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1 A bill to be entitled
2 An act relating to venture capital investments; creating
3 s. 288.9621, F.S.; providing a short title; creating s.
4 288.9622, F.S.; providing legislative findings and intent;
5 creating s. 288.9623, F.S.; providing definitions;
6 creating s. 288.9624, F.S.; requiring Enterprise Florida,
7 Inc., to facilitate creation of the Florida Opportunity
8 Fund; specifying criteria of the fund; providing for
9 appointment of an appointment committee; providing for
10 selection of a board of directors of the fund by
11 Enterprise Florida, Inc.; specifying criteria; providing
12 for terms and requirements of the directors; providing
13 purposes of the fund; providing duties and
14 responsibilities of the fund; authorizing the fund to
15 negotiate all contract terms; providing for reimbursement
16 for travel and other direct expenses; providing for powers
17 of the fund; providing investment requirements for the
18 fund; requiring the board of directors to issue an annual
19 report on the activities of the fund; providing report
20 requirements; creating s. 288.9625, F.S.; creating the
21 Institute for the Commercialization of Public Research;
22 providing that the institute is a not-for-profit
23 corporation; providing that the purpose of the institute
24 is to commercialize the products of public research;
25 providing for membership of the board of directors;
26 requiring the institute to provide data to certain
27 entities; providing responsibilities of the institute;
28 prohibiting the institute from having any interest in any

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29 | product supported by the institute; prohibiting the
30 | institute from charging fees for services rendered to
31 | certain entities; requiring an annual report to the
32 | Governor and Legislature; providing report requirements;
33 | amending s. 1004.226, F.S.; providing that the 21st
34 | Century Technology, Research, and Scholarship Enhancement
35 | Act includes the commercialization of products and
36 | services developed from the research and development
37 | conducted at state universities; establishing the State
38 | University Research Commercialization Assistance Grants
39 | Program; requiring the Florida Technology, Research, and
40 | Scholarship Board to review and approve State University
41 | Research Commercialization Assistance Grants; requiring
42 | board members to refrain from having any direct interest
43 | or derive any benefit from a project receiving a grant
44 | under the program; providing guidelines for a state
45 | university to receive funding; providing for use of funds;
46 | requiring private match; requiring the board to
47 | periodically solicit proposals from state universities;
48 | providing criteria for application evaluation; providing
49 | for contracts with state universities; specifying content;
50 | requiring that the board's annual report to the Governor
51 | and Legislature include information on grants awarded and
52 | repaid; requiring the Office of Program Policy Analysis
53 | and Government Accountability to conduct an interim review
54 | and evaluation of the Florida Capital Formation Act;
55 | providing appropriations; providing an effective date.
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57 Be It Enacted by the Legislature of the State of Florida:

58

59 Section 1. Sections 288.9621, 288.9622, 288.9623,
60 288.9624, and 288.9625, Florida Statutes, are created to read:

61 288.9621 Short title.--Sections 288.9621-288.9625 may be
62 cited as the "Florida Capital Formation Act."

63 288.9622 Findings and intent.--

64 (1) The Legislature finds and declares that there is a
65 need to increase the availability of seed capital and early
66 stage venture equity capital for emerging companies in the
67 state, including, without limitation, enterprises in life
68 sciences, information technology, advanced manufacturing
69 processes, aviation and aerospace, and homeland security and
70 defense, as well as other strategic technologies.

71 (2) It is the intent of the Legislature that ss. 288.9621-
72 288.9625 serve to mobilize private investment in a broad variety
73 of venture capital partnerships in diversified industries and
74 geographies; retain private-sector investment criteria focused
75 on rate of return; use the services of highly qualified managers
76 in the venture capital industry regardless of location;
77 facilitate the organization of the Florida Opportunity Fund as a
78 fund-of-funds investor in seed and early stage venture capital
79 and angel funds; and precipitate capital investment and
80 extensions of credit to and in the Florida Opportunity Fund.

81 (3) It is the intent of the Legislature to mobilize
82 venture equity capital for investment in such a manner as to
83 result in a significant potential to create new businesses and
84 jobs in this state that are based on high growth potential

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85 technologies, products, or services and that will further
86 diversify the economy of this state.

87 (4) It is the intent of the Legislature that an institute
88 be created to mentor, market, and attract capital to such
89 commercialization ventures throughout the state.

90 288.9623 Definitions.--As used in ss. 288.9621-288.9625:

91 (1) "Board" means the board of directors of the Florida
92 Opportunity Fund.

93 (2) "Fund" means the Florida Opportunity Fund.

94 288.9624 Florida Opportunity Fund; creation; duties.--

95 (1) (a) Enterprise Florida, Inc., shall facilitate the
96 creation of the Florida Opportunity Fund, a private, not-for-
97 profit corporation organized and operated under chapter 617.
98 Enterprise Florida, Inc., shall be the fund's sole shareholder
99 or member. The fund is not a public corporation or
100 instrumentality of the state. The fund shall manage its business
101 affairs and conduct business consistent with its organizational
102 documents and the purposes set forth in this section.

103 Notwithstanding the powers granted under chapter 617, the
104 corporation may not amend, modify, or repeal a bylaw or article
105 of incorporation without the express written consent of
106 Enterprise Florida, Inc.

107 (b) The vice chair of Enterprise Florida, Inc., shall
108 select from among its sitting board of directors a five-person
109 appointment committee. The appointment committee shall select
110 five initial members of a board of directors for the fund.

111 (c) The persons elected to the initial board of directors
112 by the appointment committee shall include persons who have

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113 expertise in the area of the selection and supervision of early
114 stage investment managers or in the fiduciary management of
115 investment funds and other areas of expertise as considered
116 appropriate by the appointment committee.

117 (d) After election of the initial board of directors,
118 vacancies on the board shall be filled by vote of the board of
119 directors of Enterprise Florida, Inc., and board members shall
120 serve terms as provided in the fund's organizational documents.

121 (e) Members of the board are subject to any restrictions
122 on conflicts of interest specified in the organizational
123 documents and may not have an interest in any venture capital
124 investment selected by the fund under ss. 288.9621-288.9624.

125 (f) Members of the board shall serve without compensation,
126 but members, the president of the board, and other board
127 employees may be reimbursed for all reasonable, necessary, and
128 actual expenses as determined and approved by the board pursuant
129 to s. 112.061.

130 (g) The fund shall have all powers granted under its
131 organizational documents and shall indemnify members to the
132 broadest extent permissible under the laws of this state.

133 (2) Upon organization, the board shall conduct a national
134 solicitation for investment plan proposals from qualified
135 venture capital investment managers for the raising and
136 investing of capital by the Florida Opportunity Fund. Any
137 proposed investment plan must address the applicant's level of
138 experience, quality of management, investment philosophy and
139 process, provability of success in fundraising, prior investment
140 fund results, and plan for achieving the purposes of ss.

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141 288.9621-288.9624. The board shall select only venture capital
 142 investment managers having demonstrated expertise in the
 143 management of and investment in companies.

144 (3) The board is responsible for negotiating the terms of
 145 a contract with the Florida Opportunity Fund investment manager;
 146 executing the contract with the selected venture capital
 147 investment fund manager on behalf of the Florida Opportunity
 148 Fund; managing the business affairs of the Florida Opportunity
 149 Fund, such as accounting, audit, insurance, and related
 150 requirements; soliciting and negotiating the terms of,
 151 contracting for, and receiving investment capital and loan
 152 proceeds with the assistance of the investment manager;
 153 receiving investment returns; paying investors and debtors; and
 154 reinvesting the investment returns in the fund in order to
 155 provide additional venture capital investments designed to
 156 result in a significant potential to create new businesses and
 157 jobs in this state and further diversify the economy of this
 158 state.

159 (4) For the purpose of mobilizing investment in a broad
 160 variety of Florida-based, new technology companies and
 161 generating a return sufficient to continue reinvestment, the
 162 fund shall:

163 (a) Invest directly only in seed and early stage venture
 164 capital funds that have experienced managers or management teams
 165 with demonstrated experience, expertise, and a successful
 166 history in the investment of venture capital funds, focusing on
 167 opportunities in this state. The fund may not make direct
 168 investments in individual businesses. While not precluded from

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169 investing in venture capital funds that have investments outside
 170 this state, the fund must require a venture capital fund to show
 171 a record of successful investment in this state, to be based in
 172 this state, or to have an office in this state staffed with a
 173 full-time, professional venture investment executive in order to
 174 be eligible for investment.

175 (b) Negotiate for investment capital or loan proceeds from
 176 private, institutional, or banking sources.

177 (c) Negotiate any and all terms and conditions for its
 178 investments.

179 (d) Invest only in funds that have raised capital from
 180 other sources so that the amount invested in an entity in this
 181 state is at least twice the amount invested by the fund.

182 Investments must be made in Florida-based companies, including,
 183 but not limited to, enterprises in life sciences, information
 184 technology, advanced manufacturing processes, aviation and
 185 aerospace, and homeland security and defense, as well as other
 186 strategic technologies.

187 (5) By December 1 of each year, the board shall issue an
 188 annual report concerning the activities conducted by the fund to
 189 the Governor, the President of the Senate, and the Speaker of
 190 the House of Representatives. The annual report, at a minimum,
 191 must include:

192 (a) An accounting of the amount of investments disbursed
 193 by the fund and the progress of the fund.

194 (b) A description of the benefits to this state resulting
 195 from the fund, including the number of businesses created,
 196 associated industries started, the number of jobs created, and

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197 the growth of related research projects.

198 (c) Independently audited financial statements, including
199 statements that show receipts and expenditures during the
200 preceding fiscal year for personnel, administration, and
201 operational costs of the fund.

202 288.9625 Institute for the Commercialization of Public
203 Research.--There is established the Institute for the
204 Commercialization of Public Research.

205 (1) The institute shall be a not-for-profit corporation
206 registered, incorporated, and operated in accordance with
207 chapter 617.

208 (2) The purpose of the institute is to assist in the
209 commercialization of products developed by the research and
210 development activities of universities and colleges, research
211 institutes, and publicly supported organizations within the
212 state. The institute shall operate to fulfill its purpose and in
213 the best interests of the state. The institute:

214 (a) Shall be a corporation primarily acting as an
215 instrumentality of the state pursuant to s. 768.28(2), for the
216 purposes of sovereign immunity;

217 (b) Is not an agency within the meaning of s. 20.03(11);

218 (c) Is subject to the open records and meetings
219 requirements of s. 24, Art. I of the State Constitution, chapter
220 119, and s. 286.011;

221 (d) Is not subject to the provisions of chapter 287;

222 (e) Shall be governed by the code of ethics for public
223 officers and employees as set forth in part III of chapter 112;

224 (f) Is not authorized to create corporate subsidiaries;

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225 (g) Shall support existing commercialization efforts at
226 state universities; and

227 (h) Shall not supplant, replace, or direct existing
228 technology transfer operations or other commercialization
229 programs, including incubators and accelerators.

230 (3) The articles of incorporation of the institute must be
231 approved in a written agreement with Enterprise Florida, Inc.
232 The agreement and the articles of incorporation shall:

233 (a) Provide that the institute shall provide equal
234 employment opportunities for all persons regardless of race,
235 color, religion, gender, national origin, age, handicap, or
236 marital status;

237 (b) Provide that the institute is subject to the public
238 records and meeting requirements of s. 24, Art. I of the State
239 Constitution;

240 (c) Provide that all officers, directors, and employees of
241 the institute shall be governed by the code of ethics for public
242 officers and employees as set forth in part III of chapter 112;

243 (d) Provide that members of the board of directors of the
244 institute are responsible for the prudent use of all public and
245 private funds and that they will ensure that the use of funds is
246 in accordance with all applicable laws, bylaws, and contractual
247 requirements; and

248 (e) Provide that the fiscal year of the institute is from
249 July 1 to June 30.

250 (4) The affairs of the institute shall be managed by a
251 board of directors who shall serve without compensation. Each
252 director shall have only one vote. The chair of the board of

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253 directors shall be selected by a majority vote of the directors,
254 a quorum being present. The board of directors shall consist of
255 the following five members:

256 (a) The chair of Enterprise Florida, Inc., or the chair's
257 designee.

258 (b) The president of the university where the institute is
259 located or the president's designee unless multiple universities
260 jointly sponsor the institute, in which case the presidents of
261 the sponsoring universities shall agree upon a designee.

262 (c) Three directors appointed by the Governor to 3-year
263 staggered terms, to which the directors may be reappointed.

264 (5) The board of directors shall provide a copy of the
265 institute's annual report to the Governor, the President of the
266 Senate, the Speaker of the House of Representatives, Enterprise
267 Florida, Inc., and the president of the university at which the
268 institute is located.

269 (6) Enterprise Florida, Inc., the president and the board
270 of trustees of the university where the institute is located,
271 the Auditor General, and the Office of Program Policy Analysis
272 and Government Accountability may require and receive from the
273 institute or its independent auditor any detail or supplemental
274 data relative to the operation of the institute.

275 (7) Enterprise Florida, Inc., shall issue a request for
276 proposals to state universities requesting proposals to fulfill
277 the purposes of the institute as described in this section and
278 provide for its physical location in a major metropolitan area
279 in the southern part of the state having extensive commercial
280 air service to facilitate access by venture capital providers.

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281 Enterprise Florida, Inc., shall review the proposals in a
282 committee appointed by its board of directors which shall make a
283 recommendation for final selection. Final approval of the
284 selected proposal must be by the board of directors of
285 Enterprise Florida, Inc., at one of its duly noticed meetings.

286 (8) (a) To be eligible for assistance, the company or
287 organization attempting to commercialize its product must be
288 accepted by the institute before receiving the institute's
289 assistance.

290 (b) The institute shall receive recommendations from any
291 publicly supported organization that a company that is
292 commercializing the research, technology, or patents from a
293 qualifying publicly supported organization should be accepted
294 into the institute.

295 (c) The institute shall thereafter review the business
296 plans and technology information of each such recommended
297 company. If accepted, the institute shall mentor the company,
298 develop marketing information on the company, and use its
299 resources to attract capital investment into the company, as
300 well as bring other resources to the company which may foster
301 its effective management, growth, capitalization, technology
302 protection, or marketing or business success.

303 (9) The institute shall:

304 (a) Maintain a centralized location to showcase companies
305 and their technologies and products;

306 (b) Develop an efficient process to inventory and
307 publicize companies and products that have been accepted by the
308 institute for commercialization;

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309 (c) Routinely communicate with private investors and
310 venture capital organizations regarding the investment
311 opportunities in its showcased companies;

312 (d) Facilitate meetings between prospective investors and
313 eligible organizations in the institute;

314 (e) Hire full-time staff who understand relevant
315 technologies needed to market companies to the angel investors
316 and venture capital investment community; and

317 (f) Develop cooperative relationships with publicly
318 supported organizations all of which work together to provide
319 resources or special knowledge that is likely to be helpful to
320 institute companies.

321 (10) The institute shall not develop or accrue any
322 ownership, royalty, patent, or other such rights over or
323 interest in companies or products in the institute and shall
324 maintain the secrecy of proprietary information.

325 (11) The institute shall not charge for services rendered
326 to state universities and affiliated organizations, community
327 colleges, or state agencies.

328 (12) By December 1 of each year, the institute shall issue
329 an annual report concerning its activities to the Governor, the
330 President of the Senate, and the Speaker of the House of
331 Representatives. The report shall include the following:

332 (a) Information on any assistance and activities provided
333 by the institute to assist publicly supported universities,
334 colleges, research institutes, and other publicly supported
335 organizations in the state.

336 (b) A description of the benefits to this state resulting

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337 from the institute, including the number of businesses created,
338 associated industries started, the number of jobs created, and
339 the growth of related projects.

340 (c) Independently audited financial statements, including
341 statements that show receipts and expenditures during the
342 preceding fiscal year for personnel, administration, and
343 operational costs of the institute.

344 Section 2. Subsection (4) of section 1004.226, Florida
345 Statutes, is amended, subsection (7) is renumbered as subsection
346 (8) and amended, and a new subsection (7) is added to that
347 section, to read:

348 1004.226 The 21st Century Technology, Research, and
349 Scholarship Enhancement Act.--

350 (4) FLORIDA TECHNOLOGY, RESEARCH, AND SCHOLARSHIP
351 BOARD.--The Florida Technology, Research, and Scholarship Board
352 is created within the Board of Governors of the State University
353 System to guide the establishment of Centers of Excellence, and
354 the attraction of world class scholars, and the
355 commercialization of products and services developed from the
356 research and development conducted at state universities.

357 (a) The board shall consist of 11 members. Five members
358 shall be appointed by the Governor, one of whom the Governor
359 shall appoint as chair of the board, one of whom must be a
360 member of the board of directors of Enterprise Florida, Inc.,
361 and one of whom must be a member of the Board of Governors of
362 the State University System. Three members shall be appointed by
363 the President of the Senate, and three members shall be
364 appointed by the Speaker of the House of Representatives.

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365 Appointed members must be representative of business leaders,
366 industrial researchers, academic researchers, scientists, and
367 leaders in the emerging and advanced technology sector.
368 Appointed members may not serve for more than 4 years, and any
369 vacancy that occurs during these appointees' terms shall be
370 filled in the same manner as the original appointment. A
371 majority of members constitutes a quorum.

372 (b) Members of the board shall serve without compensation,
373 but are entitled to receive reimbursement for per diem and
374 travel expenses in accordance with s. 112.061 while in the
375 performance of their duties.

376 (c) The Board of Governors shall provide staff support for
377 the activities of the board and per diem and travel expenses for
378 board members.

379 (d) The board is charged with recommending criteria to the
380 Board of Governors for the 21st Century World Class Scholars
381 Program and with providing guidance to the Board of Governors
382 regarding the implementation and administration of the Centers
383 of Excellence Program.

384 (e) The board shall recommend to the Board of Governors
385 the qualifications, standards, and requirements for approval of
386 investments in Centers of Excellence under this act. The board
387 may form committees of its members and is encouraged to consult
388 with Enterprise Florida, Inc., the Florida Research Consortium,
389 Bio-Florida, IT Florida, the Florida Aviation Aerospace
390 Alliance, and any other entity whose input may be helpful in
391 determining the requirements and standards for the program.

392 (f) The board shall review and approve State University

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393 Research Commercialization Assistance Grants under subsection
394 (7). The board is encouraged to consult with Enterprise Florida,
395 Inc.; entities with prior experience in early stage business
396 investment; and any other entity whose input may be helpful in
397 evaluating grant proposals.

398 (g) Members of the board must agree to refrain from having
399 any direct interest in any contract, franchise, privilege, or
400 other benefit arising from a state university project receiving
401 a State University Research Commercialization Assistance Grant
402 during the term of his or her appointment and for 2 years after
403 the termination of such appointment. It is a misdemeanor of the
404 first degree, punishable as provided in s. 775.082 or s.775.083,
405 for a person to serve on the board in violation of this
406 paragraph or to accept a direct interest in any contract,
407 franchise, privilege, or other benefit granted by the grant
408 recipients within 2 years after the termination of his or her
409 service on the board.

410 (7) STATE UNIVERSITY RESEARCH COMMERCIALIZATION ASSISTANCE
411 GRANT PROGRAM.--The State University Research Commercialization
412 Assistance Grant Program is established to promote the
413 commercialization of university research products for the
414 purpose of enhancing the state's economy and the state's public
415 universities. All Phase Two and Phase Three grants established
416 by this program require \$1 in private investment for each \$1 in
417 state funding provided. A state university may apply for early
418 stage capital funding for the purpose of developing products and
419 services resulting from university research. An application may
420 include joint participation in the development of products and

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421 services by a cooperating university. Grant funds awarded under
422 this subsection may be used by the university for a variety of
423 premarketing activities, including, but not limited to, securing
424 patents, establishing startup companies, developing license
425 agreements, attracting private investment, and supporting other
426 activities that are necessary to establish commercially viable
427 ventures for the marketing and sale of products resulting from
428 university research. Funds may not be used for research or
429 development.

430 (a) State University Research Commercialization Assistance
431 Grants may be provided under the following categories:

432 1. Phase One grants, which may not exceed \$50,000 per
433 project, shall be available to assist with early market
434 research, independent evaluation, consultation, and other
435 initial activities that may be required to develop an initial
436 business model for a university research product that has the
437 potential for commercialization.

438 2. Phase Two grants, which may not exceed \$100,000 per
439 project, shall be available to assist with the development of a
440 complete business plan for the commercialization of a university
441 research product.

442 3. Phase Three grants, which may not exceed \$250,000 per
443 project, shall be available for the implementation and execution
444 of a completed business plan for a university research product.

445 (b) Based on the availability of funds, the board shall
446 periodically solicit proposals from state universities for State
447 University Research Commercialization Assistance Grants. The
448 board shall establish guidelines prescribing the criteria and

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449 format for the submission of grant applications by state
450 universities. Any state university, upon approval of its board
451 of trustees, may submit a request to the board for a grant to
452 facilitate the commercialization of a university research
453 product or the commercialization of a patent held by a state
454 agency under a cooperative agreement between the state agency
455 and the university. A state university need not receive prior
456 stage grants to be eligible for Phase Two or Phase Three grants.

457 When evaluating the applications submitted for funding, the
458 board shall consider the following criteria:

459 1. The potential return to the university which may be
460 reasonably assumed based on the business case presented in
461 support of the proposed project.

462 2. The potential for the creation of high-wage jobs
463 resulting from the success of the proposed project.

464 3. The potential of the proposed project to address
465 pressing needs of the residents of the state.

466 4. The potential of the proposed project to enhance the
467 economic competitiveness of the state and the university.

468 5. The technical, financial, organizational, and marketing
469 feasibility of the project and its business plan.

470 6. The potential of the proposed project to create other
471 related business enterprises.

472
473 Each proposed project shall be evaluated on its individual
474 merits.

475 (c) The board shall negotiate and execute contracts with
476 state universities governing the terms of State University

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477 Research Commercial Assistance Grants. The board may not execute
478 the contract unless the contract is approved by the affirmative
479 vote of at least six of the 11 members of the board. Each
480 contract, at a minimum, must contain provisions that:

481 1. Specify the procedures and schedules that govern the
482 disbursement of funds under this section and specify the
483 conditions or deliverables that the state university must
484 satisfy before the release of each disbursement.

485 2. Require the state university to submit a business plan
486 in a form and manner prescribed by the board.

487 3. Require the state university to submit data to the
488 board concerning the activities and performance of projects
489 funded pursuant to this section and to provide to the board an
490 annual accounting of the expenditure of funds disbursed under
491 this subsection.

492 4. Require the state university to negotiate repayment to
493 the General Revenue Fund of the amount of the grant awarded to a
494 project when the project generates sufficient revenues to
495 sustain a profitable operation.

496 5. Require the state university to expend 95 percent of
497 grant proceeds for described uses in the approved grant
498 application and not otherwise reduce grant proceeds with
499 facilities charges or fees by the university.

500 (d) Upon verification by the Board of Governors that a
501 state university has executed a contract with the board for a
502 State University Research Commercialization Assistance Grant,
503 the Board of Governors shall release grant funds to the
504 university.

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505 ~~(8)-(7)~~ ANNUAL REPORT.--The board, in cooperation with the
506 Board of Governors of the State University System and the state
507 universities or research centers receiving investments under
508 this act, shall issue an annual report by December 31 each year
509 of the activities conducted, including the accomplishments and
510 overall economic benefits to the state, the number of 21st
511 Century World Class Scholars attracted, the number of Centers of
512 Excellence created or expanded, the success of collaborations
513 with related industries, the number and amount of State
514 University Research Commercialization Assistance Grants awarded
515 and repaid, and the success of these programs. The annual report
516 shall be presented to the Governor, the President of the Senate,
517 and the Speaker of the House of Representatives. The annual
518 report must include a copy of an independent audit of the board
519 and a review of the progress of programs administered by the
520 board.

521 Section 3. Prior to the 2012 Regular Session of the
522 Legislature, the Office of Program Policy Analysis and
523 Government Accountability shall conduct a review and evaluation
524 of the effectiveness and viability of the Florida Capital
525 Formation Act. The office shall specifically evaluate the total
526 capital investment in the state, private sector investment, rate
527 of return, creation of new business and jobs, debt incurred, and
528 industries impacted. The office shall also recommend outcome
529 measures for further evaluation of the program. The office shall
530 submit a report of its findings and recommendations to the
531 Governor, the President of the Senate, and the Speaker of the
532 House of Representatives no later than January 1, 2012.

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533 Section 4. The nonrecurring sum of \$31 million is
534 appropriated from the General Revenue Fund to Enterprise
535 Florida, Inc., for the 2007-2008 fiscal year. Of these funds,
536 \$500,000 shall be for the purpose of initiating activities
537 necessary to implement the responsibilities of the Florida
538 Opportunity Fund under this act, and \$29.5 million is provided
539 for the purpose of making investments under s. 288.9624, Florida
540 Statutes. In addition, \$100,000 of these funds are provided to
541 Enterprise Florida, Inc., for the purpose of startup costs
542 associated with the Institute for the Commercialization of
543 Public Research under s. 288.9625, Florida Statutes, and
544 \$900,000 shall be provided to the institute for its operational
545 expenses.

546 Section 5. The nonrecurring sum of \$4 million is
547 appropriated to the Board of Governors of the State University
548 System from the General Revenue Fund solely for the State
549 University Research Commercialization Assistance Grant Program
550 created by this act. Funds must be disbursed by the Board of
551 Governors pursuant to grant agreements and contracts by the
552 Florida Technology, Research, and Scholarship Board.

553 Section 6. This act shall take effect July 1, 2007.