

By the Committee on Commerce and Consumer Services

577-2213-06

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A bill to be entitled
An act relating to economic development;
requiring the Office of Program Policy Analysis
and Government Accountability and the Auditor
General to jointly review the Office of
Tourism, Trade, and Economic Development, the
Black Business Investment Board and its
subsidiaries or affiliates, and the black
business investment corporations; providing an
effective date.

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

Section 1. The Office of Program Policy Analysis and
Government Accountability and the Auditor General shall
jointly review the Office of Tourism, Trade, and Economic
Development, the Black Business Investment Board and its
subsidiaries or affiliates, and the black business investment
corporations in the individual and collective performance of
their statutory and contract duties imposed under ss.
288.707-288.714, Florida Statutes. In particular, the study
shall evaluate the following:

- (1) Compliance with applicable statutes and
contractual provisions;
- (2) Program performance, including the number of loans
or loan guarantees made, the performance of said loans or loan
guarantees, and the retention or lack of retention of loan or
loan guarantee customers for fiscal years 2001-2002 through
2005-2006;

1 (3) Accountability, including the uniformity and
2 quality of recordkeeping by each participant so that state
3 funds may be tracked effectively;

4 (4) Organizational issues, including how the structure
5 of the governing laws and contractual relationships assisted
6 or hindered the implementation of the program;

7 (5) Investment activity, including investments in
8 non-black business enterprises and use of state funds for
9 purposes other than loan or loan guarantee origination to
10 black business enterprises;

11 (6) Business relationships between the program
12 participants, including agreements between program
13 participants, their board members, officers or employees, and
14 third parties that benefit the participants or board members,
15 officers, or employees in ways that do not enhance the
16 program;

17 (7) Oversight by the Office of Tourism, Trade, and
18 Economic Development, including the use of contractual
19 provisions to enhance accountability;

20 (8) Performance of statutory certification required
21 under s. 288.7091(1), Florida Statutes, by program
22 participants; and

23 (9) Accountability for appropriated funds as required
24 by s. 288.7091(2), Florida Statutes, by program participants.

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26 The two offices shall provide a report of their findings and
27 recommendations for legislative changes to the program by
28 January 1, 2007, to the Governor, the President of the Senate,
29 the Speaker of the House of Representatives, and the
30 appropriate committee chairs of the Senate and the House of
31 Representatives.

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

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4 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
5 COMMITTEE SUBSTITUTE FOR
6 Senate Bill 2096

7 This committee substitute differs from the bill as filed in
8 that it requires the Office of Program Policy Analysis and
9 Government Accountability and the Auditor General to jointly
10 review the Office of Tourism, Trade, and Economic Development,
11 the Black Business Investment Board, its subsidiaries or
12 affiliates, and the Black Business Investment Corporations in
13 the individual and collective performance of their statutory
14 and contract duties.
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