

By the Committee on Transportation and Economic Development
Appropriations; and Senator Fasano

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1 A bill to be entitled
2 An act relating to the Department of State; amending
3 s. 15.16, F.S.; authorizing the Department of State to
4 use electronic transmission to notify and communicate
5 in the performance of its duties; authorizing the
6 department to collect e-mail addresses and require
7 filers and registrants to furnish such e-mail
8 addresses for presenting documents and filing;
9 amending s. 120.55, F.S.; deleting a provision that
10 requires the Department of State to provide the
11 Florida Administrative Weekly to the Legislative
12 Library each year; repealing ss. 265.2861, 265.2862,
13 265.289, 265.608, 265.609, 265.702, and 265.708, F.S.,
14 relating to the Cultural Institutions Program and
15 Trust Fund, general support program for cultural
16 institutions, audit information and admission fees for
17 state theater contract organizations, science museums
18 and grants, youth and children's museum and grants,
19 regional cultural facilities, and historical museum
20 grants; amending s. 265.281, F.S.; renaming the
21 "Florida Fine Arts Act of 1980" as the "Florida Arts
22 and Culture Act"; amending s. 265.282, F.S.; revising
23 legislative intent to include the promotion of
24 activities involving arts and culture; providing
25 support for museums and nonprofit organizations;
26 amending s. 265.283, F.S.; revising and providing
27 definitions; amending s. 265.284, F.S.; revising the
28 duties and responsibilities of the Division of
29 Cultural Affairs within the department to administer

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30 funds, sponsor events encouraging arts and cultural
31 programs, and enter into certain contracts; requiring
32 that the division adopt rules; amending s. 265.285,
33 F.S.; renaming the "Florida Arts Council" as the
34 "Florida Council on Arts and Culture"; requiring that
35 the council meet at the request of the division;
36 deleting provisions authorizing the Secretary of State
37 to appoint review panels; revising the duties of the
38 council; amending s. 265.286, F.S.; authorizing the
39 Secretary of State to appoint review panels
40 representing arts and cultural disciplines and
41 programs to assist the council in the grant review
42 process; providing membership; providing terms;
43 providing duties and responsibilities; requiring that
44 the council review grant application lists; requiring
45 that the secretary review the council's
46 recommendations and submit approved lists to the
47 Legislature by a specified date; establishing
48 procedures for the awarding and funding of grants;
49 authorizing the division to provide funding for
50 certain programs and areas; requiring that the
51 division adopt rules establishing eligibility
52 criteria, grant programs, and the panel review
53 process; requiring that the division award grants
54 under certain circumstances; establishing eligibility
55 requirements for grantees; limiting grant awards to
56 one recipient per grant cycle; providing exceptions;
57 providing a formula for the distribution of matching
58 and nonmatching funds; providing for certain in-kind

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59 funds; deleting provisions relating to the division's
60 authority to expend appropriated funds for grants;
61 deleting provisions establishing criteria for such
62 grants; amending ss. 607.1420 and 607.1421, F.S.;
63 revising provisions relating to the administrative
64 dissolution of a corporation by the department to
65 conform to changes made by the act; amending ss.
66 607.1530 and 607.1531, F.S.; revising provisions
67 relating to revocation of a certificate of authority
68 to conform to changes made by the act; amending ss.
69 608.448 and 608.4481, F.S.; revising provisions
70 relating to administrative dissolution of a limited
71 liability company to conform to changes made by the
72 act; amending ss. 608.512 and 608.513, F.S.; revising
73 provisions relating to the revocation of a certificate
74 of authority of a foreign limited liability company to
75 conform to changes made by the act; amending ss.
76 617.1420, 617.1421, 617.1530, 617.1531, 620.1809,
77 620.1906, and 620.9003, F.S.; conforming provisions to
78 changes made by the act; amending s. 679.527, F.S.;
79 deleting provisions relating to the department's
80 authority to determine and select certain respondents
81 and to negotiate and enter into certain contracts;
82 providing that a contract to perform administrative
83 and operational functions for the Florida Secured
84 Transaction Registry terminates on a specified date;
85 requiring that the Department of State perform the
86 administrative and operational functions of the filing
87 officer or filing office for the registry after such

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88 termination; amending s. 865.09, F.S.; revising
89 provisions relating to notice of the expiration of a
90 fictitious name registration; requiring that the
91 department serve such notice by electronic
92 transmission if the owner or registrant of the
93 fictitious name has provided an electronic mail
94 address to the department; providing an effective
95 date.

96

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

98

99 Section 1. Subsection (3) of section 15.16, Florida

100 Statutes, is amended to read:

101 15.16 Reproduction of records; admissibility in evidence;
102 electronic receipt and transmission of records; certification;
103 acknowledgment.—

104 (3) The Department of State may cause to be received
105 electronically any records that are required to be filed with it
106 pursuant to chapter 55, chapter 117, chapter 118, chapter 495,
107 chapter 606, chapter 607, chapter 608, chapter 610, chapter 617,
108 chapter 620, chapter 621, chapter 679, chapter 713, or chapter
109 865, through facsimile or other electronic transfers, for the
110 purpose of filing such records. The originals of all such
111 electronically transmitted records must be executed in the
112 manner provided in paragraph (5) (b). The receipt of such
113 electronic transfer constitutes delivery to the department as
114 required by law. The department may use electronic transmissions
115 for purposes of notice in the administration of chapters 55,
116 117, 118, 495, 606, 607, 608, 610, 617, 620, 621, 679 and 713

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117 and s. 865.09. The Department of State may collect e-mail
118 addresses for purposes of notice and communication in the
119 performance of its duties and may require filers and registrants
120 to furnish such e-mail addresses when presenting documents for
121 filing.

122 Section 2. Paragraph (a) of subsection (7) of section
123 120.55, Florida Statutes, is amended to read:

124 120.55 Publication.—

125 (7) (a) Each year the Department of State shall furnish the
126 Florida Administrative Weekly, without charge and upon request,
127 as follows:

128 1. One subscription to each federal and state court having
129 jurisdiction over the residents of the state; ~~the Legislative~~
130 ~~Library;~~ each state university library; the State Library; each
131 depository library designated pursuant to s. 257.05; and each
132 standing committee of the Senate and House of Representatives
133 and each state legislator.

134 2. Two subscriptions to each state department.

135 3. Three subscriptions to the library of the Supreme Court
136 of Florida, the library of each state district court of appeal,
137 the division, the library of the Attorney General, each law
138 school library in Florida, the Secretary of the Senate, and the
139 Clerk of the House of Representatives.

140 4. Ten subscriptions to the committee.

141 Section 3. Sections 265.2861, 265.2862, 265.289, 265.608,
142 265.609, 265.702, and 265.708, Florida Statutes, are repealed.

143 Section 4. Section 265.281, Florida Statutes, is amended to
144 read:

145 265.281 Florida ~~Fine Arts~~ and Culture Act; short title.—

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146 Sections 265.281-265.709 ~~265.281-265.286~~ shall be known and may
 147 be cited as the "Florida ~~Fine Arts~~ and Culture Act ~~of 1980~~."

148 Section 5. Section 265.282, Florida Statutes, is amended to
 149 read:

150 265.282 Legislative intent.—The Legislature recognizes the
 151 vast cultural resources available in Florida ~~the state~~ for the
 152 development, promotion, and enjoyment of arts and culture ~~the~~
 153 ~~fine arts~~. It is the intent of the Legislature ~~by enactment of~~
 154 ~~this legislation~~ to provide ~~for maximum efficiency in providing~~
 155 state support for, and to gain ~~gaining~~ national and
 156 international recognition of, the efforts, works, and
 157 performances of Florida artists, and art agencies, museums, and
 158 nonprofit organizations. Furthermore, ~~it is the intent of the~~
 159 Legislature shall ~~to~~ foster and ensure, through the state arts
 160 administrative agency programs authorized in this act, that arts
 161 and culture have a significant and positive effect on Florida
 162 residents created hereunder, the development of a receptive
 163 climate for the fine arts; to enrich culturally and benefit the
 164 citizens of this state in their daily lives; to make Florida
 165 visits and vacations all the more appealing to the world; and to
 166 attract to Florida residency additional outstanding creators in
 167 the fields of fine arts through appropriate programs of
 168 publicity, education, coordination, grants, and activities, such
 169 as sponsorship of art lectures and exhibitions and central
 170 compilation and dissemination of information on the progress of
 171 the fine arts in Florida.

172 Section 6. Section 265.283, Florida Statutes, is amended to
 173 read:

174 265.283 Definitions ~~relating to Florida Fine Arts Act of~~

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175 ~~1980.~~—The following definitions shall apply to ss. 265.281-
176 265.709 ~~265.281-265.286~~:

177 (1) "Council" means the Florida ~~Arts~~ Council on Arts and
178 Culture.

179 (2) "Department" means the Department of State.

180 (3) "Director" means the Director of the Division of
181 Cultural Affairs of the Department of State.

182 (4) "Division" means the Division of Cultural Affairs of
183 the Department of State.

184 (5) "Panel" means a grant review panel.

185 (6) "Secretary" means the Secretary of State.

186 (7) "Arts and cultural disciplines" ~~"The arts"~~ means any
187 ~~and all artistic disciplines, which include, but are not limited~~
188 ~~to, music, dance, theatre drama, theater programs, creative~~
189 ~~writing, literature, architecture, painting, sculpture, folk~~
190 ~~arts, photography, crafts, and public media~~ arts, visual arts,
191 programs of museums, and the execution and exhibition of other
192 such allied, major art forms.

193 (8) "Local arts agency" means a public or private nonprofit
194 organization located in Florida and operating on a permanent
195 basis for the primary purpose of strengthening, supporting, and
196 stabilizing the activities of one or more county art and
197 cultural constituencies.

198 (9) "Historical museum" means a department or agency of
199 state or local government or a public or private nonprofit
200 organization located in Florida and operating on a permanent
201 basis for the primary purpose of sponsoring, producing, and
202 exhibiting educational programs that are related to the
203 historical resources of Florida.

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204 (10) "Science museum" means a public or private nonprofit
205 organization located in Florida and operating on a permanent
206 basis for the primary purpose of sponsoring, producing, and
207 exhibiting programs for the observation and study of various
208 types of natural science and science technology.

209 (11) "Youth and children's museum" means a public or
210 private nonprofit organization located in Florida and operating
211 on a permanent basis for the primary purpose of sponsoring,
212 producing, and exhibiting multidisciplinary and participatory
213 programs for visitors who are 6 months to 15 years old, and
214 their families, teachers, and caregivers.

215 (12) "State service organization" means a public or private
216 nonprofit organization located in Florida operating on a
217 permanent basis for the primary purpose of implementing programs
218 that have cultural significance and that emphasize American
219 creativity and the maintenance and encouragement of professional
220 excellence.

221 (13) "Arts in education grants" means grants used to
222 cultivate the learning and artistic development of all students
223 and teachers by promoting, encouraging, and supporting arts and
224 culture as an integral part of education and lifelong learning
225 for residents and visitors.

226 (14) "Cultural support grants" means grants that provide
227 support for general programs and specific cultural projects.

228 (15) "State touring program grants" means grants used to
229 provide performances, activities, and exhibitions by Florida
230 artists to communities.

231 (16) "Underserved arts community assistance program grants"
232 means grants used by qualified organizations under the Rural

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233 Economic Development Initiative, pursuant to ss. 288.0656 and
234 288.06561, for the purpose of economic and organizational
235 development for underserved cultural organizations.

236 (17) "Culture Builds Florida grants" means grants used for
237 the purpose of connecting the arts to key areas of the
238 division's long-term strategic plan.

239 Section 7. Section 265.284, Florida Statutes, is amended to
240 read:

241 265.284 Chief cultural officer; director of division;
242 powers and duties.—

243 (1) The Secretary of State is the chief cultural officer of
244 the state, ~~and the Division of Cultural Affairs is designated as~~
245 ~~the state arts administrative agency.~~

246 (2) The division is the state arts administrative agency
247 ~~and Division of Cultural Affairs of the Department of State~~
248 shall be headed by a director who shall serve at the pleasure of
249 the secretary ~~of State.~~

250 (3) The division ~~of Cultural Affairs~~ shall directly
251 administer and oversee ~~have direct administrative authority and~~
252 ~~responsibility for~~ all of the programs authorized by this act.
253 In furtherance thereof, the division shall ~~have the authority~~
254 ~~to:~~

255 (a) Accept and administer state and federal funds
256 appropriated by the Legislature or funds received from other
257 public or private sources ~~provided for the fine arts, the~~
258 ~~grants, and any program authorized by this act.~~

259 (b) Advance funds for grants on a quarterly basis.

260 (c) ~~(b)~~ Subject to the approval of the Secretary of State,
261 Enter into agreements for awarding grants or other such

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262 contracts with any person, firm, performing arts company,
263 educational institution, arts organization, corporation, or
264 governmental agency as may be necessary or advisable to carry
265 out its functions under this act.

266 ~~(c) Seek, and help assure, a uniformity of artwork within~~
267 ~~state buildings and review all art content of existing public~~
268 ~~buildings or buildings of state ownership for the purpose of~~
269 ~~making recommendations to the Department of Management Services~~
270 ~~as to matters of installation, relocation, restoration, removal,~~
271 ~~or any other disposition of such works of art.~~

272 (d) Upon ~~On~~ request, or at its own initiative, consult with
273 and advise other individuals, groups, organizations, or state
274 agencies and officials, particularly the Governor and the
275 Cabinet, concerning the acquisition by gift or purchase of fine
276 art works, the appropriate use and display of state-owned art
277 treasures for maximum public benefit, and the suitability of any
278 structures or fixtures, including framing, primarily intended
279 for ornamental or decorative purposes in the interior of public
280 buildings.

281 (e) Accept on behalf of the state donations of money,
282 property, art objects, and antiquities. Such donations of money
283 and any cash income ~~which~~ may be received ~~by the division or~~
284 ~~which were previously received by the Florida Fine Arts Council~~
285 from the disposal of any donations of property, art objects, or
286 antiquities which shall be deposited into the Florida Fine Arts
287 ~~a separate~~ Trust Fund and are hereby appropriated for ~~to the~~ use
288 by ~~of~~ the division for the purposes authorized in ~~of~~ this act.

289 (f) Sponsor performances and exhibits; promote and
290 encourage the study and appreciation of arts and culture; and

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291 collect, publish, and print pamphlets, papers, newsletters, and
292 other materials related to arts and cultural programs available
293 throughout the state.

294 (g) Conduct and support cultural programs and cultural
295 exchanges by coordinating with the appropriate state agencies
296 and other organizations.

297 (h) Accept funding and other forms of support for the
298 purposes in this act.

299 (i) Notwithstanding s. 287.022 or s. 287.025(1)(e), enter
300 into contracts to insure museum collections, artifacts, relics,
301 and fine arts to which it holds title or which are on loan to
302 the division.

303 (j) Adopt rules pursuant to ss. 120.536(1) and 120.54 to
304 implement this subsection.

305 (4) There is created the Florida Fine Arts Trust Fund to be
306 administered by the department which ~~of State for the purposes~~
307 ~~set forth by law. The Florida Fine Arts Trust Fund shall consist~~
308 ~~of moneys appropriated by the Legislature~~ or ~~and moneys~~
309 ~~contributed to the fund from any other source.~~

310 ~~(5) The division is further authorized to:~~

311 ~~(a) Accept and administer moneys appropriated by the~~
312 ~~Legislature, and moneys received from the Federal Government or~~
313 ~~from other public or private sources, for the development of~~
314 ~~nationally recognized Florida performing arts groups through a~~
315 ~~state touring program. The division shall develop and establish~~
316 ~~a selection procedure which will ensure maximum opportunity for~~
317 ~~selection of and participation by Florida performing arts groups~~
318 ~~in the state touring program.~~

319 ~~(b) Sponsor performances and exhibits; promote and~~

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320 ~~encourage the study and appreciation of fine arts; and collect,~~
321 ~~publish, and print pamphlets, papers, newsletters, and other~~
322 ~~materials relating to fine arts programs available throughout~~
323 ~~the state.~~

324 ~~(c) Conduct and support cultural programs and cultural~~
325 ~~exchanges in conjunction with the appropriate state agencies,~~
326 ~~including the acceptance of funding, technical assistance, and~~
327 ~~other forms of support for such purposes.~~

328 ~~(d) Adopt rules pursuant to ss. 120.536(1) and 120.54 to~~
329 ~~implement provisions of law conferring duties on it.~~

330 ~~(6) Notwithstanding any provision of s. 287.022 or s.~~
331 ~~287.025(1)(c), the division may enter into contracts to insure~~
332 ~~museum collections, artifacts, relics, and fine arts to which it~~
333 ~~holds title.~~

334 Section 8. Section 265.285, Florida Statutes, is amended to
335 read:

336 265.285 Florida ~~Arts~~ Council on Arts and Culture;
337 membership, duties.—

338 (1)(a) The Florida ~~Arts~~ Council on Arts and Culture is
339 created within ~~in~~ the department as an advisory body, as defined
340 in s. 20.03(7), consisting ~~to consist~~ of 15 members. Seven
341 members shall be appointed by the Governor, four members shall
342 be appointed by the President of the Senate, and four members
343 shall be appointed by the Speaker of the House of
344 Representatives. The appointments, to be made in consultation
345 with the Secretary of State, shall recognize the need for
346 geographical representation. Council members appointed by the
347 Governor shall be appointed for 4-year terms beginning on
348 January 1 of the year of appointment. Council members appointed

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349 by the President of the Senate and the Speaker of the House of
350 Representatives shall be appointed for 2-year terms beginning on
351 January 1 of the year of appointment. A member of the council
352 who serves two 4-year terms or two 2-year terms is not eligible
353 for reappointment for 1 year following the expiration of the
354 member's second term. A member whose term has expired shall
355 continue to serve on the council until such time as a
356 replacement is appointed. Any vacancy on the council shall be
357 filled for the remainder of the unexpired term in the same
358 manner as for the original appointment. Members should have a
359 substantial history of community service in the performing or
360 visual arts, which includes, but is not limited to, theatre,
361 dance, folk arts, music, architecture, photography, ~~and~~
362 literature, and media arts, or in the areas of science, history,
363 or children. In addition, it is desirable that members have
364 successfully served on boards of cultural institutions such as
365 museums and performing arts centers or are recognized as patrons
366 of the arts.

367 (b) The members shall elect a chair from their number
368 annually. The council shall meet at the call of its chair, at
369 the request of the division ~~department~~, or at such times as may
370 be prescribed by its rules. A majority of the members of the
371 council constitutes a quorum, and a meeting may not be held with
372 less than a quorum present. The affirmative vote of a majority
373 of the members of the council present is necessary for any
374 official action by the council.

375 ~~(c) The Secretary of State may appoint review panels~~
376 ~~representing various artistic disciplines to assist the Florida~~
377 ~~Arts Council in the grant review process. Review panel members~~

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378 shall serve for 1-year terms. Each panel shall include
379 practicing artists or other persons actively involved in the
380 specific discipline for which the panel is to review grants. The
381 panels shall review grant applications and make recommendations
382 to the council concerning the relative merits of the applicants.
383 The division shall, by rule, establish criteria for reviewing
384 grant applications to ensure compliance with applicable federal
385 and state laws relating to discrimination and conflicts of
386 interest.

387 ~~(d)~~ The council and panels shall provide a forum for public
388 comment prior to voting on any art grant application.

389 ~~(c)~~~~(e)~~ Members of the council and panels may shall not
390 receive any compensation for their services but shall be
391 reimbursed for travel and expenses incurred in the performance
392 of their duties, as provided in s. 112.061.

393 ~~(d)~~~~(f)~~ If a member of the council is absent from two
394 consecutive meetings or any two regularly scheduled meetings in
395 any calendar year, the council member's appointment shall be
396 terminated unless the original appointing authority determines
397 that extenuating circumstances exist.

398 ~~(e)~~~~(g)~~ The original appointing authority may remove any of
399 his or her appointees from the council for misconduct or
400 malfeasance in office, neglect of duty, incompetence, or
401 permanent inability to perform official duties or if there has
402 been an adjudication that the member is guilty of a felony.

403 (2) The ~~duties of the~~ council shall be to:

404 (a) Advocate for arts and culture by encouraging the study
405 and presentation of arts and cultural activities that are of
406 public interest and encourage participation in such activities

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407 throughout the state.

408 ~~(b)-(a)~~ Advise the secretary ~~of State~~ in all matters
409 pertaining to arts and cultural art, ~~specifically with respect~~
410 ~~to any programs and grants administered~~ operated by the division
411 ~~department as authorized hereunder.~~

412 ~~(b)~~ ~~Stimulate and encourage throughout the state the study~~
413 ~~and presentation of the arts and public interest and~~
414 ~~participation therein.~~

415 ~~(c)~~ ~~Make such surveys as may be advisable of public and~~
416 ~~private institutions which are engaged within the state in~~
417 ~~artistic and cultural activities.~~

418 ~~(c)-(d)~~ Encourage the participation in and appreciation of
419 the arts and culture to meet the needs and aspirations of
420 persons in all parts of the state.

421 ~~(d)-(e)~~ Encourage public interest in the state's cultural
422 heritage ~~of this state~~ and expand its ~~the~~ cultural resources ~~of~~
423 ~~the state.~~

424 ~~(e)-(f)~~ Encourage and assist freedom of artistic expression
425 that is essential for the well-being of the arts.

426 ~~(f)-(g)~~ Advise the secretary ~~of State~~ in all matters
427 concerning the awarding of grants for ~~the~~ arts and culture as
428 authorized in ~~under~~ this act.

429 ~~(h)~~ ~~Promote the enhancement and beautification of the~~
430 ~~interiors of the Capitol Building and other public buildings and~~
431 ~~advise appropriate state officers, state agencies, and the~~
432 ~~Department of Management Services in this regard.~~

433 ~~(g)-(i)~~ Review applications for grants for the acquisition,
434 renovation, or construction of cultural facilities and recommend
435 a priority for the receipt of such grants, as provided in s.

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436 265.701.

437 Section 9. Section 265.286, Florida Statutes, is amended to
438 read:

439 (Substantial rewording of section. See
440 s. 265.286, F.S., for present text.)

441 265.286 Art and cultural grants.-

442 (1) The secretary may appoint review panels consisting of
443 members from various art and cultural disciplines and programs
444 to assist the council in the grant review process. Each panel
445 member shall be appointed to a 1-year term. Each panel shall
446 consist of practicing artists or other professionals actively
447 involved in the specific discipline or program for which the
448 panel has been appointed. Each panel shall review and score
449 grant applications and recommend to the council the applicants
450 to which grants should be awarded. The panels shall submit lists
451 of eligible applicants by score. The division shall adopt rules
452 establishing a formula for such scoring.

453 (2) The council and each panel shall provide a forum for
454 public comment before voting on any grant application.

455 (3) After the council reviews the lists of eligible
456 applicants submitted by each review panel, it shall develop two
457 lists, one of which must consist of eligible applicants for
458 general program support funding and one of which must consist of
459 eligible applicants for specific cultural project funding, and
460 submit the lists to the secretary. The secretary shall review
461 the council's recommendations and, beginning July 1, 2010,
462 include the lists of approved applicants in the department's
463 legislative budget request submitted to the Legislature.

464 (4) Project grants shall be funded from the secretary's

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465 approved list by score until all appropriated funds are
466 depleted. If specific project grant funds are returned to the
467 division, it shall award such funds to the next grant applicant
468 on the secretary's list of approved applicants. General program
469 support grants shall be awarded to applicants on the secretary's
470 list in amounts determined by rule.

471 (5) The division shall fund:

472 (a) Grants for general program support for science museums,
473 youth and children's museums, historical museums, local arts
474 agencies, state service organizations, and organizations that
475 have cultural program activities in any of the art and cultural
476 disciplines defined in s. 265.283(7).

477 (b) Grants for specific cultural projects for arts in
478 education, museums, Culture Builds Florida, or nonprofit public
479 or private organizations having cultural project activity in any
480 of the art and cultural disciplines.

481 (c) Grants for a touring program that has a selection
482 procedure that ensures the maximum opportunity for Florida
483 artists and cultural groups.

484 (d) An individual artist fellowship program. The division
485 shall establish a selection procedure that identifies individual
486 artists of exceptional talent and demonstrated ability and
487 distribute grant appropriations as provided by rule.

488 (e) Other programs consistent with the purpose of this act.

489 (6) The division shall adopt rules establishing:

490 (a) Eligibility criteria for the award of grants, which may
491 include, but need not be limited to, application requirements,
492 program quality, artistic quality, creativity, potential public
493 exposure and benefit, the ability to properly administer grant

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494 funds, professional excellence, fiscal stability, state or
495 regional impact, matching requirements, and other requirements
496 to further the purposes of this act.

497 (b) Particular grant programs, categories of grants, and
498 procedures necessary for the prudent administration of the grant
499 programs.

500 (c) The panel review process, including, but not limited
501 to, criteria for reviewing grant applications to ensure
502 compliance with applicable federal and state law, including
503 those related to discrimination and conflicts of interest. The
504 division may not award any new grant that will, in whole or in
505 part, inure to the personal benefit of any council or review
506 panel member during the member's term of office if the council
507 or panel member participated in the vote of the council or panel
508 recommending the award. This paragraph does not prohibit the
509 division from awarding a grant to an entity with which a council
510 or panel member is associated.

511 (7) The division shall award grants:

512 (a) To supplement the financial support of artistic and
513 cultural activities and programs that, without the assistance,
514 may otherwise be unavailable to Florida residents.

515 (b) To activities and programs that have substantial
516 artistic and cultural significance and emphasize creativity and
517 professional excellence.

518 (c) To activities and programs that meet the professional
519 standards or standards of authenticity of significant merit,
520 regardless of origin.

521 (d) For other reasons consistent with this act.

522 (8) Eligible grantees must:

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523 (a) Be a nonprofit, tax-exempt Florida corporation; or

524 (b) A local or state governmental entity, school district,
525 community college, college, university, agency of state
526 government, or artist engaged in or concerned with arts and
527 cultural activities.

528 (9) In order to equitably distribute limited state funding,
529 applicants may apply for and be awarded only one grant per
530 annual grant cycle, except for cultural facilities, a cultural
531 endowment, or touring program grants and individual artist
532 fellowships.

533 (10) Of the total amount of grant funds available from all
534 sources for grants, except cultural facilities and cultural
535 endowments, 70 percent shall be awarded on at least a dollar-to-
536 dollar matching basis. Up to 50 percent of the grantee's match
537 may consist of in-kind funds. Up to 30 percent of all grant
538 funds may be awarded on a nonmatching basis, including
539 individual fellowships.

540 (11) The division shall adopt rules to administer and
541 implement this section.

542 Section 10. Subsection (1) of section 607.1420, Florida
543 Statutes, is amended to read:

544 607.1420 Grounds for administrative dissolution.—

545 (1) The Department of State may commence a proceeding under
546 s. 607.1421 to administratively dissolve a corporation if:

547 (a) The corporation has failed to file its annual report
548 and ~~or~~ pay the annual report filing fee by 5 p.m. Eastern
549 Standard Time on the third Friday in September ~~within the time~~
550 required by this act;

551 (b) The corporation is without a registered agent or

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552 registered office in this state for 30 days or more;

553 (c) The corporation does not notify the Department of State
554 within 30 days that its registered agent or registered office
555 has been changed, that its registered agent has resigned, or
556 that its registered office has been discontinued;

557 (d) The corporation has failed to answer truthfully and
558 fully, within the time prescribed by this act, interrogatories
559 propounded by the Department of State; or

560 (e) The corporation's period of duration stated in its
561 articles of incorporation has expired.

562 Section 11. Subsections (1) and (2) of section 607.1421,
563 Florida Statutes, are amended to read:

564 607.1421 Procedure for and effect of administrative
565 dissolution.—

566 (1) If the Department of State determines that one or more
567 grounds exist under s. 607.1420 for dissolving a corporation, it
568 shall serve the corporation with ~~written~~ notice of its intention
569 to administratively dissolve the corporation ~~determination under~~
570 ~~s. 607.0504(2), stating the grounds therefor.~~ If the corporation
571 has provided the department with an electronic mail address,
572 such notice shall be by electronic transmission. Administrative
573 dissolution for failure to file an annual report shall occur on
574 the fourth Friday in September of each year. The Department of
575 State shall issue a certificate of dissolution to each dissolved
576 corporation. Issuance of the certificate of dissolution may be
577 by electronic transmission to any corporation that has provided
578 the department with an electronic mail address.

579 (2) If the corporation does not correct each ground for
580 dissolution under s. 607.1420(1)(b), (c), (d), or (e) or

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581 demonstrate to the reasonable satisfaction of the Department of
582 State that each ground determined by the department does not
583 exist within 60 days of issuance of the notice, the department
584 shall administratively dissolve the corporation by issuing a
585 certificate of dissolution that recites the ground or grounds
586 for dissolution and its effective date. Issuance of the
587 certificate of dissolution may be by electronic transmission to
588 any corporation that has provided the department with an
589 electronic mail address.

590 Section 12. Subsection (1) of section 607.1530, Florida
591 Statutes, is amended to read:

592 607.1530 Grounds for revocation of authority to transact
593 business.—The Department of State may commence a proceeding
594 under s. 607.1531 to revoke the certificate of authority of a
595 foreign corporation authorized to transact business in this
596 state if:

597 (1) The foreign corporation has failed to file its annual
598 report with the Department of State by 5 p.m. Eastern Standard
599 Time on the third Friday in September ~~within the time required~~
600 ~~by this act.~~

601 Section 13. Subsections (1) and (2) of section 607.1531,
602 Florida Statutes, are amended to read:

603 607.1531 Procedure for and effect of revocation.—

604 (1) If the Department of State determines that one or more
605 grounds exist under s. 607.1530 for revocation of a certificate
606 of authority, the Department of State shall serve the foreign
607 corporation with ~~written~~ notice of its intent to revoke the
608 foreign corporation's certificate of authority ~~such~~
609 ~~determination under s. 607.15101.~~ If the foreign corporation has

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610 provided the department with an electronic mail address, such
611 notice shall be by electronic transmission. Revocation for
612 failure to file an annual report shall occur on the fourth
613 Friday in September of each year. The department shall issue a
614 certificate of revocation to each revoked corporation. Issuance
615 of the certificate of revocation may be by electronic
616 transmission to any corporation that has provided the department
617 with an electronic mail address.

618 (2) If the foreign corporation does not correct each ground
619 for revocation under s. 607.1530(2)-(7) or demonstrate to the
620 reasonable satisfaction of the Department of State that each
621 ground determined by the Department of State does not exist
622 within 60 days after issuance of notice ~~is perfected under s.~~
623 ~~607.15101~~, the Department of State shall revoke the foreign
624 corporation's certificate of authority by issuing ~~signing~~ a
625 certificate of revocation that recites the ground or grounds for
626 revocation and its effective date. Issuance of the certificate
627 of revocation may be by electronic transmission to any foreign
628 corporation that has provided the department with an electronic
629 mail address.

630 Section 14. Paragraph (a) of subsection (1) of section
631 608.448, Florida Statutes, is amended to read:

632 608.448 Grounds for administrative dissolution.—

633 (1) The Department of State may commence a proceeding under
634 s. 608.4481 to administratively dissolve a limited liability
635 company if:

636 (a) The limited liability company has failed to file its
637 annual report and ~~or~~ pay the annual report filing fee by 5 p.m.
638 Eastern Standard Time on the third Friday in September ~~within~~

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639 ~~the time required by this chapter.~~

640 Section 15. Subsections (1) and (2) of section 608.4481,
641 Florida Statutes, are amended to read:

642 608.4481 Procedure for and effect of administrative
643 dissolution.—

644 (1) If the Department of State determines that one or more
645 grounds exist under s. 608.448 for dissolving a limited
646 liability company, it shall serve the limited liability company
647 with ~~written~~ notice of its intent to administratively dissolve
648 the limited liability company determination, stating the grounds
649 therefor. If the limited liability company has provided the
650 department with an electronic mail address, such notice shall be
651 by electronic transmission. Administrative dissolution for
652 failure to file an annual report shall occur on the fourth
653 Friday in September of each year. The Department of State shall
654 issue a certificate of dissolution to each dissolved limited
655 liability company. Issuance of the certificate of dissolution
656 may be by electronic transmission to any limited liability
657 company that has provided the department with an electronic mail
658 address.

659 (2) If the limited liability company does not correct each
660 ground for dissolution under s. 608.448(1)(b), (c), (d), or (e)
661 or demonstrate to the reasonable satisfaction of the Department
662 of State that each ground determined by the Department of State
663 does not exist within 60 days after issuance of the notice, the
664 Department of State shall administratively dissolve the limited
665 liability company by issuing a certificate of dissolution that
666 recites the ground or grounds for dissolution and its effective
667 date. Issuance of the certificate of dissolution may be by

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668 electronic transmission to any limited liability company that
669 has provided the department with an electronic mail address.

670 Section 16. Subsection (1) of section 608.512, Florida
671 Statutes, is amended to read:

672 608.512 Grounds for revocation of authority to transact
673 business.—The Department of State may commence a proceeding
674 under s. 608.513 to revoke the certificate of authority of a
675 foreign limited liability company authorized to transact
676 business in this state if:

677 (1) The foreign limited liability company has failed to
678 file its annual report with the Department of State by 5 p.m.
679 Eastern Standard Time on the third Friday in September ~~within~~
680 ~~the time required by this chapter.~~

681 Section 17. Subsections (1) and (2) of section 608.513,
682 Florida Statutes, are amended to read:

683 608.513 Procedure for and effect of revocation.—

684 (1) If the Department of State determines that one or more
685 grounds exist under s. 608.512 for revocation of a certificate
686 of authority, the Department of State shall serve the foreign
687 limited liability company with ~~written~~ notice of its intent to
688 revoke the foreign limited liability company's certificate of
689 authority such determination under s. 608.5101. If the foreign
690 limited liability company has provided the department with an
691 electronic mail address, such notice shall be by electronic
692 transmission. Revocation for failure to file an annual report
693 shall occur on the fourth Friday in September of each year. The
694 Department of State shall issue a certificate of revocation to
695 each revoked foreign limited liability company. Issuance of the
696 certificate of revocation may be by electronic transmission to

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697 any foreign limited liability company that has provided the
698 department with an electronic mail address.

699 (2) If the foreign limited liability company does not
700 correct each ground for revocation under s. 608.512(2)-(9) or
701 demonstrate to the reasonable satisfaction of the Department of
702 State that each ground determined by the Department of State
703 does not exist within 60 days after issuance of notice ~~is~~
704 ~~perfected under s. 608.5101~~, the Department of State shall
705 revoke the foreign limited liability company's certificate of
706 authority by issuing ~~signing~~ a certificate of revocation that
707 recites the ground or grounds for revocation and its effective
708 date. Issuance of the certificate of revocation may be by
709 electronic transmission to any foreign limited liability company
710 that has provided the department with an electronic mail
711 address.

712 Section 18. Subsection (1) of section 617.1420, Florida
713 Statutes, is amended to read:

714 617.1420 Grounds for administrative dissolution.—

715 (1) The Department of State may commence a proceeding under
716 s. 617.1421 to administratively dissolve a corporation if:

717 (a) The corporation has failed to file its annual report
718 and ~~or~~ pay the annual report filing fee by 5 p.m. Eastern
719 Standard Time on the third Friday in September ~~within the time~~
720 ~~required by this act;~~

721 (b) The corporation is without a registered agent or
722 registered office in this state for 30 days or more;

723 (c) The corporation does not notify the Department of State
724 within 30 days after its registered agent or registered office
725 has been changed, after its registered agent has resigned, or

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726 after its registered office has been discontinued;

727 (d) The corporation has failed to answer truthfully and
728 fully, within the time prescribed by this act, interrogatories
729 propounded by the Department of State; or

730 (e) The corporation's period of duration stated in its
731 articles of incorporation has expired.

732 Section 19. Subsections (1) and (2) of section 617.1421,
733 Florida Statutes, are amended to read:

734 617.1421 Procedure for and effect of administrative
735 dissolution.—

736 (1) If the Department of State determines that one or more
737 grounds exist under s. 617.1420 for administratively dissolving
738 a corporation, it shall serve the corporation with ~~written~~
739 notice of its intent determination under s. 617.0504(2) to
740 administratively dissolve the corporation, stating the grounds
741 therefor. If the corporation has provided the department with an
742 electronic mail address, such notice shall be by electronic
743 transmission. Administrative dissolution for failure to file an
744 annual report shall occur on the fourth Friday in September of
745 each year. The Department of State shall issue a certificate of
746 dissolution to each dissolved corporation. Issuance of the
747 certificate of dissolution may be by electronic transmission to
748 any corporation that has provided the department with an
749 electronic mail address.

750 (2) If the corporation does not correct each ground for
751 dissolution under s. 617.1420(1)(b), (c), (d), or (e) or
752 demonstrate to the reasonable satisfaction of the Department of
753 State that each ground determined by the department does not
754 exist within 60 days after issuance of the notice, the

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755 department shall administratively dissolve the corporation by
756 issuing a certificate of dissolution that recites the ground or
757 grounds for dissolution and its effective date. Issuance of the
758 certificate of dissolution may be by electronic transmission to
759 any corporation that has provided the department with an
760 electronic mail address.

761 Section 20. Subsection (1) of section 617.1530, Florida
762 Statutes, is amended to read:

763 617.1530 Grounds for revocation of authority to conduct
764 affairs.—The Department of State may commence a proceeding under
765 s. 617.1531 to revoke the certificate of authority of a foreign
766 corporation authorized to conduct its affairs in this state if:

767 (1) The foreign corporation has failed to file its annual
768 report with the Department of State by 5 p.m. Eastern Standard
769 Time on the third Friday in September ~~within the time required~~
770 ~~by this act.~~

771 Section 21. Subsections (1) and (2) of section 617.1531,
772 Florida Statutes, are amended to read:

773 617.1531 Procedure for and effect of revocation.—

774 (1) If the Department of State determines that one or more
775 grounds exist under s. 617.1530 for revocation of a certificate
776 of authority, the Department of State shall serve the foreign
777 corporation with ~~written~~ notice of its intent to revoke the
778 foreign corporation's certificate of authority ~~such~~
779 ~~determination under s. 617.1510.~~ If the foreign corporation has
780 provided the department with an electronic mail address, such
781 notice shall be by electronic transmission. Revocation for
782 failure to file an annual report shall occur on the fourth
783 Friday in September of each year. The Department of State shall

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784 issue a certificate of revocation to each revoked corporation.
785 Issuance of the certificate of revocation may be by electronic
786 transmission to any foreign corporation that has provided the
787 department with an electronic mail address.

788 (2) If the foreign corporation does not correct each ground
789 for revocation under s. 617.1530(2)-(7) or demonstrate to the
790 reasonable satisfaction of the Department of State that each
791 ground determined by the Department of State does not exist
792 within 60 days after issuance of notice ~~is perfected under s.~~
793 ~~617.1510~~, the Department of State shall revoke the foreign
794 corporation's certificate of authority by signing a certificate
795 of revocation that recites the ground or grounds for revocation
796 and its effective date. Issuance of the certificate of
797 revocation may be by electronic transmission to any foreign
798 corporation that has provided the department with an electronic
799 mail address.

800 Section 22. Subsections (1), (2), and (3) of section
801 620.1809, Florida Statutes, are amended to read:

802 620.1809 Administrative dissolution.—

803 (1) The Department of State may dissolve a limited
804 partnership administratively if the limited partnership does
805 not, ~~within 60 days after the due date:~~

806 (a) Pay any fee or penalty due to the Department of State
807 under this act ~~or other law;~~

808 (b) Deliver its annual report to the Department of State by
809 5 p.m. Eastern Standard Time on the third Friday in September;

810 (c) Appoint and maintain a registered agent as required by
811 s. 620.1114; or

812 (d) Deliver for filing a statement of a change under s.

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813 620.1115 within 30 days after a change has occurred in the name
814 of the registered agent or the registered office address.

815 (2) If the Department of State determines that a ground
816 exists for administratively dissolving a limited partnership,
817 the Department of State shall serve notice on the limited
818 partnership of its intent to administratively dissolve the
819 limited partnership file a record of the determination and send
820 a copy to the limited partnership. If the limited partnership
821 has provided the department with an electronic mail address,
822 such notice shall be by electronic transmission. Administrative
823 dissolution for failure to file an annual report shall occur on
824 the fourth Friday in September of each year. The Department of
825 State shall issue a certificate of dissolution to each dissolved
826 limited partnership. Issuance of the certificate of dissolution
827 may be by electronic transmission to any limited partnership
828 that has provided the department with an electronic mail
829 address.

830 (3) If within 60 days after sending notice of dissolution,
831 ~~the copy~~ the limited partnership does not correct each ground
832 for dissolution under s. 620.1809(1)(a), (c), or (d) or
833 demonstrate to the reasonable satisfaction of the Department of
834 State that each ground determined by the Department of State
835 does not exist, the Department of State shall administratively
836 dissolve the limited partnership and issue a certificate ~~by~~
837 ~~preparing, signing, and filing a declaration~~ of dissolution that
838 states the grounds for dissolution. Issuance of the certificate
839 of dissolution may be by electronic transmission to any limited
840 partnership that has provided the department with an electronic
841 mail address. The Department of State shall send the limited

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842 ~~partnership a copy of the filed declaration.~~

843 Section 23. Section 620.1906, Florida Statutes, is amended
844 to read:

845 620.1906 Revocation of certificate of authority.—

846 (1) A certificate of authority of a foreign limited
847 partnership to transact business in this state may be revoked by
848 the Department of State in the manner provided in subsections
849 (2) and (3) if the foreign limited partnership does not:

850 (a) Pay, within 60 days after the due date, any fee or
851 penalty due to the Department of State under this act ~~or other~~
852 law;

853 (b) ~~Deliver, within 60 days after the due date,~~ its annual
854 report to the Department of State by 5 p.m. Eastern Standard
855 Time on the third Friday in September ~~required under s.~~
856 ~~620.1210;~~

857 (c) Appoint and maintain an agent for service of process as
858 required by s. 620.1114(2); or

859 (d) Deliver for filing a statement of a change under s.
860 620.1115 within 30 days after a change has occurred in the name
861 or address of the agent.

862 ~~(2) In order to revoke a certificate of authority, the~~
863 ~~Department of State must prepare, sign, and file a notice of~~
864 ~~revocation and send a copy to the foreign limited partnership.~~
865 ~~The notice must state:~~

866 ~~(a) The effective date of the revocation, which must be at~~
867 ~~least 60 days after the date the Department of State sends the~~
868 ~~copy.~~

869 ~~(b) The foreign limited partnership's failures to comply~~
870 ~~with subsection (1) which are the reason for the revocation.~~

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871 (2) If the Department of State determines that one or more
872 grounds exist under s. 620.1906 for revocation of a foreign
873 limited partnership, it shall notify the foreign limited
874 partnership of its intent to revoke the foreign limited
875 partnership's certificate of authority. If the foreign limited
876 partnership has provided the department with an electronic mail
877 address, such notice shall be by electronic transmission.
878 Revocation for failure to file an annual report shall occur on
879 the fourth Friday in September of each year. The Department of
880 State shall issue a certificate of revocation to each revoked
881 foreign limited partnership. Issuance of the certificate of
882 revocation may be by electronic transmission to any foreign
883 limited partnership that has provided the department with an
884 electronic mail address.

885 (3) If within 60 days after sending a notice of revocation,
886 the foreign limited partnership does not correct each ground for
887 revocation under s. 620.1906(1)(a), (c), or (d), or demonstrate
888 to the reasonable satisfaction of the Department of State that
889 each ground determined by the department does not exist, the
890 department shall revoke the foreign limited partnership's
891 authority to transact business in this state and issue a
892 certificate of revocation that states the grounds for
893 revocation. Issuance of the certificate of revocation may be by
894 electronic transmission to any foreign limited partnership that
895 has provided the department with an electronic mail address.

896 (4)~~(3)~~ The authority of the foreign limited partnership to
897 transact business in this state ceases on the effective date of
898 the certificate ~~notice~~ of revocation unless before that date the
899 foreign limited partnership cures each failure to comply with

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900 subsection (1) ~~stated in the notice. If the foreign limited~~
901 ~~partnership cures the failures, the Department of State shall so~~
902 ~~indicate on the filed notice.~~

903 Section 24. Subsection (3) of section 620.9003, Florida
904 Statutes, is amended to read:

905 620.9003 Annual report.—

906 (3) The Department of State may administratively revoke the
907 statement of qualification of a partnership that fails to file
908 its annual report and pay the required filing fee by 5 p.m.
909 Eastern Standard Time on the third Friday in September. The
910 Department of State shall serve 60-day notice on the limited
911 liability partnership of its intent to revoke the statement of
912 qualification. If the partnership has provided the department
913 with an electronic mail address, such notice shall be by
914 electronic transmission. Revocation for failure to file an
915 annual report shall occur on the fourth Friday in September of
916 each year. The Department of State shall issue a certificate of
917 revocation of the statement of qualification to each revoked
918 partnership. Issuance of the certificate of revocation of the
919 statement of qualification may be by electronic transmission to
920 any partnership that has provided the department with an
921 electronic mail address. ~~The Secretary of State may~~
922 ~~administratively revoke the statement of qualification of a~~
923 ~~partnership that fails to file an annual report when due or to~~
924 ~~pay the required filing fee. The Secretary of State shall~~
925 ~~provide the partnership at least 60 days' written notice of~~
926 ~~intent to revoke the statement. The notice is effective 5 days~~
927 ~~after it is deposited in the United States mail addressed to the~~
928 ~~partnership at its chief executive office set forth in the last~~

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929 ~~filed statement of qualification or annual report. The notice~~
930 ~~must specify the annual report that has not been filed, the fee~~
931 ~~that has not been paid, and the date on or after which the~~
932 ~~revocation will become effective. The revocation is not~~
933 ~~effective if the annual report is filed and the fee is paid~~
934 ~~before the effective date of the revocation.~~

935 Section 25. Section 679.527, Florida Statutes, is amended
936 to read:

937 679.527 Florida Secured Transaction Registry.—

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

939 (a) The "Florida Secured Transaction Registry" or
940 "registry" means the centralized database in which all initial
941 financing statements, amendments, assignments, and other
942 statements of change authorized to be filed under this chapter
943 are filed, maintained, and retrieved. The term does not apply to
944 documents that are filed under this chapter with the clerk of a
945 circuit court.

946 (b) "Department" means the Department of State.

947 (c) "Materials and records" includes, but is not limited to
948 databases, source or object codes, and any software relating to
949 the Florida Secured Transaction Registry or other filing system
950 for centralized filing under this chapter, regardless of the
951 original source of its creation or maintenance.

952 ~~(2) Under chapter 287, the department has the authority to~~
953 ~~determine and select the most qualified respondents to the~~
954 ~~request for qualifications and to negotiate and enter into one~~
955 ~~or more contracts as provided in this section. The contract may~~
956 ~~not be assignable or otherwise transferable without the express~~
957 ~~written consent of the department, notwithstanding any~~

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958 ~~limitations imposed by s. 679.4061 or s. 679.4081.~~

959 ~~(3) The department shall perform the duties, as filing~~
960 ~~officer and filing office under this chapter, for the Florida~~
961 ~~Secured Transaction Registry until October 1, 2001, or until the~~
962 ~~effective date of a contract executed by the department to~~
963 ~~administer and operate the registry for the performance of these~~
964 ~~duties, whichever occurs later. At that time, the department~~
965 ~~shall cease serving as the designated filing officer and filing~~
966 ~~office for the registry under this chapter, and thereafter,~~
967 ~~except to the extent the department may reclaim those duties as~~
968 ~~provided below, the department shall not be responsible for the~~
969 ~~performance of the duties of the filing office or officer under~~
970 ~~this chapter, including determining whether documents tendered~~
971 ~~for filing under this chapter satisfy the requirements of law.~~
972 ~~The department shall retain authority under this chapter to~~
973 ~~approve the forms required to be filed under this chapter. If~~
974 ~~authorized by the contract with the department, the entity~~
975 ~~performing the duties of the filing office may certify a copy of~~
976 ~~a financing statement, or an amendment thereto, which shall be~~
977 ~~admissible in a state or federal court or in a proceeding before~~
978 ~~any other tribunal.~~

979 ~~(2)-(4) Notwithstanding~~ The terms and conditions of any
980 contract to perform the administrative and operational functions
981 of the filing office or filing officer under this part for the
982 Florida Secured Transaction Registry shall terminate on June 30,
983 2009. Beginning July 1, 2009, the department shall perform the
984 administrative and operational functions of the filing office or
985 filing officer under this part for the Florida Secured
986 Transaction Registry. The department and the state shall retain

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987 sole and exclusive ownership of the materials and records of the
988 registry ~~, shall have the right to inspect and make copies of~~
989 ~~the materials and records of the registry,~~ and shall have the
990 right to immediately reclaim and take possession of and control
991 ~~of the original materials and records of the registry if any~~
992 ~~entity under contract with the department to administer and~~
993 ~~operate the registry does not, or cannot, perform the terms and~~
994 ~~conditions of the contract for any reason or commences or is~~
995 ~~adjudicated a debtor in an insolvency proceeding. If the~~
996 ~~department reclaims control of the materials and records of the~~
997 ~~registry, the department shall provide for the uninterrupted~~
998 ~~fulfillment of the duties of the filing office and filing~~
999 ~~officer under this chapter by administration and operation by~~
1000 ~~the department until a subsequent contract for such duties can~~
1001 ~~be executed. The department shall be entitled to injunctive~~
1002 ~~relief if the entity fails to turn over the materials and~~
1003 ~~records upon demand, and the Circuit Court for Leon County,~~
1004 ~~Florida, shall have exclusive original jurisdiction to~~
1005 ~~adjudicate any disputes pertaining to this section or any~~
1006 ~~contract entered into under this section.~~

1007 ~~(5) The Department of State shall immediately develop and~~
1008 ~~issue a Request for Qualifications seeking capable entities to~~
1009 ~~perform both the duties currently being performed by the~~
1010 ~~department as a filing officer and filing office under this~~
1011 ~~chapter.~~

1012 ~~(a) The qualifications shall, at a minimum, provide for the~~
1013 ~~organization and maintenance of the Florida Secured Transaction~~
1014 ~~Registry as the centralized Uniform Commercial Code filing and~~
1015 ~~retrieval system, which:~~

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1016 ~~1. Is comparable and compatible with the department's~~
1017 ~~existing filing system.~~

1018 ~~2. Is open to the public and accessible through the~~
1019 ~~Internet, to permit the review of all existing filings of the~~
1020 ~~department and all future filings in the registry, in compliance~~
1021 ~~with chapter 119.~~

1022 ~~3. Provides for oversight and compliance audits by the~~
1023 ~~department.~~

1024 ~~4. Requires records maintenance in compliance with this~~
1025 ~~chapter and chapter 119.~~

1026 ~~5. Maintains the current level of filing fees and~~
1027 ~~procedures for the deposit of revenues with the department as~~
1028 ~~specified in chapter 15, net of operating costs, for a period of~~
1029 ~~5 years.~~

1030 ~~(b) The Department of State shall develop performance~~
1031 ~~standards to ensure that the Florida Secured Transaction~~
1032 ~~Registry is accurate and complete and that the users thereof are~~
1033 ~~being well-served. Periodically, the department shall verify~~
1034 ~~that these performance standards are being met or modified as~~
1035 ~~may be needed from time to time.~~

1036 Section 26. Paragraph (b) of subsection (6) of section
1037 865.09, Florida Statutes, is amended to read:

1038 865.09 Fictitious name registration.—

1039 (6) RENEWAL.—

1040 (b) In the last year of the registration, the division
1041 shall notify the owner or registrant of the expiration of the
1042 fictitious name mail to the last reported mailing address or to
1043 the address of any registered owner of a name a statement of
1044 renewal. If the owner or registrant of the fictitious name has

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1045 provided the department with an electronic mail address, such
1046 notice shall be by electronic transmission.

1047 Section 27. This act shall take effect upon becoming a law.