 2. To receive a refund, the business must file under oath
260 with the governing body or enterprise zone development agency
261 having jurisdiction over the enterprise zone where the business
262 is located, as applicable, an application which includes:

263 a. The name and address of the business claiming the
264 refund.

265 b. The identifying number assigned pursuant to s. 290.0065
266 to the enterprise zone in which the business is located.

267 c. A specific description of the property for which a
268 refund is sought, including its serial number or other permanent
269 identification number.

270 d. The location of the property.

271 e. The sales invoice or other proof of purchase of the
272 property, showing the amount of sales tax paid, the date of
273 purchase, and the name and address of the sales tax dealer from
274 whom the property was purchased.

HB617CS

2004
CS

275 f. Whether the business is a small business as defined by
276 s. 288.703(1).

277 g. If applicable, the name and address of each permanent
278 employee of the business, including, for each employee who is a
279 resident of an enterprise zone, the identifying number assigned
280 pursuant to s. 290.0065 to the enterprise zone in which the
281 employee resides.

282 3. Within 10 working days after receipt of an application,
283 the governing body or enterprise zone development agency shall
284 review the application to determine if it contains all the
285 information required pursuant to subparagraph 2. and meets the
286 criteria set out in this paragraph. The governing body or agency
287 shall certify all applications that contain the information
288 required pursuant to subparagraph 2. and meet the criteria set
289 out in this paragraph as eligible to receive a refund. If
290 applicable, the governing body or agency shall also certify if
291 20 percent of the employees of the business are residents of an
292 enterprise zone, excluding temporary and part-time employees.
293 The certification shall be in writing, and a copy of the
294 certification shall be transmitted to the executive director of
295 the Department of Revenue. The business shall be responsible for
296 forwarding a certified application to the department within the
297 time specified in subparagraph 4.

298 4. An application for a refund pursuant to this paragraph
299 must be submitted to the department within 6 months after the
300 tax is due on the business property that is purchased.

301 5. The provisions of s. 212.095 do not apply to any refund
302 application made pursuant to this paragraph. The amount refunded

HB 617 CS

2004
CS

303 on purchases of business property under this paragraph shall be
 304 the lesser of 97 percent of the sales tax paid on such business
 305 property or \$5,000, or, if no less than 20 percent of the
 306 employees of the business are residents of an enterprise zone,
 307 excluding temporary and part-time employees, the amount refunded
 308 on purchases of business property under this paragraph shall be
 309 the lesser of 97 percent of the sales tax paid on such business
 310 property or \$10,000. A refund approved pursuant to this
 311 paragraph shall be made within 30 days of formal approval by the
 312 department of the application for the refund. No refund shall be
 313 granted under this paragraph unless the amount to be refunded
 314 exceeds \$100 in sales tax paid on purchases made within a 60-day
 315 time period.

316 6. The department shall adopt rules governing the manner
 317 and form of refund applications and may establish guidelines as
 318 to the requisites for an affirmative showing of qualification
 319 for exemption under this paragraph.

320 7. If the department determines that the business property
 321 is used outside an enterprise zone within 3 years from the date
 322 of purchase, the amount of taxes refunded to the business
 323 purchasing such business property shall immediately be due and
 324 payable to the department by the business, together with the
 325 appropriate interest and penalty, computed from the date of
 326 purchase, in the manner provided by this chapter.

327 Notwithstanding this subparagraph, business property used
 328 exclusively in:

- 329 a. Licensed commercial fishing vessels,
- 330 b. Fishing guide boats, or

HB617CS

2004
CS

331 c. Ecotourism guide boats
332
333 that leave and return to a fixed location within an area
334 designated under s. 370.28 are eligible for the exemption
335 provided under this paragraph if all requirements of this
336 paragraph are met. Such vessels and boats must be owned by a
337 business that is eligible to receive the exemption provided
338 under this paragraph. This exemption does not apply to the
339 purchase of a vessel or boat.

340 8. The department shall deduct an amount equal to 10
341 percent of each refund granted under the provisions of this
342 paragraph from the amount transferred into the Local Government
343 Half-cent Sales Tax Clearing Trust Fund pursuant to s. 212.20
344 for the county area in which the business property is located
345 and shall transfer that amount to the General Revenue Fund.

346 9. For the purposes of this exemption, "business property"
347 means new or used property defined as "recovery property" in s.
348 168(c) of the Internal Revenue Code of 1954, as amended, except:

349 a. Property classified as 3-year property under s.
350 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended, +

351 b. Industrial machinery and equipment as defined in sub-
352 subparagraph (b)6.a. and eligible for exemption under paragraph
353 (b) +

354 c. Building materials as defined in sub-subparagraph
355 (g)8.a. ~~+~~ and

356 d. Business property having a sales price of under \$500
357 ~~\$5,000~~ per unit.

HB617CS

2004
CS

358 10. The provisions of this paragraph shall expire and be
359 void on December 31, 2005.

360 (o) *Building materials in redevelopment projects.*--

361 1. As used in this paragraph, the term:

362 a. "Building materials" means tangible personal property
363 that becomes a component part of a housing project or a mixed-
364 use project.

365 b. "Housing project" means the conversion of an existing
366 manufacturing or industrial building to housing units in a
367 designated ~~an~~ urban job tax credit ~~high-crime~~ area, enterprise
368 zone, empowerment zone, Front Porch Community, designated
369 brownfield area, or urban infill area and in which the developer
370 agrees to set aside at least 20 percent of the housing units in
371 the project for low-income and moderate-income persons or the
372 construction in a designated brownfield area of affordable
373 housing for persons described in s. 420.0004(9), (10), or (14),
374 or in s. 159.603(7).

375 c. "Mixed-use project" means the conversion of an existing
376 manufacturing or industrial building to mixed-use units that
377 include artists' studios, art and entertainment services, or
378 other compatible uses. A mixed-use project must be located in a
379 designated ~~an~~ urban job tax credit ~~high-crime~~ area, enterprise
380 zone, empowerment zone, Front Porch Community, designated
381 brownfield area, or urban infill area, and the developer must
382 agree to set aside at least 20 percent of the square footage of
383 the project for low-income and moderate-income housing.

384 d. "Substantially completed" has the same meaning as
385 provided in s. 192.042(1).

386 2. Building materials used in the construction of a
 387 housing project or mixed-use project are exempt from the tax
 388 imposed by this chapter upon an affirmative showing to the
 389 satisfaction of the department that the requirements of this
 390 paragraph have been met. This exemption inures to the owner
 391 through a refund of previously paid taxes. To receive this
 392 refund, the owner must file an application under oath with the
 393 department which includes:

- 394 a. The name and address of the owner.
- 395 b. The address and assessment roll parcel number of the
 396 project for which a refund is sought.
- 397 c. A copy of the building permit issued for the project.
- 398 d. A certification by the local building code inspector
 399 that the project is substantially completed.
- 400 e. A sworn statement, under penalty of perjury, from the
 401 general contractor licensed in this state with whom the owner
 402 contracted to construct the project, which statement lists the
 403 building materials used in the construction of the project and
 404 the actual cost thereof, and the amount of sales tax paid on
 405 these materials. If a general contractor was not used, the owner
 406 shall provide this information in a sworn statement, under
 407 penalty of perjury. Copies of invoices evidencing payment of
 408 sales tax must be attached to the sworn statement.

409 3. An application for a refund under this paragraph must
 410 be submitted to the department within 6 months after the date
 411 the project is deemed to be substantially completed by the local
 412 building code inspector. Within 30 working days after receipt of
 413 the application, the department shall determine if it meets the

HB617CS

2004
CS

414 requirements of this paragraph. A refund approved pursuant to
 415 this paragraph shall be made within 30 days after formal
 416 approval of the application by the department. The provisions of
 417 s. 212.095 do not apply to any refund application made under
 418 this paragraph.

419 4. The department shall establish by rule an application
 420 form and criteria for establishing eligibility for exemption
 421 under this paragraph.

422 5. The exemption shall apply to purchases of materials on
 423 or after July 1, 2000.

424 Section 6. Section 212.097, Florida Statutes, is amended
 425 to read:

426 212.097 Designated Urban High-Crime Area Job Tax Credit
 427 Area Program.--

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

429 (a) "Eligible business" means any sole proprietorship,
 430 firm, partnership, or corporation that is located in a
 431 designated urban job tax credit area ~~qualified county~~ and is
 432 predominantly engaged in, or is headquarters for a business
 433 predominantly engaged in, activities usually provided for
 434 consideration by firms classified within the following standard
 435 industrial classifications: SIC 01-SIC 09 (agriculture,
 436 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 52-
 437 SIC 57 and SIC 59 (retail); SIC 422 (public warehousing and
 438 storage); SIC 70 (hotels and other lodging places); SIC 7391
 439 (research and development); SIC 781 (motion picture production
 440 and allied services); SIC 7992 (public golf courses); ~~and~~ SIC
 441 7996 (amusement parks); and a targeted industry eligible for the

HB617CS

2004
CS

442 qualified target industry business tax refund under s. 288.106.
443 A call center or similar customer service operation that
444 services a multistate market or international market is also an
445 eligible business. In addition, the Office of Tourism, Trade,
446 and Economic Development may, as part of its final budget
447 request submitted pursuant to s. 216.023, recommend additions to
448 or deletions from the list of standard industrial
449 classifications used to determine an eligible business, and the
450 Legislature may implement such recommendations. Excluded from
451 eligible receipts are receipts from retail sales, except such
452 receipts for SIC 52-SIC 57 and SIC 59 (retail) hotels and other
453 lodging places classified in SIC 70, public golf courses in SIC
454 7992, and amusement parks in SIC 7996. For purposes of this
455 paragraph, the term "predominantly" means that more than 50
456 percent of the business's gross receipts from all sources is
457 generated by those activities usually provided for consideration
458 by firms in the specified standard industrial classification.
459 The determination of whether the business is located in a
460 designated urban job tax credit ~~qualified high-crime area and~~
461 ~~the tier ranking of that area~~ must be based on the date of
462 application for the credit under this section. Commonly owned
463 and controlled entities are to be considered a single business
464 entity.

465 (b) "Qualified employee" means any employee of an eligible
466 business who performs duties in connection with the operations
467 of the business on a regular, full-time basis for an average of
468 at least 36 hours per week for at least 3 months within the
469 designated urban job tax credit ~~qualified high-crime area in~~

470 which the eligible business is located. An owner or partner of
 471 the eligible business is not a qualified employee. The term also
 472 includes an employee leased from an employee leasing company
 473 licensed under chapter 468, if such employee has been
 474 continuously leased to the employer for an average of at least
 475 36 hours per week for more than 6 months.

476 (c) "New business" means any eligible business first
 477 beginning operation on a site in a designated urban job tax
 478 credit ~~qualified high-crime~~ area and clearly separate from any
 479 other commercial or business operation of the business entity
 480 within a designated urban job tax credit ~~qualified high-crime~~
 481 area. A business entity that operated an eligible business
 482 within a designated urban job tax credit ~~qualified high-crime~~
 483 area within the 48 months before the period provided for
 484 application by subsection (2) is not considered a new business.

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

487 (e) "Designated urban job tax credit ~~Qualified high-crime~~
 488 area" means an area selected by the Office of Tourism, Trade,
 489 and Economic Development in the following manner: every third
 490 year, the office shall rank and tier those areas nominated under
 491 subsection (7), according to the highest level of distress
 492 experienced in the categories enumerated under subsection (7).
 493 The Office of Tourism, Trade, and Economic Development shall
 494 designate the 30 highest-distress-profile urban areas as
 495 eligible participants under the designated urban job tax credit
 496 area program. ~~following prioritized criteria:~~

- 497 1. ~~Highest arrest rates within the geographic area for~~
 498 ~~violent crime and for such other crimes as drug sale, drug~~
 499 ~~possession, prostitution, vandalism, and civil disturbances;~~
 500 2. ~~Highest reported crime volume and rate of specific~~
 501 ~~property crimes such as business and residential burglary, motor~~
 502 ~~vehicle theft, and vandalism;~~
 503 3. ~~Highest percentage of reported index crimes that are~~
 504 ~~violent in nature;~~
 505 4. ~~Highest overall index crime volume for the area; and~~
 506 5. ~~Highest overall index crime rate for the geographic~~
 507 ~~area.~~

508
 509 ~~Tier one areas are ranked 1 through 5 and represent the highest~~
 510 ~~crime areas according to this ranking. Tier two areas are ranked~~
 511 ~~6 through 10 according to this ranking. Tier three areas are~~
 512 ~~ranked 11 through 15. Notwithstanding this definition,~~
 513 ~~"designated urban job tax credit qualified high crime area" also~~
 514 ~~means an area that has been designated as a federal Empowerment~~
 515 ~~Zone pursuant to the Taxpayer Relief Act of 1997 or the~~
 516 ~~Community Tax Relief Act of 2000. Such a designated area is~~
 517 ~~ranked in tier three until the areas are reevaluated by the~~
 518 ~~Office of Tourism, Trade, and Economic Development.~~

519 (f) "Central business district" means an area comprised of
 520 at least 80 percent commercial and government buildings and
 521 properties; characterized by a high concentration of retail
 522 businesses, service businesses, offices, theaters, and hotels;
 523 and located in a Department of Transportation urban service
 524 area.

525 (g) "Urban" means a densely populated nonrural area
 526 located within an urban county which consists of a cluster of
 527 one or more census blocks, each of which has a population
 528 density of at least 400 people per square mile, or an area
 529 defined by the most recent United States Census as urban.

530 (2) A new eligible business may apply for a tax credit
 531 under this subsection once at any time during its first year of
 532 operation. A new eligible business in a designated urban job tax
 533 credit tier-one qualified high-crime area which has at least 10
 534 qualified employees on the date of application shall receive a
 535 ~~\$1,500 tax credit for each such employee. A new eligible~~
 536 ~~business in a tier-two qualified high-crime area which has at~~
 537 ~~least 20 qualified employees on the date of application shall~~
 538 ~~receive a \$1,000 tax credit for each such employee. A new~~
 539 ~~eligible business in a tier-three qualified high-crime area~~
 540 ~~which has at least 30 qualified employees on the date of~~
 541 ~~application shall receive a \$500 tax credit for each such~~
 542 ~~employee.~~

543 (3) An existing eligible business may apply for a tax
 544 credit under this subsection at any time it is entitled to such
 545 credit, except as restricted by this subsection. An existing
 546 eligible business in a designated urban job tax credit tier-one
 547 qualified high-crime area which on the date of application has
 548 at least 5 more qualified employees than it had 1 year prior to
 549 its date of application shall receive a ~~\$1,500 tax credit for~~
 550 ~~each such additional employee. An existing eligible business in~~
 551 ~~a tier-two qualified high-crime area which on the date of~~
 552 ~~application has at least 10 more qualified employees than it had~~

553 ~~1 year prior to its date of application shall receive a \$1,000~~
 554 credit for each such additional employee. ~~An existing business~~
 555 ~~in a tier three qualified high crime area which on the date of~~
 556 ~~application has at least 15 more qualified employees than it had~~
 557 ~~1 year prior to its date of application shall receive a \$500 tax~~
 558 ~~credit for each such additional employee.~~ An existing eligible
 559 business may apply for the credit under this subsection no more
 560 than once in any 12-month period. Any existing eligible business
 561 that received a credit under subsection (2) may not apply for
 562 the credit under this subsection sooner than 12 months after the
 563 application date for the credit under subsection (2).

564 (4) For any new eligible business receiving a credit
 565 pursuant to subsection (2), an additional \$500 credit shall be
 566 provided for any qualified employee who is a welfare transition
 567 program participant. For any existing eligible business
 568 receiving a credit pursuant to subsection (3), an additional
 569 \$500 credit shall be provided for any qualified employee who is
 570 a welfare transition program participant. Such employee must be
 571 employed on the application date and have been employed less
 572 than 1 year. This credit shall be in addition to other credits
 573 pursuant to this section ~~regardless of the tier level of the~~
 574 ~~high crime area.~~ Appropriate documentation concerning the
 575 eligibility of an employee for this credit must be submitted as
 576 determined by the department.

577 (5) To be eligible for a tax credit under subsection (3),
 578 the number of qualified employees employed 1 year prior to the
 579 application date must be no lower than the number of qualified
 580 employees on the application date on which a credit under this

HB 617 CS

2004
CS

581 section was based for any previous application, including an
582 application under subsection (2).

583 (6) Any county or municipality, or a county and one or
584 more municipalities together, may apply to the Office of
585 Tourism, Trade, and Economic Development for the designation of
586 an area as a designated urban job tax credit ~~high-crime~~ area
587 after the adoption by the governing body or bodies of a
588 resolution that:

589 (a) Finds that an urban ~~a high-crime~~ area exists in such
590 county or municipality, or in both the county and one or more
591 municipalities, which chronically exhibits extreme and
592 unacceptable levels of poverty, unemployment, physical
593 deterioration, and economic disinvestment;

594 (b) Determines that the rehabilitation, conservation, or
595 redevelopment, or a combination thereof, of such an urban a
596 ~~high-crime~~ area is necessary in the interest of the health,
597 safety, and welfare of the residents of such county or
598 municipality, or such county and one or more municipalities; and

599 (c) Determines that the revitalization of such an urban a
600 ~~high-crime~~ area can occur if the public sector or private sector
601 can be induced to invest its own resources in productive
602 enterprises that build or rebuild the economic viability of the
603 area.

604 (7) The governing body of the entity nominating the area
605 shall demonstrate ~~provide~~ to the Office of Tourism, Trade, and
606 Economic Development that the area meets the following:

607 (a) Income characteristics:

608 1. Forty percent of area residents are earning wages on an
 609 annual basis that are equal to or less than the annual wage of a
 610 person who is earning minimum wage; or

611 2. More than 20 percent of residents or families live
 612 below the federal standard of poverty for individuals or a
 613 family of four. ~~The overall index crime rate for the geographic~~
 614 area;

615 (b) Education characteristics:

616 1. Has a high school dropout rate higher than the county
 617 average; or

618 2. Has a high school graduation rate lower than the state
 619 average. ~~The overall index crime volume for the area;~~

620 (c) Workforce and employment characteristics:

621 1. Has an unemployment rate at least 3 percentage points
 622 higher than the state's unemployment rate;

623 2. More than 50 percent of families subject to the
 624 welfare-to-work transition time limit are either within 6 months
 625 of the time limit or are receiving cash assistance under a
 626 period of hardship extension to the time limit; or

627 3. Is identified as a labor surplus area using the
 628 criteria established by the United States Department of Labor's
 629 Employment and Training Administration. ~~The percentage of~~
 630 reported index crimes that are violent in nature;

631 (d) Crime characteristics:

632 1. Has an arrest rate higher than the state's average rate
 633 for such crimes as drug sale, drug possession, prostitution,
 634 vandalism, and civil disturbances, as recorded by the total
 635 crime index of the Department of Law Enforcement; or

HB617CS

2004
CS

636 2. Ranks in the top 30 percent of zip codes with reported
 637 crimes that are violent in nature. ~~The reported crime volume and~~
 638 ~~rate of specific property crimes such as business and~~
 639 ~~residential burglary, motor vehicle theft, and vandalism; and~~

640 (e) Residential and commercial property-related
 641 characteristics:

642 1. Fifty percent or more of area residents rent; or

643 2.a. Property values are within the lower 50 percent of
 644 the county's assessed property values;

645 b. More than 5 percent of area homes, apartments, or
 646 buildings are abandoned, have been condemned within the previous
 647 24 months, or have a greater number of violations of the Florida
 648 Building Code than recorded in the remainder of the county or
 649 municipality; or

650 c. Tax or special assessment delinquencies exceed the fair
 651 value of the land ~~The arrest rates within the geographic area~~
 652 ~~for violent crime and for such other crimes as drug sale, drug~~
 653 ~~possession, prostitution, disorderly conduct, vandalism, and~~
 654 ~~other public order offenses.~~

655 (8) A municipality, or a county and one or more
 656 municipalities together, may not nominate more than one urban
 657 ~~high-crime~~ area. However, any county as defined by s. 125.011(1)
 658 may nominate no more than three urban ~~high-crime~~ areas.

659 (9)(a) An area nominated by a county or municipality, or a
 660 county and one or more municipalities together, for designation
 661 as a designated urban job tax credit ~~high-crime~~ area shall be
 662 eligible only if it meets the following criteria:

663 1.(a) The selected area ~~does not exceed 20 square miles~~
 664 ~~and either~~ has a continuous boundary or consists of not more
 665 than three noncontiguous parcels. †

666 2.(b) The selected area does not exceed the following
 667 mileage limitation:

668 a.1. For areas ~~communities~~ having a total population of
 669 150,000 persons or more, the selected area does not exceed 20
 670 square miles and is within 10 miles of the central business
 671 district of a city.

672 b.2. For areas ~~communities~~ having a total population of
 673 50,000 persons or more, but fewer than 150,000 persons, the
 674 selected area does not exceed 10 square miles and is within 7.5
 675 miles of the central business district of a city.

676 c.3. For areas ~~communities~~ having a total population of
 677 20,000 persons or more, but fewer than 50,000 persons, the
 678 selected area does not exceed 5 square miles and is within 5
 679 miles of the central business district of a city.

680 d.4. For areas ~~communities~~ having a total population of
 681 fewer than 20,000 persons, the selected area does not exceed 3
 682 square miles and is within 3 miles of the central business
 683 district of a city.

684 (b) A designated urban job tax credit area may not include
 685 any portion of a central business district, unless the poverty
 686 rate for each census geographic block group in the district is
 687 not less than 30 percent.

688 (10)(a) In order to claim this credit, an eligible
 689 business must file under oath with the Office of Tourism, Trade,
 690 and Economic Development a statement that includes the name and

HB 617 CS

2004
CS

691 address of the eligible business and any other information that
692 is required to process the application.

693 (b) Within 30 working days after receipt of an application
694 for credit, the Office of Tourism, Trade, and Economic
695 Development shall review the application to determine whether it
696 contains all the information required by this subsection and
697 meets the criteria set out in this section. Subject to the
698 provisions of paragraph (c), the Office of Tourism, Trade, and
699 Economic Development shall approve all applications that contain
700 the information required by this subsection and meet the
701 criteria set out in this section as eligible to receive a
702 credit.

703 (c) The maximum credit amount that may be approved during
704 any calendar year is \$5 million, ~~of which \$1 million shall be~~
705 ~~exclusively reserved for tier one areas.~~ The Department of
706 Revenue, in conjunction with the Office of Tourism, Trade, and
707 Economic Development, shall notify the governing bodies in areas
708 designated under this section ~~as urban high-crime areas~~ when the
709 \$5 million maximum amount has been reached. Applications must be
710 considered for approval in the order in which they are received
711 without regard to whether the credit is for a new or existing
712 business. This limitation applies to the value of the credit as
713 contained in approved applications. Approved credits may be
714 taken in the time and manner allowed pursuant to this section.

715 (11) If the application is insufficient to support the
716 credit authorized in this section, the Office of Tourism, Trade,
717 and Economic Development shall deny the credit and notify the

HB617CS

2004
CS

718 business of that fact. The business may reapply for this credit
719 within 3 months after such notification.

720 (12) If the credit under this section is greater than can
721 be taken on a single tax return, excess amounts may be taken as
722 credits on any tax return submitted within 12 months after the
723 approval of the application by the department.

724 (13) It is the responsibility of each business to
725 affirmatively demonstrate to the satisfaction of the Department
726 of Revenue that it meets the requirements of this section.

727 (14) Any person who fraudulently claims this credit is
728 liable for repayment of the credit plus a mandatory penalty of
729 100 percent of the credit and is guilty of a misdemeanor of the
730 second degree, punishable as provided in s. 775.082 or s.
731 775.083.

732 (15) A corporation may take the credit under this section
733 against its corporate income tax liability, as provided in s.
734 220.1895. However, a corporation that applies its job tax credit
735 against the tax imposed by chapter 220 may not receive the
736 credit provided for in this section. A credit may be taken
737 against only one tax.

738 (16) An eligible business may transfer any unused credit
739 in whole or in units of no less than 25 percent of the remaining
740 credit. The entity acquiring such credit may use it in the same
741 manner and with the same limitation as described in this
742 section. Such transferred credits may not be transferred again
743 although they may succeed to a surviving or acquiring entity
744 subject to the same conditions and limitations described in this
745 section.

HB617CS

2004
CS

746 ~~(17)~~~~(16)~~ The department shall adopt rules governing the
747 manner and form of applications for credit or transfers of
748 credit and may establish guidelines concerning the requisites
749 for an affirmative showing of qualification for the credit under
750 this section.

751 Section 7. Subsection (12) of section 212.098, Florida
752 Statutes, is renumbered as subsection (13) and a new subsection
753 (12) is added to said section to read:

754 212.098 Rural Job Tax Credit Program.--

755 (12) An eligible business may transfer any unused credit
756 in whole or in units of not less than 25 percent of the
757 remaining credit. The entity acquiring such credit may use it in
758 the same manner and with the same limitation as described in
759 this section. Such transferred credits may not be transferred
760 again although they may succeed to a surviving or acquiring
761 entity subject to the same conditions and limitations described
762 in this section.

763 Section 8. Effective July 1, 2005, paragraph (b) of
764 subsection (1) of section 220.13, Florida Statutes, is amended
765 to read:

766 220.13 "Adjusted federal income" defined.--

767 (1) The term "adjusted federal income" means an amount
768 equal to the taxpayer's taxable income as defined in subsection
769 (2), or such taxable income of more than one taxpayer as
770 provided in s. 220.131, for the taxable year, adjusted as
771 follows:

772 (b) Subtractions.--

773 1. There shall be subtracted from such taxable income:

HB617CS

2004
CS

774 a. The net operating loss deduction allowable for federal
775 income tax purposes under s. 172 of the Internal Revenue Code
776 for the taxable year.~~7~~

777 b. The net capital loss allowable for federal income tax
778 purposes under s. 1212 of the Internal Revenue Code for the
779 taxable year.~~7~~

780 c. The excess charitable contribution deduction allowable
781 for federal income tax purposes under s. 170(d)(2) of the
782 Internal Revenue Code for the taxable year.~~7~~ ~~and~~

783 d. The excess contributions deductions allowable for
784 federal income tax purposes under s. 404 of the Internal Revenue
785 Code for the taxable year.

786 e. All amounts included in taxable income by reason of
787 membership or ownership of an interest in a limited liability
788 company that:

789 (I) Came into existence before January 1, 2004.

790 (II) Is classified as a partnership for federal income tax
791 purposes.

792 (III) Has at least 3,500 full-time employees in this state
793 throughout the taxable year.

794 (IV) Is, in this state, engaged primarily in a space
795 flight business as defined in s. 212.031(1)(a)13.

796
797 However, a net operating loss and a capital loss shall never be
798 carried back as a deduction to a prior taxable year, but all
799 deductions attributable to such losses shall be deemed net
800 operating loss carryovers and capital loss carryovers,
801 respectively, and treated in the same manner, to the same

HB617CS

2004
CS

802 extent, and for the same time periods as are prescribed for such
803 carryovers in ss. 172 and 1212, respectively, of the Internal
804 Revenue Code.

805 2. There shall be subtracted from such taxable income any
806 amount to the extent included therein the following:

807 a. Dividends treated as received from sources without the
808 United States, as determined under s. 862 of the Internal
809 Revenue Code.

810 b. All amounts included in taxable income under s. 78 or
811 s. 951 of the Internal Revenue Code.

812

813 However, as to any amount subtracted under this subparagraph,
814 there shall be added to such taxable income all expenses
815 deducted on the taxpayer's return for the taxable year which are
816 attributable, directly or indirectly, to such subtracted amount.
817 Further, no amount shall be subtracted with respect to dividends
818 paid or deemed paid by a Domestic International Sales
819 Corporation.

820 3. In computing "adjusted federal income" for taxable
821 years beginning after December 31, 1976, there shall be allowed
822 as a deduction the amount of wages and salaries paid or incurred
823 within this state for the taxable year for which no deduction is
824 allowed pursuant to s. 280C(a) of the Internal Revenue Code
825 (relating to credit for employment of certain new employees).

826 4. There shall be subtracted from such taxable income any
827 amount of nonbusiness income included therein.

828 5. There shall be subtracted any amount of taxes of
829 foreign countries allowable as credits for taxable years

HB617CS

2004
CS

830 beginning on or after September 1, 1985, under s. 901 of the
 831 Internal Revenue Code to any corporation which derived less than
 832 20 percent of its gross income or loss for its taxable year
 833 ended in 1984 from sources within the United States, as
 834 described in s. 861(a)(2)(A) of the Internal Revenue Code, not
 835 including credits allowed under ss. 902 and 960 of the Internal
 836 Revenue Code, withholding taxes on dividends within the meaning
 837 of sub-subparagraph 2.a., and withholding taxes on royalties,
 838 interest, technical service fees, and capital gains.

839 6. Notwithstanding any other provision of this code,
 840 except with respect to amounts subtracted pursuant to
 841 subparagraphs 1. and 3., any increment of any apportionment
 842 factor which is directly related to an increment of gross
 843 receipts or income which is deducted, subtracted, or otherwise
 844 excluded in determining adjusted federal income shall be
 845 excluded from both the numerator and denominator of such
 846 apportionment factor. Further, all valuations made for
 847 apportionment factor purposes shall be made on a basis
 848 consistent with the taxpayer's method of accounting for federal
 849 income tax purposes.

850 Section 9. Section 220.1895, Florida Statutes, is amended
 851 to read:

852 220.1895 Rural Job Tax Credit and Designated Urban ~~High-~~
 853 ~~Crime Area~~ Job Tax Credit Area.--There shall be allowed a credit
 854 against the tax imposed by this chapter amounts approved by the
 855 Office of Tourism, Trade, and Economic Development pursuant to
 856 the Rural Job Tax Credit Program in s. 212.098 and the
 857 Designated Urban ~~High-Crime Area~~ Job Tax Credit Area Program in

HB 617 CS

2004
CS

858 s. 212.097. A corporation that uses its credit against the tax
 859 imposed by this chapter may not take the credit against the tax
 860 imposed by chapter 212. If any credit granted under this section
 861 is not fully used in the first year for which it becomes
 862 available, the unused amount may be carried forward for a period
 863 not to exceed 5 years. The carryover may be used in a subsequent
 864 year when the tax imposed by this chapter for such year exceeds
 865 the credit for such year under this section after applying the
 866 other credits and unused credit carryovers in the order provided
 867 in s. 220.02(8). ~~The Office of Tourism, Trade, and Economic~~
 868 ~~Development shall conduct a review of the Urban High-Crime Area~~
 869 ~~Job Tax Credit and the Rural Job Tax Credit Program and submit~~
 870 ~~its report to the Governor, the President of the Senate, and the~~
 871 ~~Speaker of the House of Representatives by February 1, 2000.~~

872 Section 10. Paragraph (c) of subsection (3) of section
 873 288.095, Florida Statutes, is amended to read:

874 288.095 Economic Development Trust Fund.--

875 (3)

876 (c) By December 31 of each year, Enterprise Florida, Inc.,
 877 shall submit a complete and detailed report to the Governor, the
 878 President of the Senate, the Speaker of the House of
 879 Representatives, and the director of the Office of Tourism,
 880 Trade, and Economic Development of all applications received,
 881 recommendations made to the Office of Tourism, Trade, and
 882 Economic Development, final decisions issued, tax refund
 883 agreements executed, and tax refunds paid or other payments made
 884 under all programs funded out of the Economic Development
 885 Incentives Account, including analyses of benefits and costs,

HB 617 CS

2004
CS

886 types of projects supported, and employment and investment
 887 created. Enterprise Florida, Inc., shall also include a separate
 888 analysis of the impact of such tax refunds on state enterprise
 889 zones designated pursuant to s. 290.0065, rural communities,
 890 brownfield areas, and distressed urban communities. ~~The report~~
 891 ~~must discuss whether the authority and moneys appropriated by~~
 892 ~~the Legislature to the Economic Development Incentives Account~~
 893 ~~were managed and expended in a prudent, fiducially sound manner.~~
 894 The Office of Tourism, Trade, and Economic Development shall
 895 assist Enterprise Florida, Inc., in the collection of data
 896 related to business performance and incentive payments.

897 Section 11. Subsection (7) of section 288.1045, Florida
 898 Statutes, is amended to read:

899 288.1045 Qualified defense contractor tax refund
 900 program.--

901 (7) EXPIRATION.--An applicant may not be certified as
 902 qualified under this section after June 30, 2009 ~~2004~~. However,
 903 a tax refund agreement in effect on that date shall continue in
 904 effect in accordance with the terms of the agreement.

905 Section 12. Subsection (7) of section 288.106, Florida
 906 Statutes, is amended to read:

907 288.106 Tax refund program for qualified target industry
 908 businesses.--

909 (7) EXPIRATION.--This section expires June 30, 2009 ~~2004~~.
 910 However, a tax refund agreement in effect on that date shall
 911 continue in effect in accordance with the terms of the
 912 agreement.

913 Section 13. Subsections (7), (8), and (11) of section
914 288.901, Florida Statutes, are amended to read:

915 288.901 Enterprise Florida, Inc.; creation; membership;
916 organization; meetings; disclosure.--

917 (7) The Governor shall serve as chairperson of the board
918 of directors. The board of directors shall biennially elect one
919 of its ~~appointive~~ members as vice chairperson. The president
920 shall keep a record of the proceedings of the board of directors
921 and is the custodian of all books, documents, and papers filed
922 with the board of directors, the minutes of the board of
923 directors, and the official seal of Enterprise Florida, Inc.

924 (8) The board of directors shall meet at least four times
925 each year, upon the call of the chairperson, at the request of
926 the vice chairperson, or at the request of a majority of the
927 membership. A majority of the total number of current, voting
928 ~~all directors fixed by subsection (3)~~ shall constitute a quorum.
929 The board of directors may take official action by a majority
930 vote of the members present at any meeting at which a quorum is
931 present.

932 (11) Notwithstanding the provisions of subsection (3), the
933 board of directors may by resolution appoint at-large members to
934 the board from the private sector, each of whom may serve a 1-
935 year term. At-large members shall have the powers and duties of
936 other members of the board, ~~except that they may not serve on an~~
937 ~~executive committee~~. An at-large member is eligible for
938 reappointment but may not vote on his or her own reappointment.
939 An at-large member shall be eligible to fill vacancies occurring
940 among private-sector appointees under subsection (3).

HB617CS

2004
CS

941 Section 14. Subsection (1), paragraph (b) of subsection
942 (4), and subsections (5), (7), and (8) of section 288.90151,
943 Florida Statutes, are amended to read:

944 288.90151 Return on investment from activities of
945 Enterprise Florida, Inc.--

946 (1) The public funds appropriated each year for the
947 operation of Enterprise Florida, Inc., are invested in this
948 public-private partnership to enhance international trade and
949 economic development, to spur job-creating investments, and to
950 create new employment opportunities for Floridians, ~~and to~~
951 ~~prepare Floridians for those jobs~~. This policy will be the
952 Legislature's priority consideration when reviewing the return-
953 on-investment for Enterprise Florida, Inc.

954 (4)

955 (b) The board of directors of Enterprise Florida, Inc.,
956 shall adopt for each upcoming fiscal year an operating budget
957 for the organization that specifies the intended uses of the
958 state's operating investment and a plan for securing private-
959 sector support to Enterprise Florida, Inc. Each fiscal year
960 private-sector support to Enterprise Florida, Inc., shall equal
961 no less than ~~100 percent of the state's operating investment,~~
962 ~~including at least~~ \$1 million in cash as defined in paragraph
963 (5)(a), and an additional \$400,000 in cash as defined in
964 paragraphs (5)(a), (b), and (c).

965 (5) Private-sector support in operating Enterprise
966 Florida, Inc., includes:

967 (a) Cash given directly to Enterprise Florida, Inc., for
968 its operations, excluding contributions from grantees or from

HB 617 CS

2004
CS

969 companies with Enterprise Florida, Inc., contracts representing
 970 more than 5 percent of the value of all Enterprise Florida,
 971 Inc., contracts, exclusive of grants, or more than 5 percent of
 972 the company's revenues. Cash in this category is not subject to
 973 restrictions on the use of appropriated funds. ~~operating budget;~~

974 (b) Cash jointly raised by Enterprise Florida, Inc., and a
 975 local economic development organization, a group of such
 976 organizations, or a statewide business organization that
 977 supports collaborative projects. ;

978 (c) Cash generated by fees charged for products or
 979 services of Enterprise Florida, Inc., and by sponsorship of
 980 events, missions, programs, and publications; ~~and~~

981 ~~(d) In-kind contributions directly to Enterprise Florida,~~
 982 ~~Inc., including: business expenditures; business services~~
 983 ~~provided; business support; or other business contributions that~~
 984 ~~augment the operations, program, activities, or assets of~~
 985 ~~Enterprise Florida, Inc., including, but not limited to: an~~
 986 ~~individual's time and expertise; sponsored publications;~~
 987 ~~private-sector staff services; payment for advertising~~
 988 ~~placements; sponsorship of events; sponsored or joint research;~~
 989 ~~discounts on leases or purchases; mission or program~~
 990 ~~sponsorship; and copayments, stock, warrants, royalties, or~~
 991 ~~other private resources dedicated to Enterprise Florida, Inc.~~

992 (7) As part of the annual report required under s.
 993 288.906, Enterprise Florida, Inc., shall include a study provide
 994 ~~the Legislature with information~~ quantifying the public's
 995 return-on-investment as described in this section for fiscal
 996 year 1997-1998 and each subsequent fiscal year. The annual

HB617CS

2004
CS

997 | report shall also include ~~the results of~~ a customer-satisfaction
 998 | survey of businesses served, as well as the lead economic
 999 | development staff person of each primary partner organization
 1000 | ~~local economic development organization that employs a full-time~~
 1001 | ~~or part-time staff person.~~

1002 | (8) Enterprise Florida, Inc., in consultation with the
 1003 | Office of Program Policy Analysis and Government Accountability,
 1004 | shall hire an economic analysis ~~a private accounting~~ firm to
 1005 | develop the methodology for establishing and reporting return-
 1006 | on-investment ~~and in-kind contributions as described in this~~
 1007 | ~~section~~ and a firm experienced in survey research to develop,
 1008 | analyze, and report on the results of the customer-satisfaction
 1009 | survey. The Office of Program Policy Analysis and Government
 1010 | Accountability shall review and offer feedback on the
 1011 | methodology before it is implemented. ~~The private accounting~~
 1012 | ~~firm shall certify whether the applicable statements in the~~
 1013 | ~~annual report comply with this subsection.~~

1014 | Section 15. Subsection (3) of section 288.903, Florida
 1015 | Statutes, is amended to read:

1016 | 288.903 Board of directors of Enterprise Florida, Inc.;
 1017 | president; employees.--

1018 | (3) The board of directors of Enterprise Florida, Inc.,
 1019 | and its officers shall be responsible for the prudent use of all
 1020 | public and private funds and shall ensure that the use of such
 1021 | funds is in accordance with all applicable laws, bylaws, or
 1022 | contractual requirements. ~~No employee of Enterprise Florida,~~
 1023 | ~~Inc., may receive compensation for employment which exceeds the~~
 1024 | ~~salary paid to the Governor, unless the board of directors and~~

HB 617 CS

2004
CS

1025 ~~the employee have executed a contract that prescribes specific,~~
 1026 ~~measurable performance outcomes for the employee, the~~
 1027 ~~satisfaction of which provides the basis for the award of~~
 1028 ~~incentive payments that increase the employee's total~~
 1029 ~~compensation to a level above the salary paid to the Governor.~~

1030 Section 16. Paragraph (b) of subsection (1) of section
 1031 288.904, Florida Statutes, is amended to read:

1032 288.904 Powers of the board of directors of Enterprise
 1033 Florida, Inc.--

1034 (1) The board of directors of Enterprise Florida, Inc.,
 1035 shall have the power to:

1036 (b)1. Make and enter into contracts and other instruments
 1037 necessary or convenient for the exercise of its powers and
 1038 functions, except that any contract made with an organization
 1039 represented on the board of directors that exceeds 5 percent of
 1040 the total annual amount of contracts of Enterprise Florida,
 1041 Inc., exclusive of grants, or 5 percent of the represented
 1042 organization's annual revenue must be approved by a two-thirds
 1043 vote of the ~~entire board~~ members in attendance at a meeting at
 1044 which a quorum is present ~~of directors~~, and the board member
 1045 representing such organization shall abstain from voting. No
 1046 more than 65 percent of the dollar value of all contracts or
 1047 other agreements entered into in any fiscal year, exclusive of
 1048 grant programs, shall be made with an organization represented
 1049 on the board of directors. This section does not apply to
 1050 contracts awarded by another entity to an organization
 1051 represented on the board of directors or to contracts if
 1052 Enterprise Florida, Inc., is the recipient of funds from an

HB 617 CS

2004
CS

1053 organization represented on the board of directors ~~An~~
 1054 ~~organization represented on the board may not enter into a~~
 1055 ~~contract to receive a state-funded economic development~~
 1056 ~~incentive or similar grant, unless such incentive award is~~
 1057 ~~specifically endorsed by a two-thirds vote of the entire board.~~
 1058 ~~The board member representing such organization, if applicable,~~
 1059 ~~shall abstain from voting and refrain from discussing the issue~~
 1060 ~~with other members of the board. No more than 50 percent of the~~
 1061 ~~dollar value of grants issued by the board in any fiscal year~~
 1062 ~~may go to businesses associated with board members.~~

1063 2. A contract that Enterprise Florida, Inc., executes with
 1064 a person or organization under which such person or organization
 1065 agrees to perform economic development services or similar
 1066 business assistance services on behalf of Enterprise Florida,
 1067 Inc., or on behalf of the state must include provisions
 1068 requiring that such person or organization report on
 1069 performance, account for proper use of funds provided under the
 1070 contract, coordinate with other components of state and local
 1071 economic development systems, and avoid duplication of existing
 1072 state and local services and activities.

1073 Section 17. Subsection (6) of section 288.905, Florida
 1074 Statutes, is amended to read:

1075 288.905 Duties of the board of directors of Enterprise
 1076 Florida, Inc.--

1077 (6) Any employee leased by Enterprise Florida, Inc., from
 1078 the state, ~~or any employee who derives his or her salary from~~
 1079 ~~funds appropriated by the Legislature,~~ may not receive a pay
 1080 raise or bonus in excess of a pay raise or bonus that is

HB 617 CS

2004
CS

1081 received by similarly situated state employees. However, this
 1082 subsection does not prohibit the payment of a pay raise or bonus
 1083 from funds received from sources other than the Florida
 1084 Legislature.

1085 Section 18. Effective July 1, 2004, notwithstanding
 1086 section 80 of chapter 2003-399, Laws of Florida, section
 1087 288.9515, Florida Statutes, shall not stand repealed on July 1,
 1088 2004, as scheduled by such law, but said section is reenacted
 1089 and amended to read:

1090 288.9515 Authorized technology development programs.--

1091 (1) Enterprise Florida, Inc., may create technology
 1092 development and applications services, and may serve as an
 1093 umbrella organization for the coordination of information that
 1094 provides ~~technology applications service providers throughout~~
 1095 ~~the state which provide~~ critical, managerial, technological,
 1096 scientific, and related financial and business expertise
 1097 essential for international and domestic competitiveness to
 1098 small-sized and medium-sized manufacturing and knowledge-based
 1099 service firms. Enterprise Florida, Inc., is authorized the
 1100 following powers in order to carry out these functions:

1101 (a) Providing communication and coordination services
 1102 among technology development and applications service providers
 1103 throughout the state.

1104 ~~(b) Providing coordinated marketing services to small-~~
 1105 ~~sized and medium-sized manufacturers in the state on behalf of,~~
 1106 ~~and in partnership with, technology applications service~~
 1107 ~~providers.~~

HB 617 CS

2004
CS

1108 ~~(b)(e)~~ Securing additional sources of funds on behalf of,
1109 and in partnership with, technology-based businesses ~~technology~~
1110 ~~applications service providers.~~

1111 ~~(c)(d)~~ Developing plans and policies to assist small-sized
1112 and medium-sized manufacturing companies or other knowledge-
1113 based firms in Florida.

1114 ~~(e)~~ ~~Entering into contracts with technology applications~~
1115 ~~service providers for expanded availability of high-quality~~
1116 ~~assistance to small-sized and medium-sized manufacturing~~
1117 ~~companies or knowledge-based service firms, including, but not~~
1118 ~~limited to, technological, human resources development, market~~
1119 ~~planning, finance, and interfirm collaboration. Enterprise~~
1120 ~~Florida, Inc., shall ensure that all contracts in excess of~~
1121 ~~\$20,000 for the delivery of such assistance to Florida firms~~
1122 ~~shall be based on competitive requests for proposals and shall~~
1123 ~~establish clear standards for the delivery of services under~~
1124 ~~such contracts. Such standards include, but are not limited to:~~

1125 1. ~~The ability and capacity to deliver services in~~
1126 ~~sufficient quality and quantity.~~

1127 2. ~~The ability and capacity to deliver services in a~~
1128 ~~timely manner.~~

1129 3. ~~The ability and capacity to meet the needs of firms in~~
1130 ~~the proposed market area.~~

1131 ~~(d)(f)~~ Assisting other educational institutions,
1132 enterprises, or the entities providing business assistance to
1133 small-sized and medium-sized manufacturing and knowledge-based
1134 services enterprises.

1135 ~~(g) Establishing a system to evaluate the effectiveness~~
 1136 ~~and efficiency of technology applications services provided to~~
 1137 ~~small-sized and medium-sized enterprises.~~

1138 (e)~~(h)~~ Establishing ~~special education and~~ informational
 1139 programs for Florida enterprises and for educational
 1140 institutions and enterprises providing business assistance to
 1141 Florida enterprises.

1142 (f)~~(i)~~ Assisting in evaluating and documenting the needs
 1143 of firms in this state for technology development and
 1144 applications services, and developing means to ensure that these
 1145 needs are met, consistent with the powers provided for in this
 1146 subsection.

1147 (g)~~(j)~~ Maintaining an office in such place or places as
 1148 the board of directors of Enterprise Florida, Inc., approves.

1149 (h)~~(k)~~ Making and executing contracts with any person,
 1150 enterprise, educational institution, association, or any other
 1151 entity necessary or convenient for the performance of its duties
 1152 and the exercise of the powers and functions of Enterprise
 1153 Florida, Inc., under this subsection.

1154 (i)~~(l)~~ Receiving funds from any source to carry out the
 1155 purposes of providing technology development and applications
 1156 services, including, but not limited to, gifts or grants from
 1157 any department, agency, or instrumentality of the United States
 1158 or of the state, or any enterprise or person, for any purpose
 1159 consistent with the provisions of this subsection.

1160 ~~(2) When choosing contractors under this section,~~
 1161 ~~preference shall be given to existing institutions,~~
 1162 ~~organizations, and enterprises so long as these existing~~

HB617CS

2004
CS

1163 ~~institutions, organizations, and enterprises demonstrate the~~
 1164 ~~ability to perform at standards established by Enterprise~~
 1165 ~~Florida, Inc., under paragraph (1)(e).~~ Neither the provisions of
 1166 ss. 288.9511-288.9517 nor the actions taken by Enterprise
 1167 Florida, Inc., under this section shall impair or hinder the
 1168 operations, performance, or resources of any existing
 1169 institution, organization, or enterprise.

1170 (3) Enterprise Florida, Inc., may create a technology
 1171 development financing fund, to be called the Florida Technology
 1172 Research Investment Fund. The fund shall increase technology
 1173 development in this state by investing in technology development
 1174 projects that have the potential to generate investment-grade
 1175 technologies of importance to the state's economy as evidenced
 1176 by the willingness of private businesses to coinvest in such
 1177 projects. Enterprise Florida, Inc., may also demonstrate and
 1178 develop effective approaches to, and benefits of, commercially
 1179 oriented research collaborations between businesses,
 1180 universities, and state and federal agencies and organizations.
 1181 Enterprise Florida, Inc., shall endeavor to maintain the fund as
 1182 a self-supporting fund once the fund is sufficiently capitalized
 1183 under program guidelines of Enterprise Florida, Inc. ~~as~~
 1184 ~~reflected in the minimum funding report required in s. 288.9516.~~
 1185 The technology research investment projects may include, but are
 1186 not limited to:

1187 (a) Technology development projects expected to lead to a
 1188 specific investment-grade technology that is of importance to
 1189 industry in this state.

HB 617 CS

2004
CS

1190 (b) Technology development centers and facilities expected
1191 to generate a stream of products and processes with commercial
1192 application of importance to industry in this state.

1193 (c) Technology development projects that have, or are
1194 currently using, other federal or state funds such as federal
1195 Small Business Innovation Research awards.

1196 (4) Enterprise Florida, Inc., shall invest moneys
1197 contained in the Florida Technology Research Investment Fund in
1198 technology application research or for technology development
1199 projects that have the potential for commercial market
1200 application. ~~The partnership shall coordinate any investment in~~
1201 ~~any space-related technology projects with the Florida Space~~
1202 ~~Authority and the Technological Research and Development~~
1203 ~~Authority.~~

1204 (a) The investment of moneys contained in the Florida
1205 Technology Research Investment Fund is limited to qualified
1206 ~~investments in qualified securities~~ in which a private
1207 enterprise in this state coinvests at least 40 percent of the
1208 total project costs, in conjunction with other cash or noncash
1209 investments from state educational institutions, state and
1210 federal agencies, or other institutions.

1211 (b) All moneys in the Florida Technology Research
1212 Investment Fund shall be continuously appropriated to the fund
1213 and may be used for loan guarantees, letter of credit
1214 guarantees, cash reserves for loan and letter of credit
1215 guarantees, payments of claims pursuant to contracts for
1216 guarantees, subordinated loans, loans with warrants, royalty
1217 investments, equity investments, and ~~For the purposes of this~~

HB 617 CS

2004
CS

1218 ~~fund, qualified securities include loans, loans convertible to~~
1219 ~~equity, equity, loans with warrants attached that are~~
1220 ~~beneficially owned by the board, royalty agreements, or any~~
1221 ~~other contractual arrangements through which the Florida~~
1222 ~~Technology Research Investment Fund receives an interest, right,~~
1223 ~~return of funds, or other consideration and may be used for~~
1224 ~~operations of the fund. All such uses of moneys in the fund are~~
1225 ~~qualified investments. Any claim against the fund or Enterprise~~
1226 ~~Florida, Inc., relating to investment of moneys in the fund~~
1227 ~~shall be paid solely from the fund. Neither the credit nor the~~
1228 ~~taxing power of the state shall be pledged to secure the fund or~~
1229 ~~moneys in the fund, other than from moneys appropriated or~~
1230 ~~assigned to the fund, and the state shall not be liable or~~
1231 ~~obligated in any way for any claims against the fund or against~~
1232 ~~Enterprise Florida, Inc. arrangement in which the board is~~
1233 ~~providing scientific and technological services to any federal,~~
1234 ~~state, county, or municipal agency, or to any individual,~~
1235 ~~corporation, enterprise, association, or any other entity~~
1236 ~~involving technology development.~~

1237 (c) Not more than \$175,000 or 5 percent of the revenues
1238 generated by investment of moneys contained in the Florida
1239 Technology Research Investment Fund plus 5 percent of the
1240 revenues generated by investments under the Florida Small
1241 Business Technology Growth Program under s. 288.95155, whichever
1242 is greater, may be used on an annual basis to pay the combined
1243 operating expenses associated with operation of the Florida
1244 Technology Research Investment Fund and the Florida Small
1245 Business Technology Growth Program.

HB617CS

2004
CS

1246 (d) In the event of liquidation or dissolution of
 1247 Enterprise Florida, Inc., or the Florida Technology Research
 1248 Investment Fund, any rights or interests in a qualified security
 1249 or portion of a qualified security purchased with moneys
 1250 invested by the State of Florida shall vest in the state, under
 1251 the control of the State Board of Administration. The state is
 1252 entitled to, in proportion to the amount of investment in the
 1253 fund by the state, any balance of funds remaining in the Florida
 1254 Technology Research Investment Fund after payment of all debts
 1255 and obligations upon liquidation or dissolution of Enterprise
 1256 Florida, Inc., or the fund.

1257 (e) The investment of funds contained in the Florida
 1258 Technology Research Investment Fund does not constitute a debt,
 1259 liability, or obligation of the State of Florida or of any
 1260 political subdivision thereof, or a pledge of the faith and
 1261 credit of the state or of any such political subdivision.

1262 (5) Enterprise Florida, Inc., may create technology
 1263 commercialization programs in partnership with private
 1264 enterprises, educational institutions, and other institutions to
 1265 increase the rate at which technologies with potential
 1266 commercial application are moved from university, public, and
 1267 industry laboratories into the marketplace. Such programs shall
 1268 be created based upon research to be conducted by Enterprise
 1269 Florida, Inc.

1270 (6) Enterprise Florida, Inc., shall coordinate with local
 1271 and regional economic development organizations to facilitate a
 1272 statewide entrepreneurship strategy to stimulate the growth of
 1273 startup businesses and technology innovations in this state.

HB617CS

2004
CS

1274 | This strategy must include, but need not be limited to,
 1275 | technology transfer coordination, university linkages,
 1276 | entrepreneurial networks and training, and startup capital
 1277 | access, including the formation and growth of individual and
 1278 | business networks that may be willing to invest in startup
 1279 | businesses in this state.

1280 | Section 19. Subsection (2) of section 288.99, Florida
 1281 | Statutes, is amended to read:

1282 | 288.99 Certified Capital Company Act.--

1283 | (2) PURPOSE.--The primary purpose of this act is to
 1284 | stimulate a substantial increase in venture capital investments
 1285 | in this state by providing an incentive for insurance companies
 1286 | to invest in certified capital companies in this state which, in
 1287 | turn, will make investments in new businesses or in expanding
 1288 | businesses, including minority-owned or minority-operated
 1289 | businesses and businesses located in a designated Front Porch
 1290 | community, enterprise zone, designated urban job tax credit
 1291 | ~~high-crime~~ area, rural job tax credit county, or nationally
 1292 | recognized historic district. The increase in investment capital
 1293 | flowing into new or expanding businesses is intended to
 1294 | contribute to employment growth, create jobs which exceed the
 1295 | average wage for the county in which the jobs are created, and
 1296 | expand or diversify the economic base of this state.

1297 | Section 20. Subsections (15) through (17) of section
 1298 | 626.015, Florida Statutes, are renumbered as subsections (16)
 1299 | through (18), respectively, and a new subsection (15) is added
 1300 | to said section, to read:

1301 | 626.015 Definitions.--As used in this part:

1302 (15) "Personal lines agent" means a general lines agent
 1303 who is limited to transacting business related to property and
 1304 casualty insurance sold to individuals and families for
 1305 noncommercial purposes.

1306 Section 21. Subsection (3) is added to section 626.022,
 1307 Florida Statutes, to read:

1308 626.022 Scope of part.--

1309 (3) Provisions of this part that apply to general lines
 1310 agents and applicants also apply to personal lines agents and
 1311 applicants, except as otherwise provided.

1312 Section 22. Subsection (8) is added to section 626.241,
 1313 Florida Statutes, to read:

1314 626.241 Scope of examination.--

1315 (8) An examination for licensure as a personal lines agent
 1316 shall consist of 100 questions and shall be limited in scope to
 1317 the kinds of business transacted under such license.

1318 Section 23. Subsection (1) of section 626.311, Florida
 1319 Statutes, is amended to read:

1320 626.311 Scope of license.--

1321 (1) Except as to personal lines agents and limited
 1322 licenses, ~~the applicant for license as a general lines agent or~~
 1323 customer representative shall qualify for all property, marine,
 1324 casualty, and surety lines except bail bonds which require a
 1325 separate license under chapter 648. The license of a general
 1326 lines agent may also cover health insurance if health insurance
 1327 is included in the agent's appointment by an insurer as to which
 1328 the licensee is also appointed as agent for property or casualty
 1329 or surety insurance. The license of a customer representative

HB617CS

2004
CS

1330 shall provide, in substance, that it covers all of such classes
 1331 of insurance that his or her appointing general lines agent or
 1332 agency is currently so authorized to transact under the general
 1333 lines agent's license and appointments. No such license shall be
 1334 issued limited to particular classes of insurance except for
 1335 bail bonds which require a separate license under chapter 648 or
 1336 for personal lines agents. Personal lines agents are limited to
 1337 transacting business related to property and casualty insurance
 1338 sold to individuals and families for noncommercial purposes.

1339 Section 24. Section 626.727, Florida Statutes, is amended
 1340 to read:

1341 626.727 Scope of this part.--This part applies only to
 1342 general lines agents, customer representatives, service
 1343 representatives, and managing general agents, all as defined in
 1344 s. 626.015. Provisions of this part which apply to general lines
 1345 agents and applicants also apply to personal lines agents and
 1346 applicants, except as otherwise provided.

1347 Section 25. Subsection (1) of section 626.732, Florida
 1348 Statutes, is amended to read:

1349 626.732 Requirement as to knowledge, experience, or
 1350 instruction.--

1351 (1) Except as provided in subsection (3), no applicant for
 1352 a license as a general lines agent or personal lines agent,
 1353 except for a chartered property and casualty underwriter (CPCU),
 1354 other than as to a limited license as to baggage and motor
 1355 vehicle excess liability insurance, credit property insurance,
 1356 credit insurance, in-transit and storage personal property
 1357 insurance, or communications equipment property insurance or

HB 617 CS

2004
CS

1358 communication equipment inland marine insurance, shall be
 1359 qualified or licensed unless within the 4 years immediately
 1360 preceding the date the application for license is filed with the
 1361 department the applicant has:

1362 (a) Taught or successfully completed classroom courses in
 1363 insurance, 3 hours of which shall be on the subject matter of
 1364 ethics, satisfactory to the department at a school, college, or
 1365 extension division thereof, approved by the department. To
 1366 qualify for licensure as a personal lines agent, the applicant
 1367 must complete a total of 52 hours of classroom courses in
 1368 insurance;

1369 (b) Completed a correspondence course in insurance, 3
 1370 hours of which shall be on the subject matter of ethics,
 1371 satisfactory to the department and regularly offered by
 1372 accredited institutions of higher learning in this state and,
 1373 except if he or she is applying for a limited license under s.
 1374 626.321 for licensure as a general lines agent, has had at least
 1375 6 months of responsible insurance duties as a substantially
 1376 full-time bona fide employee in all lines of property and
 1377 casualty insurance set forth in the definition of general lines
 1378 agent under s. 626.015 or, for licensure as a personal lines
 1379 agent, has completed at least 3 months in responsible insurance
 1380 duties as a substantially full-time employee in property and
 1381 casualty insurance sold to individuals and families for
 1382 noncommercial purposes;

1383 (c) 1. For licensure as a general lines agent, completed at
 1384 least 1 year in responsible insurance duties as a substantially
 1385 full-time bona fide employee in all lines of property and

HB617CS

2004
CS

1386 | casualty insurance, exclusive of aviation and wet marine and
 1387 | transportation insurances but not exclusive of boats of less
 1388 | than 36 feet in length or aircraft not held out for hire, as set
 1389 | forth in the definition of a general lines agent under s.
 1390 | 626.015, without the education requirement mentioned in
 1391 | paragraph (a) or paragraph (b); or

1392 | 2. For licensure as a personal lines agent, completed at
 1393 | least 6 months in responsible insurance duties as a
 1394 | substantially full-time bona fide employee in property and
 1395 | casualty insurance sold to individuals and families for
 1396 | noncommercial purposes, without the education requirement
 1397 | mentioned in paragraph (a) or paragraph (b); ~~or~~

1398 | (d)1. For licensure as a general lines agent, completed at
 1399 | least 1 year of responsible insurance duties as a licensed and
 1400 | appointed customer representative or limited customer
 1401 | representative in commercial or personal lines of property and
 1402 | casualty insurance and 40 hours of classroom courses approved by
 1403 | the department covering the areas of property, casualty, surety,
 1404 | health, and marine insurance; or

1405 | 2. For licensure as a personal lines agent, completed at
 1406 | least 6 months of responsible insurance duties as a licensed and
 1407 | appointed customer representative or limited customer
 1408 | representative in property and casualty insurance sold to
 1409 | individuals and families for noncommercial purposes and 20 hours
 1410 | of classroom courses approved by the department which are
 1411 | related to property and casualty insurance sold to individuals
 1412 | and families for noncommercial purposes;

HB 617 CS

2004
CS

1413 (e)1.2- For licensure as a general lines agent, completed
 1414 at least 1 year of responsible insurance duties as a licensed
 1415 and appointed service representative in either commercial or
 1416 personal lines of property and casualty insurance and 80 hours
 1417 of classroom courses approved by the department covering the
 1418 areas of property, casualty, surety, health, and marine
 1419 insurance; or-

1420 2. For licensure as a personal lines agent, completed at
 1421 least 6 months of responsible insurance duties as a licensed and
 1422 appointed service representative in property and casualty
 1423 insurance sold to individuals and families for noncommercial
 1424 purposes and 40 hours of classroom courses approved by the
 1425 department which are related to property and casualty insurance
 1426 sold to individuals and families for noncommercial purposes; or

1427 (f) For licensure as a personal lines agent, completed at
 1428 least 3 years of responsible duties as a licensed and appointed
 1429 customer representative in property and casualty insurance sold
 1430 to individuals and families for noncommercial purposes.

1431 Section 26. The Department of Financial Services may delay
 1432 issuing licenses to personal lines agents on the effective date
 1433 of this act if the department has not completed the process of
 1434 incorporating necessary procedures for issuing personal lines
 1435 licenses into its licensing systems.

1436 Section 27. Subsection (1) of section 626.747, Florida
 1437 Statutes, is amended to read:

1438 626.747 Branch agencies.--

1439 (1) Each branch place of business established by an agent
 1440 or agency, firm, corporation, or association shall be in the

HB 617 CS

2004
CS

1441 active full-time charge of a licensed general lines agent who is
 1442 appointed to represent one or more insurers. Any agent or
 1443 agency, firm, corporation, or association which has established
 1444 one or more branch places of business shall be required to have
 1445 at least one licensed general lines, life, or health agent who
 1446 is appointed to represent one or more insurers at each location
 1447 of the agency including its headquarters location.

1448 Section 28. Paragraph (r) is added to subsection (6) of
 1449 section 627.351, Florida Statutes, to read:

1450 627.351 Insurance risk apportionment plans.--

1451 (6) CITIZENS PROPERTY INSURANCE CORPORATION.--

1452 (r) A salaried employee of the corporation who performs
 1453 policy administration services subsequent to the effectuation of
 1454 a corporation policy is not required to be licensed as an agent
 1455 under the provisions of s. 626.112.

1456 Section 29. Subsections (3) and (4) of section 288.041,
 1457 Florida Statutes, are repealed:

1458 288.041 Solar energy industry; legislative findings and
 1459 policy; promotional activities.--

1460 ~~(3) Enterprise Florida, Inc., and its boards shall assist~~
 1461 ~~in the expansion of the solar energy industry in this state.~~
 1462 ~~Such efforts shall be undertaken in cooperation with the~~
 1463 ~~Department of Community Affairs, the Florida Solar Energy~~
 1464 ~~Center, and the Florida Solar Energy Industries Association, and~~
 1465 ~~shall include:~~

1466 ~~(a) Providing assistance and support to new and existing~~
 1467 ~~photovoltaic companies, with special emphasis on attracting one~~

1468 ~~or more manufacturers of photovoltaic products to locate within~~
 1469 ~~this state.~~

1470 ~~(b) Sponsoring initiatives which aid and take full~~
 1471 ~~advantage of the export market potential of solar technologies.~~

1472 ~~(c) Informing the business sector of this state about~~
 1473 ~~opportunities for cost-effective commercial applications of~~
 1474 ~~solar technologies.~~

1475 ~~(d) Encouraging employment of residents of this state by~~
 1476 ~~solar energy companies.~~

1477 ~~(e) Retaining existing solar energy companies and~~
 1478 ~~supporting their expansion efforts in this state.~~

1479 ~~(f) Supporting the promotion of solar energy by sponsoring~~
 1480 ~~workshops, seminars, conferences, and educational programs on~~
 1481 ~~the benefits of solar energy.~~

1482 ~~(g) Recognizing outstanding developments and achievements~~
 1483 ~~in, and contributions to, the solar energy industry.~~

1484 ~~(h) Collecting and disseminating solar energy information~~
 1485 ~~relevant to the promotion of solar energy applications.~~

1486 ~~(i) Enlisting the support of persons, civic groups, the~~
 1487 ~~solar energy industry, and other organizations to promote and~~
 1488 ~~improve solar energy products and services.~~

1489 ~~(4) The department shall also promote projects that~~
 1490 ~~demonstrate viable applications of solar technology which may~~
 1491 ~~include, but shall not be limited to: irrigation and stock~~
 1492 ~~watering, process heat for dairy and citrus operations,~~
 1493 ~~aquaculture, hydroponics, horticulture, waste detoxification,~~
 1494 ~~and other means of meeting the energy needs of the agricultural~~
 1495 ~~industry.~~

HB 617 CS

2004
CS

1496 Section 30. Subsection (3) of section 288.9015, Florida
1497 Statutes, is repealed:

1498 288.9015 Enterprise Florida, Inc.; purpose; duties.--

1499 ~~(3) It shall be the responsibility of Enterprise Florida,~~
1500 ~~Inc., through the Workforce Development Board, to develop a~~
1501 ~~comprehensive approach to workforce development that will result~~
1502 ~~in better employment opportunities for the residents of this~~
1503 ~~state. Such comprehensive approach must include:~~

1504 ~~(a) Creating and maintaining a highly skilled workforce~~
1505 ~~that is capable of responding to rapidly changing technology and~~
1506 ~~diversified market opportunities.~~

1507 ~~(b) Training, educating, and assisting target populations,~~
1508 ~~such as those who are economically disadvantaged or who~~
1509 ~~participate in the WAGES Program or otherwise receive public~~
1510 ~~assistance to become independent, self-reliant, and self-~~
1511 ~~sufficient. This approach must ensure the effective use of~~
1512 ~~federal, state, local, and private resources in reducing the~~
1513 ~~need for public assistance.~~

1514 Section 31. Section 288.8155, Florida Statutes, is
1515 repealed.

1516 Section 32. Effective July 1, 2004, section 288.9517,
1517 Florida Statutes, and section 14 of chapter 93-187, Laws of
1518 Florida, are repealed.

1519 Section 33. Except as otherwise provided herein, this act
1520 shall take effect upon becoming a law.