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30 management and operation of welcome centers; amending  
31 s. 288.901, F.S.; limiting the requirement that  
32 members of the board of directors of Enterprise  
33 Florida, Inc., be confirmed by the Senate to those  
34 members who are appointed by the Governor; amending s.  
35 288.980, F.S.; changing a reference to the Office of  
36 Tourism, Trade, and Economic Development to the  
37 Department of Economic Opportunity; correcting the  
38 number of grant programs relating to the Florida  
39 Economic Reinvestment Initiative; amending s.  
40 331.3081, F.S.; adding the Governor or the Governor's  
41 designee as a member and chair of the board of  
42 directors of Space Florida; deleting provisions  
43 establishing the Space Florida advisory council;  
44 amending s. 20.60, F.S.; establishing the Division of  
45 Information Technology within the Department of  
46 Economic Opportunity; repealing s. 163.03, F.S.,  
47 relating to the powers and duties of the Secretary of  
48 Community Affairs and functions of Department of  
49 Community Affairs with respect to federal grant-in-aid  
50 programs; amending s. 373.461, F.S.; removing obsolete  
51 provisions related to the purchase of land for the  
52 restoration of the Lake Apopka Basin; repealing s.  
53 379.2353, F.S., relating to the designation of  
54 enterprise zones in communities suffering adverse  
55 impacts from the adoption of the constitutional  
56 amendment limiting the use of nets to harvest marine  
57 species; providing an effective date.

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

60  
61 Section 1. Subsection (1) of section 68.096, Florida  
62 Statutes, is amended to read:

63 68.096 Definitions.—For purposes of this act:

64 (1) "Department" means the Department of Legal Community  
65 Affairs.

66 Section 2. Section 68.105, Florida Statutes, is amended to  
67 read:

68 68.105 Use of funds; reports.—All appropriations made for  
69 the purposes of the Florida Access to Civil Legal Assistance  
70 ~~this~~ Act shall ~~only~~ be used only for legal education or  
71 assistance in family law, juvenile law, entitlement to federal  
72 benefits, protection from domestic violence, elder abuse, child  
73 abuse, or immigration law. These funds may ~~shall~~ not be used in  
74 criminal or postconviction relief matters; ; for lobbying  
75 activities; ; to sue the state, its agencies or political  
76 subdivisions, or colleges or universities; ; for class action  
77 lawsuits, to provide legal assistance with respect to  
78 noncriminal infractions pursuant to chapter 316, chapter 318,  
79 chapter 320, or chapter 322; ; to contest regulatory decisions of  
80 any municipal, county, or state administrative or legislative  
81 body; ; or to file or assist in the filing of private causes of  
82 action under federal or state statutes relating to or arising  
83 out of employment or terms or conditions of employment. The  
84 contracting organization shall require pilot projects to provide  
85 data on the number of clients served, the types of cases, the  
86 reasons the cases were closed, and the state dollars saved and  
87 federal dollars brought into the state because of the legal

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88 services provided. The contracting organization shall provide to  
89 the department ~~of Community Affairs~~, within 60 days after  
90 completing ~~of the completion of~~ the contract, a report on the  
91 legal services provided, the state dollars saved, and the  
92 federal dollars brought into the state.

93 Section 3. Subsection (1) of section 159.81, Florida  
94 Statutes, is amended to read:

95 159.81 Unused allocations; carryforwards.—

96 (1) The division shall, when requested, provide  
97 carryforwards pursuant to s. 146(f) of the Code for written  
98 confirmations for priority projects which qualify for a  
99 carryforward pursuant to s. 146(f) of the Code, if such request  
100 is accompanied by an opinion of bond counsel to that effect. In  
101 addition, in the case of Florida First Business projects, the  
102 division shall, when requested, grant requests for carryforward  
103 only after receipt of a certification from the Department of  
104 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~  
105 ~~Development~~ that the project has been approved by the such  
106 department ~~office~~ to receive carryforward.

107 Section 4. Paragraph (b) of subsection (6) of section  
108 163.2517, Florida Statutes, is amended to read:

109 163.2517 Designation of urban infill and redevelopment  
110 area.—

111 (6)

112 (b) If the local government fails to implement the urban  
113 infill and redevelopment plan in accordance with the deadlines  
114 set forth in the plan, the state land planning agency ~~Department~~  
115 ~~of Community Affairs~~ may seek to rescind the economic and  
116 regulatory incentives granted to the urban infill and

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117 redevelopment area, subject to the provisions of chapter 120.  
118 The action to rescind may be initiated 90 days after issuing a  
119 written letter of warning to the local government.

120 Section 5. Paragraph (h) of subsection (2) and subsections  
121 (3) and (6) of section 163.3178, Florida Statutes, are amended,  
122 and present subsections (7) through (9) of that section are  
123 renumbered as subsections (6) through (8), respectively, to  
124 read:

125 163.3178 Coastal management.—

126 (2) Each coastal management element required by s.  
127 163.3177(6)(g) shall be based on studies, surveys, and data; be  
128 consistent with coastal resource plans prepared and adopted  
129 pursuant to general or special law; and contain:

130 (h) Designation of coastal high-hazard areas and the  
131 criteria for mitigation for a comprehensive plan amendment in a  
132 coastal high-hazard area as defined in subsection (8) ~~(9)~~. The  
133 coastal high-hazard area is the area below the elevation of the  
134 category 1 storm surge line as established by a Sea, Lake, and  
135 Overland Surges from Hurricanes (SLOSH) computerized storm surge  
136 model. Application of mitigation and the application of  
137 development and redevelopment policies, pursuant to s.  
138 380.27(2), and any rules adopted thereunder, shall be at the  
139 discretion of local government.

140 (3) Expansions to port harbors, spoil disposal sites,  
141 navigation channels, turning basins, harbor berths, and other  
142 related inwater harbor facilities of ports listed in s.  
143 403.021(9); port transportation facilities and projects listed  
144 in s. 311.07(3)(b); intermodal transportation facilities  
145 identified pursuant to s. 311.09(3); and facilities determined

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146 by the state land planning agency ~~Department of Community~~  
147 ~~Affairs~~ and applicable general-purpose local government to be  
148 port-related industrial or commercial projects located within 3  
149 miles of or in a port master plan area which rely upon the use  
150 of port and intermodal transportation facilities may ~~shall~~ not  
151 be designated as developments of regional impact if such  
152 expansions, projects, or facilities are consistent with  
153 comprehensive master plans that are in compliance with this  
154 section.

155 ~~(6) Local governments are encouraged to adopt countywide~~  
156 ~~marina siting plans to designate sites for existing and future~~  
157 ~~marinas. The Coastal Resources Interagency Management Committee,~~  
158 ~~at the direction of the Legislature, shall identify incentives~~  
159 ~~to encourage local governments to adopt such siting plans and~~  
160 ~~uniform criteria and standards to be used by local governments~~  
161 ~~to implement state goals, objectives, and policies relating to~~  
162 ~~marina siting. These criteria must ensure that priority is given~~  
163 ~~to water-dependent land uses. Countywide marina siting plans~~  
164 ~~must be consistent with state and regional environmental~~  
165 ~~planning policies and standards. Each local government in the~~  
166 ~~coastal area which participates in adoption of a countywide~~  
167 ~~marina siting plan shall incorporate the plan into the coastal~~  
168 ~~management element of its local comprehensive plan.~~

169 Section 6. Subsection (3) of section 163.3191, Florida  
170 Statutes, is amended to read:

171 163.3191 Evaluation and appraisal of comprehensive plan.—

172 (3) Local governments are encouraged to comprehensively  
173 evaluate and, as necessary, update comprehensive plans to  
174 reflect changes in local conditions. Plan amendments transmitted

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175 pursuant to this section shall be reviewed pursuant to ~~in~~  
176 ~~accordance with~~ s. 163.3184(4).

177 Section 7. Section 163.3204, Florida Statutes, is amended  
178 to read:

179 163.3204 Cooperation by state and regional agencies.—The  
180 state land planning agency ~~Department of Community Affairs~~ and  
181 any ad hoc working groups appointed by the department and all  
182 state and regional agencies involved in the administration and  
183 implementation of the Community Planning ~~this~~ Act shall  
184 cooperate and work with units of local government in the  
185 preparation and adoption of comprehensive plans, or elements or  
186 portions thereof, and of local land development regulations.

187 Section 8. Subsection (14) of section 163.3221, Florida  
188 Statutes, is amended to read:

189 163.3221 Florida Local Government Development Agreement  
190 Act; definitions.—As used in ss. 163.3220-163.3243:

191 (14) "State land planning agency" means the Department of  
192 Economic Opportunity ~~Community Affairs~~.

193 Section 9. Subsection (1) of section 163.3246, Florida  
194 Statutes, is amended to read:

195 163.3246 Local government comprehensive planning  
196 certification program.—

197 (1) There is created the Local Government Comprehensive  
198 Planning Certification Program to be administered by the state  
199 land planning agency ~~Department of Community Affairs~~. The  
200 purpose of the program is to create a certification process for  
201 local governments who identify a geographic area for  
202 certification within which they commit to directing growth and  
203 who, because of a demonstrated record of effectively adopting,

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204 implementing, and enforcing its comprehensive plan, the level of  
205 technical planning experience exhibited by the local government,  
206 and a commitment to implement exemplary planning practices,  
207 require less state and regional oversight of the comprehensive  
208 plan amendment process. The purpose of the certification area is  
209 to designate areas that are contiguous, compact, and appropriate  
210 for urban growth and development within a 10-year planning  
211 timeframe. Municipalities and counties are encouraged to jointly  
212 establish the certification area, and subsequently enter into  
213 joint certification agreement with the department.

214 Section 10. Paragraphs (a) and (b) of subsection (5) of  
215 section 163.3247, Florida Statutes, are amended to read:

216 163.3247 Century Commission for a Sustainable Florida.—

217 (5) EXECUTIVE DIRECTOR; STAFF AND OTHER ASSISTANCE.—

218 (a) The executive director of the state land planning  
219 agency ~~Secretary of Community Affairs~~ shall select an executive  
220 director of the commission, and the executive director of the  
221 commission shall serve at the pleasure of the executive director  
222 of the state land planning agency ~~secretary~~ under the  
223 supervision and control of the commission.

224 (b) The state land planning agency ~~Department of Community~~  
225 ~~Affairs~~ shall provide staff and other resources necessary to  
226 accomplish the goals of the commission based upon  
227 recommendations of the Governor.

228 Section 11. Paragraph (c) of subsection (2) of section  
229 163.336, Florida Statutes, is amended to read:

230 163.336 Coastal resort area redevelopment pilot project.—

231 (2) PILOT PROJECT ADMINISTRATION.—

232 (c) The Office of the Governor, the Department of



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233 Environmental Protection, and the Department of Economic  
234 Opportunity ~~Community Affairs~~ are directed to provide technical  
235 assistance to expedite permitting for redevelopment projects and  
236 construction activities within the pilot project areas  
237 consistent with the principles, processes, and timeframes  
238 provided in s. 403.973.

239 Section 12. Section 163.458, Florida Statutes, is amended  
240 to read:

241 163.458 Three-tiered plan.—The Department of Economic  
242 Opportunity may ~~Community Affairs is authorized to~~ award core  
243 administrative and operating grants. Administrative and  
244 operating grants shall be used for staff salaries and  
245 administrative expenses for eligible community-based development  
246 organizations selected through a competitive three-tiered  
247 process for the purpose of housing and economic development  
248 projects. The department shall adopt by rule a set of criteria  
249 for three-tiered funding which ~~that~~ shall ensure equitable  
250 geographic distribution of the funding throughout the state.  
251 This three-tiered plan shall include emerging, intermediate, and  
252 mature community-based development organizations recognizing the  
253 varying needs of the three tiers. Funding shall be provided for  
254 core administrative and operating grants for all levels of  
255 community-based development organizations. Priority shall be  
256 given to those organizations that demonstrate community-based  
257 productivity and high performance as evidenced by past projects  
258 developed with stakeholder input that have responded to  
259 neighborhood needs, and have current projects located in high-  
260 poverty neighborhoods, and to emerging community-based  
261 development corporations that demonstrate a positive need

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262 identified by stakeholders. Persons, equipment, supplies, and  
263 other resources funded in whole or in part by grant funds shall  
264 be used ~~utilized~~ to further the purposes of the Community-Based  
265 Development Organization Assistance ~~this~~ Act, and may be used  
266 ~~utilized~~ to further the goals and objectives of the Front Porch  
267 Florida Initiative. Each community-based development  
268 organization is ~~shall be~~ eligible to apply for a grant of up to  
269 \$50,000 per year for a period of 5 years.

270 Section 13. Section 163.460, Florida Statutes, is amended  
271 to read:

272 163.460 Application requirements.—A community-based  
273 development organization applying for a core administrative and  
274 operating grant pursuant to the Community-Based Development  
275 Organization Assistance ~~this~~ Act must submit a proposal to the  
276 Department of Economic Opportunity which ~~Community Affairs~~ that  
277 includes:

278 (1) A map and narrative description of the service areas  
279 for the community-based development organization.

280 (2) A copy of the documents creating the community-based  
281 development organization.

282 (3) A listing of the membership of the board of the  
283 community-based development organization, including individual  
284 members' terms of office and the number of low-income residents  
285 on the board.

286 (4) The organization's annual revitalization plan that  
287 describes the expenditure of the funds, including goals,  
288 objectives, and expected results, and has a clear relationship  
289 to the local municipality's comprehensive plan.

290 (5) Other supporting information that may be required by

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291 the Department of Economic Opportunity ~~Community Affairs~~ to  
292 determine the organization's capacity and productivity.

293 (6) A description of the location, financing plan, and  
294 potential impact of the business enterprises on residential,  
295 commercial, or industrial development, which ~~that~~ shows a clear  
296 relationship to the organization's annual revitalization plan  
297 and demonstrates how the proposed expenditures are directly  
298 related to the scope of work for the proposed projects in the  
299 annual revitalization plan.

300 Section 14. Section 163.461, Florida Statutes, is amended  
301 to read:

302 163.461 Reporting and evaluation requirements.—Community-  
303 based development organizations that receive funds under the  
304 Community-Based Development Organization Assistance ~~this~~ Act  
305 shall provide the following information to the Department of  
306 Economic Opportunity ~~Community Affairs~~ annually:

307 (1) A listing of business firms and individuals assisted by  
308 the community-based development organization during the  
309 reporting period.

310 (2) A listing of the type, source, purpose, and amount of  
311 each individual grant, loan, or donation received by the  
312 community-based development organization during the reporting  
313 period.

314 (3) The number of paid and voluntary positions within the  
315 community-based development organization.

316 (4) A listing of the salaries and administrative and  
317 operating expenses of the community-based development  
318 organization.

319 (5) An identification and explanation of changes in the

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320 boundaries of the target area.

321 (6) The amount of earned income from projects, programs,  
322 and development activities.

323 (7) The number and description of projects in  
324 predevelopment phase, projects under construction, ongoing  
325 service programs, construction projects completed, and projects  
326 at sell-out or lease-up and property management phase, and a  
327 written explanation of the reasons that caused any projects not  
328 to be completed for the projected development phase.

329 (8) The impact of the projects, as a result of receiving  
330 funding under this act, on residents in the target area, and the  
331 relationship of this impact to expected outcomes listed in the  
332 organization's annual revitalization plan.

333 (9) The number of housing units rehabilitated or  
334 constructed at various stages of development, predevelopment  
335 phase, construction phase, completion and sell-out or lease-up  
336 phase, and condominium or property management phase by the  
337 community-based development organization within the service area  
338 during the reporting period.

339 (10) The number of housing units, number of projects, and  
340 number of persons served by prior projects developed by the  
341 organization, the amounts of project financing leverage with  
342 state funds for each prior and current project, and the  
343 incremental amounts of local and state real estate tax and sales  
344 tax revenue generated directly by the projects and programs  
345 annually.

346 (11) The number of jobs, both permanent and temporary,  
347 received by individuals who were directly assisted by the  
348 community-based development organization through assistance to

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349 the business such as a loan or other credit assistance.

350 (12) An identification and explanation of changes in the  
351 boundaries of the service area.

352 (13) The impact of completed projects on residents in the  
353 target area and the relationship of this impact to expected  
354 outcomes listed in the organization's annual revitalization  
355 plan.

356 (14) Such other information as the Department of Economic  
357 Opportunity Community Affairs requires.

358 Section 15. Section 163.462, Florida Statutes, is amended  
359 to read:

360 163.462 Rulemaking authority.—The Department of Economic  
361 Opportunity Community Affairs shall adopt rules for the  
362 administration of the Community-Based Development Organization  
363 Assistance ~~this~~ Act.

364 Section 16. Subsection (1) of section 163.5055, Florida  
365 Statutes, is amended to read:

366 163.5055 Registration of district establishment; notice of  
367 dissolution.—

368 (1) (a) Each neighborhood improvement district authorized  
369 and established under this part shall within 30 days thereof  
370 register with both the Department of Economic Opportunity  
371 Community Affairs and the Department of Legal Affairs by  
372 providing these departments with the district's name, location,  
373 size, and type, and such other information as the departments  
374 may require.

375 (b) Each local governing body that ~~which~~ authorizes the  
376 dissolution of a district shall notify both the Department of  
377 Economic Opportunity Community Affairs and the Department of

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378 Legal Affairs within 30 days after the dissolution of the  
379 district.

380 Section 17. Paragraph (h) of subsection (1) of section  
381 163.506, Florida Statutes, is amended to read:

382 163.506 Local government neighborhood improvement  
383 districts; creation; advisory council; dissolution.—

384 (1) After a local planning ordinance has been adopted  
385 authorizing the creation of local government neighborhood  
386 improvement districts, the local governing body of a  
387 municipality or county may create local government neighborhood  
388 improvement districts by the enactment of a separate ordinance  
389 for each district, which ordinance:

390 (h) Requires the district to notify the Department of Legal  
391 Affairs and the Department of Economic Opportunity Community  
392 ~~Affairs~~ in writing of its establishment within 30 days thereof  
393 pursuant to s. 163.5055.

394 Section 18. Paragraph (g) of subsection (1) of section  
395 163.508, Florida Statutes, is amended to read:

396 163.508 Property owners' association neighborhood  
397 improvement districts; creation; powers and duties; duration.—

398 (1) After a local planning ordinance has been adopted  
399 authorizing the creation of property owners' association  
400 neighborhood improvement districts, the local governing body of  
401 a municipality or county may create property owners' association  
402 neighborhood improvement districts by the enactment of a  
403 separate ordinance for each district, which ordinance:

404 (g) Requires the district to notify the Department of Legal  
405 Affairs and the Department of Economic Opportunity Community  
406 ~~Affairs~~ in writing of its establishment within 30 days thereof

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407 pursuant to s. 163.5055.

408 Section 19. Paragraph (i) of subsection (1) of section  
409 163.511, Florida Statutes, is amended to read:

410 163.511 Special neighborhood improvement districts;  
411 creation; referendum; board of directors; duration; extension.—

412 (1) After a local planning ordinance has been adopted  
413 authorizing the creation of special neighborhood improvement  
414 districts, the governing body of a municipality or county may  
415 declare the need for and create special residential or business  
416 neighborhood improvement districts by the enactment of a  
417 separate ordinance for each district, which ordinance:

418 (i) Requires the district to notify the Department of Legal  
419 Affairs and the Department of Economic Opportunity Community  
420 ~~Affairs~~ in writing of its establishment within 30 days thereof  
421 pursuant to s. 163.5055.

422 Section 20. Paragraph (i) of subsection (1) of section  
423 163.512, Florida Statutes, is amended to read:

424 163.512 Community redevelopment neighborhood improvement  
425 districts; creation; advisory council; dissolution.—

426 (1) Upon the recommendation of the community redevelopment  
427 agency and after a local planning ordinance has been adopted  
428 authorizing the creation of community redevelopment neighborhood  
429 improvement districts, the local governing body of a  
430 municipality or county may create community redevelopment  
431 neighborhood improvement districts by the enactment of a  
432 separate ordinance for each district, which ordinance:

433 (i) Requires the district to notify the Department of Legal  
434 Affairs and the Department of Economic Opportunity Community  
435 ~~Affairs~~ in writing of its establishment within 30 days thereof

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436 pursuant to s. 163.5055.

437 Section 21. Paragraph (d) of subsection (1) of section  
438 212.096, Florida Statutes, is amended to read:

439 212.096 Sales, rental, storage, use tax; enterprise zone  
440 jobs credit against sales tax.—

441 (1) For the purposes of the credit provided in this  
442 section:

443 (d) "Job" means a full-time position, as consistent with  
444 terms used by the Department of Economic Opportunity ~~Agency for~~  
445 ~~Workforce Innovation~~ and the United States Department of Labor  
446 for purposes of unemployment compensation tax administration and  
447 employment estimation resulting directly from a business  
448 operation in this state. This term does ~~may~~ not include a  
449 temporary construction job involved with the construction of  
450 facilities or any job that has previously been included in any  
451 application for tax credits under s. 220.181(1). The term also  
452 includes employment of an employee leased from an employee  
453 leasing company licensed under chapter 468 if such employee has  
454 been continuously leased to the employer for an average of at  
455 least 36 hours per week for more than 6 months.

456  
457 A person shall be deemed to be employed if the person performs  
458 duties in connection with the operations of the business on a  
459 regular, full-time basis, provided the person is performing such  
460 duties for an average of at least 36 hours per week each month.  
461 The person must be performing such duties at a business site  
462 located in the enterprise zone.

463 Section 22. Paragraphs (k) and (bb) of subsection (8) of  
464 section 213.053, Florida Statutes, are amended, and present



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465 paragraphs (l) through (bb) of that subsection are redesignated  
466 as paragraphs (k) through (aa), respectively, to read:

467 213.053 Confidentiality and information sharing.—

468 (8) Notwithstanding any other provision of this section,  
469 the department may provide:

470 ~~(k) Information relative to single sales factor~~  
471 ~~apportionment used by a taxpayer to the Office of Tourism,~~  
472 ~~Trade, and Economic Development or its employees or agents who~~  
473 ~~are identified in writing by the office to the department for~~  
474 ~~use by the office to administer s. 220.153.~~

475 ~~(aa) (bb) Information relating to tax credits taken under s.~~  
476 ~~220.194 to the Office of Tourism, Trade, and Economic~~  
477 ~~Development or to Space Florida.~~

478  
479 Disclosure of information under this subsection shall be  
480 pursuant to a written agreement between the executive director  
481 and the agency. Such agencies, governmental or nongovernmental,  
482 shall be bound by the same requirements of confidentiality as  
483 the Department of Revenue. Breach of confidentiality is a  
484 misdemeanor of the first degree, punishable as provided by s.  
485 775.082 or s. 775.083.

486 Section 23. Section 215.55865, Florida Statutes, is amended  
487 to read:

488 215.55865 Uniform home grading scale.—The Financial  
489 Services Commission shall adopt a uniform home grading scale to  
490 grade the ability of a home to withstand the wind load from a  
491 sustained severe tropical storm or hurricane. The commission  
492 shall coordinate with the Office of Insurance Regulation, the  
493 Department of Financial Services, and the Florida Building

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494 ~~Commission~~ Department of Community Affairs in developing the  
495 grading scale, which must be based upon and consistent with the  
496 rating system required by chapter 2006-12, Laws of Florida. ~~The~~  
497 ~~commission shall adopt the uniform grading scale by rule no~~  
498 ~~later than June 30, 2007.~~

499 Section 24. Paragraph (c) of subsection (1) of section  
500 218.411, Florida Statutes, is amended to read:

501 218.411 Authorization for state technical and advisory  
502 assistance.—

503 (1) The board is authorized, upon request, to assist local  
504 governments in investing funds that are temporarily in excess of  
505 operating needs by:

506 (c) Providing, in cooperation with the Department of  
507 Economic Opportunity ~~Community Affairs~~, technical assistance to  
508 local governments in investment of surplus funds.

509 Section 25. Subsections (1), (2), and (3), paragraphs (b)  
510 and (c) of subsection (4), and subsection (5) of section  
511 220.153, Florida Statutes, are amended to read:

512 220.153 Apportionment by sales factor.—

513 (1) DEFINITIONS.—As used in this section, the term:

514 ~~(a) "Office" means the Office of Tourism, Trade, and~~  
515 ~~Economic Development.~~

516 ~~(b)~~ "qualified capital expenditures" means expenditures in  
517 this state for purposes substantially related to a business's  
518 production or sale of goods or services. The expenditure must  
519 fund the acquisition of additional real property (land,  
520 buildings, including appurtenances, fixtures and fixed  
521 equipment, structures, etc.), including additions, replacements,  
522 major repairs, and renovations to real property which materially

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523 extend its useful life or materially improve or change its  
524 functional use and the furniture and equipment necessary to  
525 furnish and operate a new or improved facility. The term  
526 ~~"qualified capital expenditures"~~ does not include an expenditure  
527 for a passive investment or for an investment intended for the  
528 accumulation of reserves or the realization of profit for  
529 distribution to any person holding an ownership interest in the  
530 business. The term ~~"qualified capital expenditures"~~ does not  
531 include expenditures to acquire an existing business or  
532 expenditures in excess of \$125 million to acquire land or  
533 buildings.

534 (2) APPORTIONMENT OF TAXES; ELIGIBILITY.—A taxpayer, not  
535 including a financial organization as defined in s. 220.15(6) or  
536 a bank, savings association, international banking facility, or  
537 banking organization as defined in s. 220.62, doing business  
538 within and without this state, who applies and demonstrates to  
539 the Department of Economic Opportunity ~~office~~ that, within a 2-  
540 year period beginning on or after July 1, 2011, it has made  
541 qualified capital expenditures equal to or exceeding \$250  
542 million may apportion its adjusted federal income solely by the  
543 sales factor set forth in s. 220.15(5), commencing in the  
544 taxable year that the Department of Economic Opportunity ~~office~~  
545 approves the application, but not before a taxable year that  
546 begins on or after January 1, 2013. Once approved, a taxpayer  
547 may elect to apportion its adjusted federal income for any  
548 taxable year using the method provided under this section or the  
549 method provided under s. 220.15.

550 (3) QUALIFICATION PROCESS.—

551 (a) To qualify as a taxpayer who is eligible to apportion

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552 its adjusted federal income under this section:

553 1. The taxpayer must notify the Department of Economic  
554 Opportunity ~~office~~ of its intent to submit an application to  
555 apportion its adjusted federal income in order to commence the  
556 2-year period for measuring qualified capital expenditures.

557 2. The taxpayer must submit an application to apportion its  
558 adjusted federal income under this section to the Department of  
559 Economic Opportunity ~~office~~ within 2 years after notifying the  
560 Department of Economic Opportunity ~~office~~ of the taxpayer's  
561 intent to qualify. The application must be made under oath and  
562 provide such information as the Department of Economic  
563 Opportunity ~~office~~ reasonably requires by rule for determining  
564 the applicant's eligibility to apportion adjusted federal income  
565 under this section. The taxpayer is responsible for  
566 affirmatively demonstrating to the satisfaction of the  
567 Department of Economic Opportunity ~~office~~ that it meets the  
568 eligibility requirements.

569 (b) The taxpayer notice and application forms shall be  
570 established by the Department of Economic Opportunity ~~office~~ by  
571 rule. The Department of Economic Opportunity ~~office~~ shall  
572 acknowledge receipt of the notice and approve or deny the  
573 application in writing within 45 days after receipt.

574 (4) REVIEW AUTHORITY; RECAPTURE OF TAX.—

575 (b) The Department of Economic Opportunity ~~office~~ may, by  
576 order, revoke its decision to grant eligibility for  
577 apportionment pursuant to this section, and may also order the  
578 recalculation of apportionment factors to those applicable under  
579 s. 220.15 if, as the result of an audit, investigation, or  
580 examination, it determines that information provided by the

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581 taxpayer in the application, or in a statement, representation,  
582 record, report, plan, or other document provided to the  
583 Department of Economic Opportunity ~~office~~ to become eligible for  
584 apportionment, was materially false at the time it was made and  
585 that an individual acting on behalf of the taxpayer knew, or  
586 should have known, that the information submitted was false. The  
587 taxpayer shall pay such additional taxes and interest as may be  
588 due pursuant to this chapter computed as the difference between  
589 the tax that would have been due under the apportionment formula  
590 provided in s. 220.15 for such years and the tax actually paid.  
591 In addition, the department shall assess a penalty equal to 100  
592 percent of the additional tax due.

593 (c) The Department of Economic Opportunity ~~office~~ shall  
594 immediately notify the department of an order affecting a  
595 taxpayer's eligibility to apportion tax pursuant to this  
596 section. A taxpayer who is liable for past tax must file an  
597 amended return with the department, or such other report as the  
598 department prescribes by rule, and pay any required tax,  
599 interest, and penalty within 60 days after the taxpayer receives  
600 notification from the Department of Economic Opportunity ~~office~~  
601 that the previously approved credits have been revoked. If the  
602 revocation is contested, the taxpayer shall file an amended  
603 return or other report within 30 days after an order becomes  
604 final. A taxpayer who fails to pay the past tax, interest, and  
605 penalty by the due date is subject to the penalties provided in  
606 s. 220.803.

607 (5) RULES.—The Department of Economic Opportunity ~~office~~  
608 and the department may adopt rules to administer this section.

609 Section 26. Paragraph (b) of subsection (2) of section

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610 220.183, Florida Statutes, is amended to read:

611 220.183 Community contribution tax credit.—

612 (2) ELIGIBILITY REQUIREMENTS.—

613 (b)1. All community contributions must be reserved  
614 exclusively for use in projects as defined in s. 220.03(1)(t).

615 2. If, during the first 10 business days of the state  
616 fiscal year, eligible tax credit applications for projects that  
617 provide homeownership opportunities for low-income or very-low-  
618 income households as defined in s. 420.9071(19) and (28) are  
619 received for less than the annual tax credits available for  
620 those projects, the Department of Economic Opportunity shall  
621 grant tax credits for those applications and shall grant  
622 remaining tax credits on a first-come, first-served basis for  
623 any subsequent eligible applications received before the end of  
624 the state fiscal year. If, during the first 10 business days of  
625 the state fiscal year, eligible tax credit applications for  
626 projects that provide homeownership opportunities for low-income  
627 or very-low-income households as defined in s. 420.9071(19) and  
628 (28) are received for more than the annual tax credits available  
629 for those projects, the Department of Economic Opportunity  
630 ~~office~~ shall grant the tax credits for those applications as  
631 follows:

632 a. If tax credit applications submitted for approved  
633 projects of an eligible sponsor do not exceed \$200,000 in total,  
634 the credit shall be granted in full if the tax credit  
635 applications are approved.

636 b. If tax credit applications submitted for approved  
637 projects of an eligible sponsor exceed \$200,000 in total, the  
638 amount of tax credits granted under sub-subparagraph a. shall be

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639 subtracted from the amount of available tax credits, and the  
640 remaining credits shall be granted to each approved tax credit  
641 application on a pro rata basis.

642 3. If, during the first 10 business days of the state  
643 fiscal year, eligible tax credit applications for projects other  
644 than those that provide homeownership opportunities for low-  
645 income or very-low-income households as defined in s.  
646 420.9071(19) and (28) are received for less than the annual tax  
647 credits available for those projects, the Department of Economic  
648 Opportunity ~~office~~ shall grant tax credits for those  
649 applications and shall grant remaining tax credits on a first-  
650 come, first-served basis for any subsequent eligible  
651 applications received before the end of the state fiscal year.  
652 If, during the first 10 business days of the state fiscal year,  
653 eligible tax credit applications for projects other than those  
654 that provide homeownership opportunities for low-income or very-  
655 low-income households as defined in s. 420.9071(19) and (28) are  
656 received for more than the annual tax credits available for  
657 those projects, the Department of Economic Opportunity ~~office~~  
658 shall grant the tax credits for those applications on a pro rata  
659 basis.

660 Section 27. Paragraphs (b), (d), (e), and (f) of subsection  
661 (3), paragraphs (a), (c), and (e) of subsection (4), subsection  
662 (5), paragraph (b) of subsection (6), paragraphs (a), (b), (d),  
663 and (e) of subsection (7), paragraph (a) of subsection (8), and  
664 subsection (9) of section 220.194, Florida Statutes, are amended  
665 to read:

666 220.194 Corporate income tax credits for spaceflight  
667 projects.—

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668 (3) DEFINITIONS.—As used in this section, the term:

669 (b) "Certified" means that a spaceflight business has been  
670 certified by the Department of Economic Opportunity ~~office~~ as  
671 meeting all of the requirements necessary to obtain at least one  
672 of the approved tax credits available under this section,  
673 including approval to transfer a credit.

674 (d) "New job" means the full-time employment of an employee  
675 in a manner that is consistent with terms used by the Department  
676 of Economic Opportunity ~~Agency for Workforce Innovation~~ and the  
677 United States Department of Labor for purposes of unemployment  
678 compensation tax administration and employment estimation. In  
679 order to meet the requirement for certification specified in  
680 paragraph (5) (b), a new job must:

681 1. Pay new employees at least 115 percent of the statewide  
682 or countywide average annual private sector wage for the 3  
683 taxable years immediately preceding filing an application for  
684 certification;

685 2. Require a new employee to perform duties on a regular  
686 full-time basis in this state for an average of at least 36  
687 hours per week each month for the 3 taxable years immediately  
688 preceding filing an application for certification; and

689 3. Not be held by a person who has previously been included  
690 as a new employee on an application for any credit authorized  
691 under this section.

692 ~~(e) "Office" means the Office of Tourism, Trade, and~~  
693 ~~Economic Development.~~

694 (e) ~~(f)~~ "Payload" means an object built or assembled in this  
695 state to be placed into earth's upper atmospheres or space.

696 (4) TAX CREDITS.—



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697 (a) If approved and certified pursuant to subsection (5),  
698 the following tax credits may be taken on a return for a taxable  
699 year beginning on or after October 1, 2015:

700 1. A certified spaceflight business may take a  
701 nontransferable corporate income tax credit for up to 50 percent  
702 of the business's tax liability under this chapter for the  
703 taxable year in which the credit is taken. The maximum  
704 nontransferable tax credit amount that may be approved per  
705 taxpayer for a taxable year is \$1 million. No more than \$3  
706 million in total tax credits pursuant to this subparagraph may  
707 be certified pursuant to subsection (5). No credit may be  
708 approved after October 1, 2017.

709 2. A certified spaceflight business may transfer, in whole  
710 or in part, its Florida net operating loss that would otherwise  
711 be available to be taken on a return filed under this chapter,  
712 provided that the activity giving rise to such net operating  
713 loss must have occurred after July 1, 2011. The transfer allowed  
714 under this subparagraph will be in the form of a transferable  
715 tax credit equal to the amount of the net operating loss  
716 eligible to be transferred. The maximum transferable tax credit  
717 amount that may be approved per taxpayer for a taxable year is  
718 \$2.5 million. No more than \$7 million in total tax credits  
719 pursuant to this subparagraph may be certified pursuant to  
720 subsection (5). No credit may be approved after October 1, 2017.

721 a. In order to transfer the credit, the business must:

722 (I) Have been approved to transfer the tax credit for the  
723 taxable year in which it is transferred;

724 (II) Have incurred a qualifying net operating loss on  
725 activity in this state after July 1, 2011, directly associated

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726 with one or more spaceflight projects in any of its 3 previous  
727 taxable years;

728 (III) Not be 50 percent or more owned or controlled,  
729 directly or indirectly, by another corporation that has  
730 demonstrated positive net income in any of the 3 previous  
731 taxable years of ongoing operations; and

732 (IV) Not be part of a consolidated group of affiliated  
733 corporations, as filed for federal income tax purposes, which in  
734 the aggregate demonstrated positive net income in any of the 3  
735 previous taxable years.

736 b. The credit that may be transferred by a certified  
737 spaceflight business:

738 (I) Is limited to the amount of eligible net operating  
739 losses incurred in the immediate 3 taxable years before the  
740 transfer; and

741 (II) Must be directly associated with a spaceflight project  
742 in this state as verified through an audit or examination by a  
743 certified public accountant licensed to do business in this  
744 state and as verified by the Department of Economic Opportunity  
745 ~~office~~.

746 (c) Credits approved under subparagraph (a)1. may be taken  
747 only against the corporate income tax liability generated by or  
748 arising out of a spaceflight project in this state, as verified  
749 through an audit or examination by a certified public accountant  
750 licensed to do business in this state and as verified by the  
751 Department of Economic Opportunity ~~office~~.

752 (e) The certified spaceflight business or transferee must  
753 demonstrate to the satisfaction of the Department of Economic  
754 Opportunity ~~office~~ and the department that it is eligible to

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755 take the credits approved under this section.

756 (5) APPLICATION AND CERTIFICATION.—

757 (a) In order to claim a tax credit under this section, a  
758 spaceflight business must first submit an application to the  
759 Department of Economic Opportunity ~~office~~ for approval to earn  
760 tax credits or create transferable tax credits. The application  
761 must be filed by the date established by the Department of  
762 Economic Opportunity ~~office~~. In addition to any information that  
763 the Department of Economic Opportunity ~~office~~ may require, the  
764 applicant must provide a complete description of the activity in  
765 this state which demonstrates to the Department of Economic  
766 Opportunity ~~office~~ the applicant's likelihood to be certified to  
767 take or transfer a credit. The applicant must also provide a  
768 description of the total amount and type of credits for which  
769 approval is sought. The Department of Economic Opportunity  
770 ~~office~~ may consult with Space Florida regarding the  
771 qualifications of an applicant. The applicant shall provide an  
772 affidavit certifying that all information contained in the  
773 application is true and correct.

774 1. Approval of the credits shall be provided on a first-  
775 come, first-served basis, based on the date the completed  
776 applications are received by the Department of Economic  
777 Opportunity ~~office~~. A taxpayer may not submit more than one  
778 completed application per state fiscal year. The Department of  
779 Economic Opportunity ~~office~~ may not accept an incomplete  
780 placeholder application, and the submission of such an  
781 application will not secure a place in the first-come, first-  
782 served application line.

783 2. The Department of Economic Opportunity ~~office~~ has 60

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784 days after the receipt of a completed application within which  
785 to issue a notice of intent to deny or approve an application  
786 for credits. The Department of Economic Opportunity ~~office~~ must  
787 ensure that the corporate income tax credits approved for all  
788 applicants do not exceed the limits provided in this section.

789 (b) In order to take a tax credit under subparagraph (a)1.  
790 or, if applicable, to transfer an approved credit under  
791 subparagraph (a)2., a spaceflight business must submit an  
792 application for certification to the Department of Economic  
793 Opportunity ~~office~~ along with a nonrefundable \$250 fee.

794 1. The application must include:

795 a. The name and physical in-state address of the taxpayer.

796 b. Documentation demonstrating to the satisfaction of the  
797 Department of Economic Opportunity ~~office~~ that:

798 (I) The taxpayer is a spaceflight business.

799 (II) The business has engaged in a qualifying spaceflight  
800 project before taking or transferring a credit under this  
801 section.

802 c. In addition to any requirement specific to a credit,  
803 documentation that the business has:

804 (I) Created 35 new jobs in this state directly associated  
805 with spaceflight projects during its immediately preceding 3  
806 taxable years. The business shall be deemed to have created new  
807 jobs if the number of full-time jobs located in this state at  
808 the time of application for certification is greater than the  
809 total number of full-time jobs located in this state at the time  
810 of application for approval to earn credits; and

811 (II) Invested a total of at least \$15 million in this state  
812 on a spaceflight project during its immediately preceding 3

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813 taxable years.

814 d. The total amount and types of credits sought.

815 e. An acknowledgment that a transfer of a tax credit is to  
816 be accomplished pursuant to subsection (5).

817 f. A copy of an audit or audits of the preceding 3 taxable  
818 years, prepared by a certified public accountant licensed to  
819 practice in this state, which identifies that portion of the  
820 business's activities in this state related to spaceflight  
821 projects in this state.

822 g. An acknowledgment that the business must file an annual  
823 report on the spaceflight project's progress with the Department  
824 of Economic Opportunity ~~office~~.

825 h. Any other information necessary to demonstrate that the  
826 applicant meets the job creation, investment, and other  
827 requirements of this section.

828 2. Within 60 days after receipt of the application for  
829 certification, the Department of Economic Opportunity ~~office~~  
830 shall evaluate the application and recommend the business for  
831 certification or denial. The executive director of the  
832 Department of Economic Opportunity ~~office~~ must approve or deny  
833 the application within 30 days after receiving the  
834 recommendation. If approved, the Department of Economic  
835 Opportunity ~~office~~ must provide a letter of certification to the  
836 applicant consistent with any restrictions imposed. If the  
837 Department of Economic Opportunity ~~office~~ denies any part of the  
838 requested credit, the Department of Economic Opportunity ~~office~~  
839 must inform the applicant of the grounds for the denial. A copy  
840 of the certification shall be submitted to the department within  
841 10 days after the executive director's approval.

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842 (6) TRANSFERABILITY OF CREDIT.—

843 (b) In order to perfect the transfer, the transferor shall  
844 provide the department with a written transfer statement that  
845 has been approved by the Department of Economic Opportunity  
846 ~~office~~ notifying the department of the transferor's intent to  
847 transfer the tax credits to the transferee; the date that the  
848 transfer is effective; the transferee's name, address, and  
849 federal taxpayer identification number; the tax period; and the  
850 amount of tax credits to be transferred. Upon receipt of the  
851 approved transfer statement, the department shall provide the  
852 transferee and the Department of Economic Opportunity ~~office~~  
853 with a certificate reflecting the tax credit amounts  
854 transferred. A copy of the certificate must be attached to each  
855 tax return for which the transferee seeks to apply the credits.

856 (7) AUDIT AUTHORITY; RECAPTURE OF CREDITS.—

857 (a) In addition to its existing audit and investigative  
858 authority, the department may perform any additional financial  
859 and technical audits and investigations, including examining the  
860 accounts, books, and financial records of the tax credit  
861 applicant, which are necessary for verifying the accuracy of the  
862 return and to ensure compliance with this section. If requested  
863 by the department, the Department of Economic Opportunity ~~office~~  
864 and Space Florida must provide technical assistance for any  
865 technical audits or examinations performed under this  
866 subsection.

867 (b) Grounds for forfeiture of previously claimed tax  
868 credits approved under this section exist if the department  
869 determines, as a result of an audit or examination, or from  
870 information received from the Department of Economic Opportunity

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871 ~~office~~, that a certified spaceflight business, or in the case of  
872 transferred tax credits, a taxpayer received tax credits for  
873 which the certified spaceflight business or taxpayer was not  
874 entitled. The spaceflight business or transferee must file an  
875 amended return reflecting the disallowed credits and paying any  
876 tax due as a result of the amendment.

877 (d) The Department of Economic Opportunity ~~office~~ may  
878 revoke or modify a certification granting eligibility for tax  
879 credits if it finds that the certified spaceflight business made  
880 a false statement or representation in any application, record,  
881 report, plan, or other document filed in an attempt to receive  
882 tax credits under this section. The Department of Economic  
883 Opportunity ~~office~~ shall immediately notify the department of  
884 any revoked or modified orders affecting previously granted tax  
885 credits. The certified spaceflight business must also notify the  
886 department of any change in its claimed tax credit.

887 (e) The certified spaceflight business must file with the  
888 department an amended return or other report required by the  
889 department by rule and pay any required tax and interest within  
890 60 days after the certified business receives notification from  
891 the Department of Economic Opportunity ~~office~~ that previously  
892 approved tax credits have been revoked or modified. If the  
893 revocation or modification order is contested, the spaceflight  
894 business must file the amended return or other report within 60  
895 days after a final order is issued.

896 (8) RULES.—

897 (a) The Department of Economic Opportunity ~~office~~, in  
898 consultation with Space Florida, shall adopt rules to administer  
899 this section, including rules relating to application forms for

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900 credit approval and certification, and the application and  
 901 certification procedures, guidelines, and requirements necessary  
 902 to administer this section.

903 (9) ANNUAL REPORT.—Beginning in 2014, the Department of  
 904 Economic Opportunity ~~office~~, in cooperation with Space Florida  
 905 and the department, shall submit an annual report summarizing  
 906 activities relating to the Florida Space Business Incentives Act  
 907 established under this section to the Governor, the President of  
 908 the Senate, and the Speaker of the House of Representatives by  
 909 each November 30.

910 Section 28. Paragraph (b) of subsection (3), paragraph (b)  
 911 of subsection (4), subsection (6), paragraph (a) of subsection  
 912 (7), and paragraph (c) of subsection (9) of section 258.501,  
 913 Florida Statutes, are amended to read:

914 258.501 Myakka River; wild and scenic segment.—

915 (3) DEFINITIONS.—As used in this section, the term:

916 (b) "Agreement" means the interagency operating agreement  
 917 between the department, the Department of Economic Opportunity  
 918 ~~Community Affairs~~, and Sarasota County or the City of North  
 919 Port.

920 (4) DESIGNATION OF WILD AND SCENIC RIVER.—

921 (b) The governments of Sarasota County and the City of  
 922 North Port shall manage the Myakka River wild and scenic  
 923 protection zone under their existing authorities for  
 924 comprehensive planning, the regulation of land development  
 925 activities, and other necessary or appropriate ordinances and in  
 926 conformance with this section, the management plan required  
 927 under subsection (5), and the agreements adopted by the  
 928 department and the Department of Economic Opportunity ~~Community~~



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929 ~~Affairs~~ with the city and county pursuant to this section.

930 (6) AMENDMENT OF REGULATIONS AND COMPREHENSIVE PLANS.—

931 (a) Sarasota County and the City of North Port shall amend  
932 their comprehensive plans so that the parts of such plans that  
933 affect the wild and scenic protection zone conform to, or are  
934 more stringent than, this section, the river management plan,  
935 and management guidelines and performance standards to be  
936 developed and contained within agreements to be adopted by the  
937 department, the Department of Economic Opportunity ~~Community~~  
938 ~~Affairs~~, and the city and county. The guidelines and performance  
939 standards must be used by the department and the Department of  
940 Economic Opportunity ~~Community Affairs~~ to review and monitor the  
941 regulation of activities by the city and county in the wild and  
942 scenic protection zone. Amendments to those comprehensive plans  
943 must include specific policies and guidelines for minimizing  
944 adverse impacts on resources in the river area and for managing  
945 the wild and scenic protection zone in conformance with this  
946 section, the river management plan, and the agreement. Such  
947 comprehensive plans must be amended within 1 year after the  
948 adoption date of the agreement, and thereafter, within 6 months  
949 following an amendment to this section, the river management  
950 plan, or the agreement, as may be necessary. For the purposes  
951 established in this subsection, such amendments need not conform  
952 to statutory or local ordinance limitations on the frequency of  
953 consideration of amendments to local comprehensive plans.

954 (b) Sarasota County and the City of North Port shall adopt  
955 or amend, within 1 year after the department and the Department  
956 of Economic Opportunity ~~Community Affairs~~ adopt with the city  
957 and with the county agreements for regulating activities in the

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958 wild and scenic protection zone, any necessary ordinances and  
959 land development regulations so that those ordinances and  
960 regulations conform to the purposes of this section, the river  
961 management plan, and the agreement. Thereafter, following any  
962 amendment to this section, the river management plan, or the  
963 agreement, the city and county must amend or adopt, within 1  
964 year, appropriate ordinances and land development regulations to  
965 maintain such local ordinances and regulations in conformance  
966 with this section, the river management plan, and the agreement.  
967 Those ordinances and regulations must provide that activities  
968 must be prohibited, or must undergo review and either be denied  
969 or permitted with or without conditions, so as to minimize  
970 potential adverse physical and visual impacts on resource values  
971 in the river area and to minimize adverse impacts on private  
972 landowners' use of land for residential purposes. The resource  
973 values of concern are those identified in this section and by  
974 the coordinating council in the river management plan.  
975 Activities which may be prohibited, subject to the agreement,  
976 include, but are not limited to, landfills, clear cuttings,  
977 major new infrastructure facilities, major activities that would  
978 alter historic water or flood flows, multifamily residential  
979 construction, commercial and industrial development, and mining  
980 and major excavations. However, appurtenant structures for these  
981 activities may be permitted if such structures do not have  
982 adverse visual or measurable adverse environmental impacts to  
983 resource values in the river area.

984 (c) If the Department of Economic Opportunity Community  
985 ~~Affairs~~ determines that the local comprehensive plan or land  
986 development regulations, as amended or supplemented by the local

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987 government, are not in conformance with the purposes of this  
988 section, the river management plan, and the agreement, the  
989 Department of Economic Opportunity ~~Community Affairs~~ shall issue  
990 a notice of intent to find the plan not in compliance and such  
991 plan shall be subject to the administrative proceedings in  
992 accordance with s. 163.3184.

993 (7) MANAGEMENT COORDINATING COUNCIL.—

994 (a) Upon designation, the department shall create a  
995 permanent council to provide interagency and intergovernmental  
996 coordination in the management of the river. The coordinating  
997 council shall be composed of one representative appointed from  
998 each of the following: the department, the Department of  
999 Transportation, the Fish and Wildlife Conservation Commission,  
1000 the Department of Economic Opportunity ~~Community Affairs~~, the  
1001 Division of Forestry of the Department of Agriculture and  
1002 Consumer Services, the Division of Historical Resources of the  
1003 Department of State, the Tampa Bay Regional Planning Council,  
1004 the Southwest Florida Water Management District, the Southwest  
1005 Florida Regional Planning Council, Manatee County, Sarasota  
1006 County, Charlotte County, the City of Sarasota, the City of  
1007 North Port, agricultural interests, environmental organizations,  
1008 and any others deemed advisable by the department.

1009 (9) RULEMAKING AUTHORITY.—

1010 (c) The department and the Department of Economic  
1011 Opportunity ~~Community Affairs~~ must enter into agreements with  
1012 the City of North Port and Sarasota County which ~~that~~ provide  
1013 for guiding and monitoring the regulation of activities by the  
1014 city and county, in accordance with subsection (6). Such  
1015 agreements shall include guidelines and performance standards

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1016 for regulating proposed activities so as to minimize adverse  
1017 environmental and visual impacts of such activities on the  
1018 resource values in the river area, and to minimize adverse  
1019 impacts to landowners' use of land for residential purposes.

1020 Section 29. Subsection (3) of section 259.042, Florida  
1021 Statutes, is amended to read:

1022 259.042 Tax increment financing for conservation lands.—

1023 (3) The governing body of the jurisdiction that will  
1024 administer the separate reserve account shall provide  
1025 documentation to the Department of Economic Opportunity  
1026 ~~Community Affairs~~ identifying the boundary of the tax increment  
1027 area. The department shall determine whether the boundary is  
1028 appropriate in that property owners within the boundary will  
1029 receive a benefit from the proposed purchase of identified  
1030 conservation lands. The department must issue a letter of  
1031 approval stating that the establishment of the tax increment  
1032 area and the proposed purchases would benefit property owners  
1033 within the boundary and serve a public purpose before any tax  
1034 increment funds are deposited into the separate reserve account.  
1035 If the department fails to provide the required letter within 90  
1036 days after receiving sufficient documentation of the boundary,  
1037 the establishment of the area and the proposed purchases are  
1038 deemed to provide such benefit and serve a public purpose.

1039 Section 30. Paragraph (c) of subsection (3) of section  
1040 259.101, Florida Statutes, is amended to read:

1041 259.101 Florida Preservation 2000 Act.—

1042 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs  
1043 of issuance, the costs of funding reserve accounts, and other  
1044 costs with respect to the bonds, the proceeds of bonds issued

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1045 pursuant to this act shall be deposited into the Florida  
1046 Preservation 2000 Trust Fund created by s. 375.045. In fiscal  
1047 year 2000-2001, for each Florida Preservation 2000 program  
1048 described in paragraphs (a)-(g), that portion of each program's  
1049 total remaining cash balance which, as of June 30, 2000, is in  
1050 excess of that program's total remaining appropriation balances  
1051 shall be redistributed by the department and deposited into the  
1052 Save Our Everglades Trust Fund for land acquisition. For  
1053 purposes of calculating the total remaining cash balances for  
1054 this redistribution, the Florida Preservation 2000 Series 2000  
1055 bond proceeds, including interest thereon, and the fiscal year  
1056 1999-2000 General Appropriations Act amounts shall be deducted  
1057 from the remaining cash and appropriation balances,  
1058 respectively. The remaining proceeds shall be distributed by the  
1059 Department of Environmental Protection in the following manner:

1060 (c) Ten percent to the Department of Environmental  
1061 Protection ~~Community Affairs~~ to provide land acquisition grants  
1062 and loans to local governments through the Florida Communities  
1063 Trust pursuant to part III of chapter 380. From funds allocated  
1064 to the trust, \$3 million annually shall be used by the Division  
1065 of State Lands within the Department of Environmental Protection  
1066 to implement the Green Swamp Land Protection Initiative  
1067 specifically for the purchase of conservation easements, as  
1068 defined in s. 380.0677(3), of lands, or severable interests or  
1069 rights in lands, in the Green Swamp Area of Critical State  
1070 Concern. From funds allocated to the trust, \$3 million annually  
1071 shall be used by the Monroe County Comprehensive Plan Land  
1072 Authority specifically for the purchase of a real property  
1073 interest in those lands subject to the Rate of Growth Ordinances

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1074 adopted by local governments in Monroe County or those lands  
1075 within the boundary of an approved Conservation and Recreation  
1076 Lands project located within the Florida Keys or Key West Areas  
1077 of Critical State Concern; however, title to lands acquired  
1078 within the boundary of an approved Conservation and Recreation  
1079 Lands project may, in accordance with an approved joint  
1080 acquisition agreement, vest in the Board of Trustees of the  
1081 Internal Improvement Trust Fund. Of the remaining funds, one-  
1082 half shall be matched by local governments on a dollar-for-  
1083 dollar basis. To the extent allowed by federal requirements for  
1084 the use of bond proceeds, the trust shall expend Preservation  
1085 2000 funds to carry out the purposes of part III of chapter 380.

1086  
1087 Local governments may use federal grants or loans, private  
1088 donations, or environmental mitigation funds, including  
1089 environmental mitigation funds required pursuant to s. 338.250,  
1090 for any part or all of any local match required for the purposes  
1091 described in this subsection. Bond proceeds allocated pursuant  
1092 to paragraph (c) may be used to purchase lands on the priority  
1093 lists developed pursuant to s. 259.035. Title to lands purchased  
1094 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be  
1095 vested in the Board of Trustees of the Internal Improvement  
1096 Trust Fund. Title to lands purchased pursuant to paragraph (c)  
1097 may be vested in the Board of Trustees of the Internal  
1098 Improvement Trust Fund. The board of trustees shall hold title  
1099 to land protection agreements and conservation easements that  
1100 were or will be acquired pursuant to s. 380.0677, and the  
1101 Southwest Florida Water Management District and the St. Johns  
1102 River Water Management District shall monitor such agreements

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1103 and easements within their respective districts until the state  
1104 assumes this responsibility.

1105 Section 31. Paragraphs (e) and (h) of subsection (4) of  
1106 section 282.201, Florida Statutes, are amended to read:

1107 282.201 State data center system; agency duties and  
1108 limitations.—A state data center system that includes all  
1109 primary data centers, other nonprimary data centers, and  
1110 computing facilities, and that provides an enterprise  
1111 information technology service as defined in s. 282.0041, is  
1112 established.

1113 (4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

1114 (e) During the 2012-2013 fiscal year, the following shall  
1115 be consolidated into the Southwood Shared Resource Center:

1116 1. By September 30, 2012, the Division of Emergency  
1117 Management ~~and the Department of Community Affairs~~, except for  
1118 the Emergency Operation Center's management system in  
1119 Tallahassee and the Camp Blanding Emergency Operations Center in  
1120 Starke.

1121 2. By September 30, 2012, the Department of Revenue's  
1122 Carlton Building and Imaging Center locations.

1123 3. By December 31, 2012, the Department of Health's Test  
1124 and Development Lab and all remaining data center resources  
1125 located at the Capital Circle Office Complex.

1126 (h) During the 2014-2015 fiscal year, the following  
1127 agencies shall work with the Agency for Enterprise Information  
1128 Technology to begin preliminary planning for consolidation into  
1129 a primary data center:

1130 1. The Department of Health's Jacksonville Lab Data Center.

1131 2. The Department of Transportation's district offices,

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1132 toll offices, and the District Materials Office.

1133 3. The Department of Military Affairs' Camp Blanding Joint  
1134 Training Center in Starke.

1135 4. ~~The Department of Community Affairs'~~ Camp Blanding  
1136 Emergency Operations Center in Starke.

1137 5. The Department of Education's Division of Blind Services  
1138 disaster recovery site in Daytona Beach.

1139 6. The Department of Education's disaster recovery site at  
1140 Santa Fe College.

1141 7. The Department of the Lottery's Disaster Recovery Backup  
1142 Data Center in Orlando.

1143 8. The Fish and Wildlife Conservation Commission's Fish and  
1144 Wildlife Research Institute in St. Petersburg.

1145 9. The Department of Children and Family Services' Suncoast  
1146 Data Center in Tampa.

1147 10. The Department of Children and Family Services' Florida  
1148 State Hospital in Chattahoochee.

1149 Section 32. Subsection (1) of section 288.021, Florida  
1150 Statutes, is amended to read:

1151 288.021 Economic development liaison.—

1152 (1) The heads of the Department of Transportation, the  
1153 Department of Environmental Protection and an additional member  
1154 appointed by the secretary of the department, ~~the Agency for~~  
1155 ~~Workforce Innovation~~, the Department of Education, the  
1156 Department of Management Services, the Department of Revenue,  
1157 the Fish and Wildlife Conservation Commission, each water  
1158 management district, and each Department of Transportation  
1159 District office shall designate a high-level staff member from  
1160 within such agency to serve as the economic development liaison



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1161 for the agency. This person shall report to the agency head and  
1162 have general knowledge both of the state's permitting and other  
1163 regulatory functions and of the state's economic goals,  
1164 policies, and programs. This person shall also be the primary  
1165 point of contact for the agency with the department on issues  
1166 and projects important to the economic development of Florida,  
1167 including its rural areas, to expedite project review, to ensure  
1168 a prompt, effective response to problems arising with regard to  
1169 permitting and regulatory functions, and to work closely with  
1170 the other economic development liaisons to resolve interagency  
1171 conflicts.

1172 Section 33. Paragraph (f) of subsection (2) and paragraph  
1173 (c) of subsection (5) of section 288.1045, Florida Statutes, are  
1174 amended to read:

1175 288.1045 Qualified defense contractor and space flight  
1176 business tax refund program.—

1177 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.—

1178 (f) After entering into a tax refund agreement pursuant to  
1179 subsection (4), a qualified applicant may:

1180 1. Receive refunds from the account for corporate income  
1181 taxes due and paid pursuant to chapter 220 by that business  
1182 beginning with the first taxable year of the business which  
1183 begins after entering into the agreement.

1184 2. Receive refunds from the account for the following taxes  
1185 due and paid by that business after entering into the agreement:

1186 a. Taxes on sales, use, and other transactions paid  
1187 pursuant to chapter 212.

1188 b. Intangible personal property taxes paid pursuant to  
1189 chapter 199.

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- 1190 c. Excise taxes paid on documents pursuant to chapter 201.  
1191 d. Ad valorem taxes paid, as defined in s. 220.03(1)(a) on  
1192 June 1, 1996.  
1193 e. State communications services taxes administered under  
1194 chapter 202. This provision does not apply to the gross receipts  
1195 tax imposed under chapter 203 and administered under chapter 202  
1196 or the local communications services tax authorized under s.  
1197 202.19.

1198  
1199 However, a qualified applicant may not receive a tax refund  
1200 pursuant to this section for any amount of credit, refund, or  
1201 exemption granted such contractor for any of such taxes. If a  
1202 refund for such taxes is provided by the department, which taxes  
1203 are subsequently adjusted by the application of any credit,  
1204 refund, or exemption granted to the qualified applicant other  
1205 than that provided in this section, the qualified applicant  
1206 shall reimburse the Economic Development Trust Fund for the  
1207 amount of such credit, refund, or exemption. A qualified  
1208 applicant must notify and tender payment to the department  
1209 ~~office~~ within 20 days after receiving a credit, refund, or  
1210 exemption, other than that provided in this section.

1211 (5) ANNUAL CLAIM FOR REFUND.—

1212 (c) A tax refund may not be approved for any qualified  
1213 applicant unless local financial support has been paid to the  
1214 Economic Development Trust Fund for that refund. If the local  
1215 financial support is less than 20 percent of the approved tax  
1216 refund, the tax refund shall be reduced. The tax refund paid may  
1217 not exceed 5 times the local financial support received. Funding  
1218 from local sources includes tax abatement under s. 196.1995 or

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1219 the appraised market value of municipal or county land,  
1220 including any improvements or structures, conveyed or provided  
1221 at a discount through a sale or lease to that applicant. The  
1222 amount of any tax refund for an applicant approved under this  
1223 section shall be reduced by the amount of any such tax abatement  
1224 granted or the value of the land granted, including the value of  
1225 any improvements or structures; and the limitations in  
1226 subsection (2) shall be reduced by the amount of any such tax  
1227 abatement or the value of the land granted, including any  
1228 improvements or structures. A report listing all sources of the  
1229 local financial support shall be provided to the department  
1230 ~~office~~ when such support is paid to the Economic Development  
1231 Trust Fund.

1232 Section 34. Paragraph (f) of subsection (4) and paragraphs  
1233 (c), (d), and (e) of subsection (6) of section 288.106, Florida  
1234 Statutes, are amended to read:

1235 288.106 Tax refund program for qualified target industry  
1236 businesses.—

1237 (4) APPLICATION AND APPROVAL PROCESS.—

1238 (f) ~~Effective July 1, 2011,~~ Notwithstanding paragraph  
1239 (2) (j) ~~(2) (k)~~, the department ~~office~~ may reduce the local  
1240 financial support requirements of this section by one-half for a  
1241 qualified target industry business located in Bay County,  
1242 Escambia County, Franklin County, Gadsden County, Gulf County,  
1243 Jefferson County, Leon County, Okaloosa County, Santa Rosa  
1244 County, Wakulla County, or Walton County, if the department  
1245 ~~office~~ determines that such reduction of the local financial  
1246 support requirements is in the best interest of the state and  
1247 facilitates economic development, growth, or new employment

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1248 opportunities in such county. This paragraph expires June 30,  
1249 2014.

1250 (6) ANNUAL CLAIM FOR REFUND.—

1251 (c) The department may waive the requirement for proof of  
1252 taxes paid in future years for a qualified target industry  
1253 business that provides the department ~~office~~ with proof that, in  
1254 a single year, the business has paid an amount of state taxes  
1255 from the categories in paragraph (3)(d) which ~~that~~ is at least  
1256 equal to the total amount of tax refunds that the business may  
1257 receive through successful completion of its tax refund  
1258 agreement.

1259 (d) A tax refund may not be approved for a qualified target  
1260 industry business unless the required local financial support  
1261 has been paid into the account for that refund. If the local  
1262 financial support provided is less than 20 percent of the  
1263 approved tax refund, the tax refund must be reduced. In no event  
1264 may the tax refund exceed an amount that is equal to 5 times the  
1265 amount of the local financial support received. Further, funding  
1266 from local sources includes any tax abatement granted to that  
1267 business under s. 196.1995 or the appraised market value of  
1268 municipal or county land conveyed or provided at a discount to  
1269 that business. The amount of any tax refund for such business  
1270 approved under this section must be reduced by the amount of any  
1271 such tax abatement granted or the value of the land granted, and  
1272 the limitations in subsection (3) and paragraph (4)(e) must be  
1273 reduced by the amount of any such tax abatement or the value of  
1274 the land granted. A report listing all sources of the local  
1275 financial support shall be provided to the department ~~office~~  
1276 when such support is paid to the account.

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1277 (e) A prorated tax refund, less a 5 percent ~~5 percent~~  
1278 penalty, shall be approved for a qualified target industry  
1279 business if all other applicable requirements have been  
1280 satisfied and the business proves to the satisfaction of the  
1281 department ~~office~~ that:

1282 1. It has achieved at least 80 percent of its projected  
1283 employment; and

1284 2. The average wage paid by the business is at least 90  
1285 percent of the average wage specified in the tax refund  
1286 agreement, but in no case less than 115 percent of the average  
1287 private sector wage in the area available at the time of  
1288 certification, or 150 percent or 200 percent of the average  
1289 private sector wage if the business requested the additional  
1290 per-job tax refund authorized in paragraph (3) (b) for wages  
1291 above those levels. The prorated tax refund shall be calculated  
1292 by multiplying the tax refund amount for which the qualified  
1293 target industry business would have been eligible, if all  
1294 applicable requirements had been satisfied, by the percentage of  
1295 the average employment specified in the tax refund agreement  
1296 which was achieved, and by the percentage of the average wages  
1297 specified in the tax refund agreement which was achieved.

1298 Section 35. Paragraph (a) of subsection (3) of section  
1299 288.108, Florida Statutes, is amended to read:

1300 288.108 High-impact business.—

1301 (3) HIGH-IMPACT SECTOR PERFORMANCE GRANTS; ELIGIBLE  
1302 AMOUNTS.—

1303 (a) Upon commencement of operations, a qualified high-  
1304 impact business is eligible to receive a high-impact business  
1305 performance grant in the amount as determined by the department

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1306 ~~office~~ under subsection (5), consistent with eligible amounts as  
1307 provided in paragraph (b), and specified in the qualified high-  
1308 impact business agreement. The precise conditions that are  
1309 considered commencement of operations must be specified in the  
1310 qualified high-impact business agreement.

1311 Section 36. Subsection (3) of section 288.1083, Florida  
1312 Statutes, is amended to read:

1313 288.1083 Manufacturing and Spaceport Investment Incentive  
1314 Program.—

1315 (3) Beginning July 1, 2010, and ending June 30, 2011, and  
1316 beginning July 1, 2011, and ending June 30, 2012, sales and use  
1317 tax paid in this state on eligible equipment purchases may  
1318 qualify for a refund as provided in this section. The total  
1319 amount of refunds that may be allocated by the department ~~office~~  
1320 to all applicants during the period beginning July 1, 2010, and  
1321 ending June 30, 2011, is \$19 million. The total amount of tax  
1322 refunds that may be allocated to all applicants during the  
1323 period beginning July 1, 2011, and ending June 30, 2012, is \$24  
1324 million. An applicant may not be allocated more than \$50,000 in  
1325 refunds under this section for a single year. Preliminary refund  
1326 allocations that are revoked or voluntarily surrendered shall be  
1327 immediately available for reallocation.

1328 Section 37. Paragraph (1) of subsection (2) of section  
1329 288.1089, Florida Statutes, is amended to read:

1330 288.1089 Innovation Incentive Program.—

1331 (2) As used in this section, the term:

1332 (1) "Match" means funding from local sources, public or  
1333 private, which will be paid to the applicant and which is equal  
1334 to 100 percent of an award. Eligible match funding may include

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1335 any tax abatement granted to the applicant under s. 196.1995 or  
1336 the appraised market value of land, buildings, infrastructure,  
1337 or equipment conveyed or provided at a discount to the  
1338 applicant. Complete documentation of a match payment or other  
1339 conveyance must be presented to and verified by the department  
1340 ~~office~~ prior to transfer of state funds to an applicant. An  
1341 applicant may not provide, directly or indirectly, more than 5  
1342 percent of match funding in any fiscal year. The sources of such  
1343 funding may not include, directly or indirectly, state funds  
1344 appropriated from the General Revenue Fund or any state trust  
1345 fund, excluding tax revenues shared with local governments  
1346 pursuant to law.

1347 Section 38. Subsection (2) of section 288.1097, Florida  
1348 Statutes, is amended to read:

1349 288.1097 Qualified job training organizations;  
1350 certification; duties.—

1351 (2) To be eligible for funding, an organization must be  
1352 certified by the department ~~Office of Tourism, Trade, and~~  
1353 ~~Economic Development~~ as meeting the criteria in subsection (1).  
1354 After certification, the department ~~Office of Tourism, Trade,~~  
1355 ~~and Economic Development~~ may release funds to the qualified job  
1356 training organization pursuant to a contract with the  
1357 organization. The contract must include the performance  
1358 conditions that must be met in order to obtain the award or  
1359 portions of the award, including, but not limited to, net new  
1360 employment in the state, the methodology for validating  
1361 performance, the schedule of payments, and sanctions for failure  
1362 to meet the performance requirements including any provisions  
1363 for repayment of awards. The contract must also require that

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1364 salaries paid to officers and employees of the qualified job  
1365 training organization comply with s. 4958 of the Internal  
1366 Revenue Code of 1986, as amended.

1367 Section 39. Paragraph (c) of subsection (3) of section  
1368 288.11621, Florida Statutes, is amended to read:

1369 288.11621 Spring training baseball franchises.—

1370 (3) USE OF FUNDS.—

1371 (c) The Department of Revenue may not distribute funds to  
1372 an applicant certified on or after July 1, 2010, until it  
1373 receives notice from the department ~~office~~ that the certified  
1374 applicant has encumbered funds under subparagraph (a)2.

1375 Section 40. Subsection (6) of section 288.1168, Florida  
1376 Statutes, is amended to read:

1377 288.1168 Professional golf hall of fame facility.—

1378 (6) The department ~~Office of Tourism, Trade, and Economic~~  
1379 ~~Development~~ must recertify every 10 years that the facility is  
1380 open, continues to be the only professional golf hall of fame in  
1381 the United States recognized by the PGA Tour, Inc., and is  
1382 meeting the minimum projections for attendance or sales tax  
1383 revenue as required at the time of original certification. If  
1384 the facility is not certified as meeting the minimum  
1385 projections, the PGA Tour, Inc., shall increase its required  
1386 advertising contribution of \$2 million annually to \$2.5 million  
1387 annually in lieu of reduction of any funds as provided by s.  
1388 212.20. The additional \$500,000 must be allocated in its  
1389 entirety for the use and promotion of generic Florida  
1390 advertising as determined by the department ~~Office of Tourism,~~  
1391 ~~Trade, and Economic Development~~. If the facility is not open to  
1392 the public or is no longer in use as the only professional golf



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1393 hall of fame in the United States recognized by the PGA Tour,  
1394 Inc., the entire \$2.5 million for advertising must be used for  
1395 generic Florida advertising as determined by the department  
1396 ~~Office of Tourism, Trade, and Economic Development~~.

1397 Section 41. Subsection (4) of section 288.1171, Florida  
1398 Statutes, is amended to read:

1399 288.1171 Motorsports entertainment complex; definitions;  
1400 certification; duties.-

1401 (4) Upon determining that an applicant meets the  
1402 requirements of subsection (3), the department ~~office~~ shall  
1403 notify the applicant and the executive director of the  
1404 Department of Revenue of such certification by means of an  
1405 official letter granting certification. If the applicant fails  
1406 to meet the certification requirements of subsection (3), the  
1407 department ~~office~~ shall notify the applicant not later than 10  
1408 days following such determination.

1409 Section 42. Paragraph (a) of subsection (8) of section  
1410 288.1254, Florida Statutes, is amended to read:

1411 288.1254 Entertainment industry financial incentive  
1412 program.-

1413 (8) RULES, POLICIES, AND PROCEDURES.-

1414 (a) The department ~~Office of Tourism, Trade, and Economic~~  
1415 ~~Development~~ may adopt rules pursuant to ss. 120.536(1) and  
1416 120.54 and develop policies and procedures to implement and  
1417 administer this section, including, but not limited to, rules  
1418 specifying requirements for the application and approval  
1419 process, records required for substantiation for tax credits,  
1420 procedures for making the election in paragraph (4)(d), the  
1421 manner and form of documentation required to claim tax credits

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1422 awarded or transferred under this section, and marketing  
1423 requirements for tax credit recipients.

1424 Section 43. Subsection (2) of section 288.714, Florida  
1425 Statutes, is amended to read:

1426 288.714 Quarterly and annual reports.—

1427 (2) The department must compile a summary of all quarterly  
1428 reports ~~and provide a copy of the summary to the board~~ within 30  
1429 days after the end of each calendar quarter which ~~that~~ includes  
1430 a detailed summary of the recipient's performance of the duties  
1431 imposed by s. 288.7102.

1432 Section 44. Subsection (7) of section 288.7102, Florida  
1433 Statutes, is amended to read:

1434 288.7102 Black Business Loan Program.—

1435 (7) The department, ~~in consultation with the board,~~ shall  
1436 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement  
1437 this section.

1438 Section 45. Subsections (5) and (7) of section 288.987,  
1439 Florida Statutes, are amended to read:

1440 288.987 Florida Defense Support Task Force.—

1441 (5) The executive director of the Department of Economic  
1442 Opportunity ~~Office of Tourism, Trade, and Economic Development~~  
1443 ~~within the Executive Office of the Governor,~~ or his or her  
1444 designee, shall serve as the ex officio, nonvoting executive  
1445 director of the task force.

1446 (7) The department ~~Office of Tourism, Trade, and Economic~~  
1447 ~~Development~~ shall contract with the task force for expenditure  
1448 of appropriated funds, which may be used by the task force for  
1449 economic and product research and development, joint planning  
1450 with host communities to accommodate military missions and

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1451 prevent base encroachment, advocacy on the state's behalf with  
1452 federal civilian and military officials, assistance to school  
1453 districts in providing a smooth transition for large numbers of  
1454 additional military-related students, job training and placement  
1455 for military spouses in communities with high proportions of  
1456 active duty military personnel, and promotion of the state to  
1457 military and related contractors and employers. The task force  
1458 may annually spend up to \$200,000 of funds appropriated to the  
1459 department ~~Executive Office of the Governor, Office of Tourism,~~  
1460 ~~Trade, and Economic Development,~~ for the task force for staffing  
1461 and administrative expenses of the task force, including travel  
1462 and per diem costs incurred by task force members who are not  
1463 otherwise eligible for state reimbursement.

1464 Section 46. Paragraph (d) of subsection (6) of section  
1465 290.0055, Florida Statutes, is amended to read:

1466 290.0055 Local nominating procedure.—

1467 (6)

1468 (d)1. The governing body of a jurisdiction which has  
1469 nominated an application for an enterprise zone that is no  
1470 larger than 12 square miles and includes a portion of the state  
1471 designated as a rural area of critical economic concern under s.  
1472 288.0656(7) may apply to the department ~~Office of Tourism,~~  
1473 ~~Trade, and Economic Development~~ to expand the boundary of the  
1474 enterprise zone by not more than 3 square miles. An application  
1475 to expand the boundary of an enterprise zone under this  
1476 paragraph must be submitted by December 31, 2012.

1477 2. Notwithstanding the area limitations specified in  
1478 subsection (4), the department ~~Office of Tourism, Trade, and~~  
1479 ~~Economic Development~~ may approve the request for a boundary

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1480 amendment if the area continues to satisfy the remaining  
1481 requirements of this section.

1482 3. The department ~~Office of Tourism, Trade, and Economic~~  
1483 ~~Development~~ shall establish the initial effective date of an  
1484 enterprise zone designated under this paragraph.

1485 Section 47. Paragraph (a) of subsection (4) of section  
1486 290.0065, Florida Statutes, is amended to read:

1487 290.0065 State designation of enterprise zones.—

1488 (4) (a) Notwithstanding s. 290.0055, the department may  
1489 redesignate any state enterprise zone having an effective date  
1490 on or before January 1, 2005, as a state enterprise zone upon  
1491 completion and submittal to the department ~~office~~ by the  
1492 governing body for an enterprise zone of the following:

1493 1. An updated zone profile for the enterprise zone based on  
1494 the most recent census data that complies with s. 290.0055,  
1495 except that pervasive poverty criteria may be set aside for  
1496 rural enterprise zones.

1497 2. A resolution passed by the governing body for that  
1498 enterprise zone requesting redesignation and explaining the  
1499 reasons the conditions of the zone merit redesignation.

1500 3. Measurable goals for the enterprise zone developed by  
1501 the enterprise zone development agency, which may be the goals  
1502 established in the enterprise zone's strategic plan.

1503

1504 The governing body may also submit a request for a boundary  
1505 change in an enterprise zone in the same application to the  
1506 department as long as the new area complies with the  
1507 requirements of s. 290.0055, except that pervasive poverty  
1508 criteria may be set aside for rural enterprise zones.

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1509 Section 48. Section 290.00726, Florida Statutes, is amended  
1510 to read:

1511 290.00726 Enterprise zone designation for Martin County.—  
1512 Martin County may apply to the department ~~Office of Tourism,~~  
1513 ~~Trade, and Economic Development~~ for designation of one  
1514 enterprise zone for an area within Martin County, which zone  
1515 shall encompass an area of up to 10 square miles consisting of  
1516 land within the primary urban services boundary and focusing on  
1517 Indiantown, but excluding property owned by Florida Power and  
1518 Light to the west, two areas to the north designated as estate  
1519 residential, and the county-owned Timer Powers Recreational  
1520 Area. Within the designated enterprise zone, Martin County shall  
1521 exempt residential condominiums from benefiting from state  
1522 enterprise zone incentives, unless prohibited by law. The  
1523 application must have been submitted by December 31, 2011, and  
1524 must comply with the requirements of s. 290.0055.

1525 Notwithstanding s. 290.0065 limiting the total number of  
1526 enterprise zones designated and the number of enterprise zones  
1527 within a population category, the department ~~Office of Tourism,~~  
1528 ~~Trade, and Economic Development~~ may designate one enterprise  
1529 zone under this section. The department ~~Office of Tourism,~~  
1530 ~~Trade, and Economic Development~~ shall establish the initial  
1531 effective date of the enterprise zone designated under this  
1532 section.

1533 Section 49. Section 290.00727, Florida Statutes, is amended  
1534 to read:

1535 290.00727 Enterprise zone designation for the City of Palm  
1536 Bay.—The City of Palm Bay may apply to the department ~~Office of~~  
1537 ~~Tourism, Trade, and Economic Development~~ for designation of one

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1538 enterprise zone for an area within the northeast portion of the  
1539 city, which zone shall encompass an area of up to 5 square  
1540 miles. The application must have been submitted by December 31,  
1541 2011, and must comply with the requirements of s. 290.0055.  
1542 Notwithstanding s. 290.0065 limiting the total number of  
1543 enterprise zones designated and the number of enterprise zones  
1544 within a population category, the department ~~Office of Tourism,~~  
1545 ~~Trade, and Economic Development~~ may designate one enterprise  
1546 zone under this section. The department ~~Office of Tourism,~~  
1547 ~~Trade, and Economic Development~~ shall establish the initial  
1548 effective date of the enterprise zone designated under this  
1549 section.

1550 Section 50. Section 290.00728, Florida Statutes, is amended  
1551 to read:

1552 290.00728 Enterprise zone designation for Lake County.—Lake  
1553 County may apply to the department ~~Office of Tourism, Trade, and~~  
1554 ~~Economic Development~~ for designation of one enterprise zone,  
1555 which zone shall encompass an area of up to 10 square miles  
1556 within Lake County. The application must have been submitted by  
1557 December 31, 2011, and must comply with the requirements of s.  
1558 290.0055. Notwithstanding s. 290.0065 limiting the total number  
1559 of enterprise zones designated and the number of enterprise  
1560 zones within a population category, the department ~~Office of~~  
1561 ~~Tourism, Trade, and Economic Development~~ may designate one  
1562 enterprise zone under this section. The department ~~Office of~~  
1563 ~~Tourism, Trade, and Economic Development~~ shall establish the  
1564 initial effective date of the enterprise zone designated under  
1565 this section.

1566 Section 51. Subsections (1) and (6) of section 311.09,

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1567 Florida Statutes, are amended to read:

1568       311.09 Florida Seaport Transportation and Economic  
1569 Development Council.—

1570       (1) The Florida Seaport Transportation and Economic  
1571 Development Council is created within the Department of  
1572 Transportation. The council consists of the following 17 ~~18~~  
1573 members: the port director, or the port director's designee, of  
1574 each of the ports of Jacksonville, Port Canaveral, Port Citrus,  
1575 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,  
1576 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key  
1577 West, and Fernandina; the secretary of the Department of  
1578 Transportation or his or her designee; and the director of the  
1579 Department of Economic Opportunity or his or her designee.

1580       (6) The Department of Economic Opportunity ~~Community~~  
1581 ~~Affairs~~ shall review the list of projects approved by the  
1582 council to determine consistency with approved local government  
1583 comprehensive plans of the units of local government in which  
1584 the port is located and consistency with the port master plan.  
1585 The Department of Economic Opportunity ~~Community Affairs~~ shall  
1586 identify and notify the council of those projects that ~~which~~ are  
1587 not consistent, to the maximum extent feasible, with such  
1588 comprehensive plans and port master plans.

1589       Section 52. Paragraph (b) of subsection (9), paragraph (a)  
1590 of subsection (35), and paragraph (b) of subsection (62) of  
1591 section 320.08058, Florida Statutes, are amended to read:

1592       320.08058 Specialty license plates.—

1593       (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

1594       (b) The license plate annual use fees are to be annually  
1595 distributed as follows:

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1596           1. Fifty-five percent of the proceeds from the Florida  
1597 Professional Sports Team plate must be deposited into the  
1598 Professional Sports Development Trust Fund within the Department  
1599 of Economic Opportunity. These funds must be used solely to  
1600 attract and support major sports events in this state. As used  
1601 in this subparagraph, the term "major sports events" means, but  
1602 is not limited to, championship or all-star contests of Major  
1603 League Baseball, the National Basketball Association, the  
1604 National Football League, the National Hockey League, the men's  
1605 and women's National Collegiate Athletic Association Final Four  
1606 basketball championship, or a horseracing or dogracing Breeders'  
1607 Cup. All funds must be used to support and promote major  
1608 sporting events, and the uses must be approved by the Department  
1609 of Economic Opportunity ~~Florida Sports Foundation~~.

1610           2. The remaining proceeds of the Florida Professional  
1611 Sports Team license plate must be allocated to Enterprise  
1612 Florida, Inc. These funds must be deposited into the  
1613 Professional Sports Development Trust Fund within the Department  
1614 of Economic Opportunity. These funds must be used by Enterprise  
1615 Florida, Inc., to promote the economic development of the sports  
1616 industry; to distribute licensing and royalty fees to  
1617 participating professional sports teams; to promote education  
1618 programs in Florida schools that provide an awareness of the  
1619 benefits of physical activity and nutrition standards; to  
1620 partner with the Department of Education and the Department of  
1621 Health to develop a program that recognizes schools whose  
1622 students demonstrate excellent physical fitness or fitness  
1623 improvement; to institute a grant program for communities  
1624 bidding on minor sporting events that create an economic impact



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1625 for the state; to distribute funds to Florida-based charities  
1626 designated by Enterprise Florida, Inc., and the participating  
1627 professional sports teams; and to fulfill the sports promotion  
1628 responsibilities of the Department of Economic Opportunity.

1629 3. Enterprise Florida, Inc., shall provide an annual  
1630 financial audit in accordance with s. 215.981 of its financial  
1631 accounts and records by an independent certified public  
1632 accountant pursuant to the contract established by the  
1633 Department of Economic Opportunity. The auditor shall submit the  
1634 audit report to the Department of Economic Opportunity for  
1635 review and approval. If the audit report is approved, the  
1636 Department of Economic Opportunity shall certify the audit  
1637 report to the Auditor General for review.

1638 4. Notwithstanding the provisions of subparagraphs 1. and  
1639 2., proceeds from the Professional Sports Development Trust Fund  
1640 may also be used for operational expenses of Enterprise Florida,  
1641 Inc., and financial support of the Sunshine State Games.

1642 (35) FLORIDA GOLF LICENSE PLATES.—

1643 (a) The Department of Highway Safety and Motor Vehicles  
1644 shall develop a Florida Golf license plate as provided in this  
1645 section. The word "Florida" must appear at the bottom of the  
1646 plate. The Dade Amateur Golf Association, following consultation  
1647 with the PGA TOUR, Enterprise Florida, Inc., ~~the Florida Sports~~  
1648 ~~Foundation~~, the LPGA, and the PGA of America, may submit a  
1649 revised sample plate for consideration by the department.

1650 (62) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

1651 (b) The annual use fees shall be distributed to the  
1652 Wildlife Foundation of Florida, Inc., a citizen support  
1653 organization created pursuant to s. 379.223, which shall

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1654 administer the fees as follows:

1655 1. Wildlife Foundation of Florida, Inc., shall retain the  
1656 first \$60,000 of the annual use fees as direct reimbursement for  
1657 administrative costs, startup costs, and costs incurred in the  
1658 development and approval process.

1659 2. Thereafter, a maximum of 10 percent of the fees may be  
1660 used for administrative costs directly associated with education  
1661 programs, conservation, springs research, and grant  
1662 administration of the foundation. A maximum of 15 percent of the  
1663 fees may be used for continuing promotion and marketing of the  
1664 license plate.

1665 3. At least 55 percent of the fees shall be available for  
1666 competitive grants for targeted community-based springs research  
1667 not currently available for state funding. The remaining 20  
1668 percent shall be directed toward community outreach programs  
1669 aimed at implementing such research findings. The competitive  
1670 grants shall be administered and approved by the board of  
1671 directors of the Wildlife Foundation of Florida. The granting  
1672 advisory committee shall be composed of nine members, including  
1673 one representative from the Fish and Wildlife Conservation  
1674 Commission, one representative from the Department of  
1675 Environmental Protection, one representative from the Department  
1676 of Health, one representative from the Department of Economic  
1677 Opportunity ~~Community Affairs~~, three citizen representatives,  
1678 and two representatives from nonprofit stakeholder groups.

1679 4. The remaining funds shall be distributed with the  
1680 approval of and accountability to the board of directors of the  
1681 Wildlife Foundation of Florida, and shall be used to support  
1682 activities contributing to education, outreach, and springs

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1683 conservation.

1684 Section 53. Paragraph (b) of subsection (5) of section  
1685 339.135, Florida Statutes, is amended to read:

1686 339.135 Work program; legislative budget request;  
1687 definitions; preparation, adoption, execution, and amendment.—

1688 (5) ADOPTION OF THE WORK PROGRAM.—

1689 (b) Notwithstanding paragraph (a), and for the 2011-2012  
1690 fiscal year only, the Department of Transportation shall  
1691 transfer funds to the Department of Economic Opportunity Office  
1692 ~~of Tourism, Trade, and Economic Development~~ in an amount equal  
1693 to \$15 million for the purpose of funding transportation-related  
1694 needs of economic development projects. This transfer does ~~shall~~  
1695 not reduce, delete, or defer any existing projects funded, as of  
1696 July 1, 2011, in the Department of Transportation's 5-year work  
1697 program. This paragraph expires July 1, 2012.

1698 Section 54. Subsection (1) of section 342.201, Florida  
1699 Statutes, is amended to read:

1700 342.201 Waterfronts Florida Program.—

1701 (1) There is established within the Department of Economic  
1702 Opportunity ~~Environmental Protection~~ the Waterfronts Florida  
1703 Program to provide technical assistance and support to  
1704 communities in revitalizing waterfront areas in this state.

1705 Section 55. Paragraph (h) of subsection (2) of section  
1706 377.703, Florida Statutes, is amended to read:

1707 377.703 Additional functions of the Department of  
1708 Agriculture and Consumer Services.—

1709 (2) DUTIES.—The department shall perform the following  
1710 functions, unless as otherwise provided, consistent with the  
1711 development of a state energy policy:

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1712 (h) The department shall promote the development and use of  
1713 renewable energy resources, in conformance with ~~the provisions~~  
1714 ~~of~~ chapter 187 and s. 377.601, by:

1715 1. Establishing goals and strategies for increasing the use  
1716 of solar energy in this state.

1717 2. Aiding and promoting the commercialization of solar  
1718 energy technology, in cooperation with the Florida Solar Energy  
1719 Center, Enterprise Florida, Inc., and any other federal, state,  
1720 or local governmental agency which may seek to promote research,  
1721 development, and demonstration of solar energy equipment and  
1722 technology.

1723 3. Identifying barriers to greater use of solar energy  
1724 systems in this state, and developing specific recommendations  
1725 for overcoming identified barriers, with findings and  
1726 recommendations to be submitted annually in the report to the  
1727 Governor and Legislature required under paragraph (f).

1728 4. In cooperation with the Department of Environmental  
1729 Protection, the Department of Transportation, the Department of  
1730 Economic Opportunity ~~Community Affairs~~, Enterprise Florida,  
1731 Inc., the Florida Solar Energy Center, and the Florida Solar  
1732 Energy Industries Association, investigating opportunities,  
1733 pursuant to the National Energy Policy Act of 1992, the Housing  
1734 and Community Development Act of 1992, and any subsequent  
1735 federal legislation, for solar electric vehicles and other solar  
1736 energy manufacturing, distribution, installation, and financing  
1737 efforts which will enhance this state's position as the leader  
1738 in solar energy research, development, and use.

1739 5. Undertaking other initiatives to advance the development  
1740 and use of renewable energy resources in this state.

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1741  
1742 In the exercise of its responsibilities under this paragraph,  
1743 the department shall seek the assistance of the solar energy  
1744 industry in this state and other interested parties and is  
1745 authorized to enter into contracts, retain professional  
1746 consulting services, and expend funds appropriated by the  
1747 Legislature for such purposes.

1748 Section 56. Paragraphs (c) and (d) of subsection (4) of  
1749 section 377.809, Florida Statutes, are amended to read:

1750 377.809 Energy Economic Zone Pilot Program.—

1751 (4)

1752 (c) Upon approving an incentive for an eligible business,  
1753 the governing body that has jurisdiction over the energy  
1754 economic zone shall provide the taxpayer with a certificate  
1755 indicating the name and federal identification number of the  
1756 eligible business, the date the incentive is provided, the name  
1757 of the energy economic zone, the incentive type, and the  
1758 incentive amount. The local governing body shall certify to the  
1759 Department of Revenue or the Department of Economic Opportunity  
1760 ~~Office of Tourism, Trade, and Economic Development~~, whichever is  
1761 applicable, which businesses or properties are eligible to  
1762 receive any or all of the state incentives according to their  
1763 statutory requirements. The governing body that has jurisdiction  
1764 over the energy economic zone shall provide a copy of the  
1765 certificate to the Department of Revenue and the Department of  
1766 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~  
1767 ~~Development~~ as notification that such incentives were approved  
1768 for the specific eligible business or property. For incentives  
1769 to be claimed against the sales and use tax under chapter 212,

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1770 the Department of Revenue shall send, within 14 days after  
1771 receipt, written instructions to an eligible business on how to  
1772 claim the credit on a sales and use tax return initiated through  
1773 an electronic data interchange. Any credit against the sales and  
1774 use tax shall be deducted from any sales and use tax remitted by  
1775 the dealer to the Department of Revenue by electronic funds  
1776 transfer and may be deducted only on a sales and use tax return  
1777 initiated through an electronic data interchange. The dealer  
1778 shall separately state the credit on the electronic return. The  
1779 net amount of tax due and payable must be remitted by electronic  
1780 funds transfer. If the credit exceeds the amount owed on the  
1781 sales and use tax return, such excess amount may be carried  
1782 forward for a period not to exceed 12 months after the date that  
1783 the credit is initially claimed.

1784 (d) If all conditions are deemed met, the Department of  
1785 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~  
1786 ~~Development~~ and the Department of Revenue may adopt emergency  
1787 rules pursuant to ss. 120.536(1) and 120.54 to administer ~~the~~  
1788 ~~provisions of~~ this subsection. The emergency rules shall remain  
1789 in effect for 6 months after the rules are adopted, and the  
1790 rules may be renewed while the procedures to adopt permanent  
1791 rules addressing the subject of the emergency rules are pending.

1792 Section 57. Paragraph (b) of subsection (6), paragraph (b)  
1793 of subsection (19), paragraphs (l) and (q) of subsection (24),  
1794 and paragraphs (b) and (c) of subsection (29) of section 380.06,  
1795 Florida Statutes, are amended to read:

1796 380.06 Developments of regional impact.—

1797 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT; CONCURRENT  
1798 PLAN AMENDMENTS.—

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1799 (b) Any local government comprehensive plan amendments  
1800 related to a proposed development of regional impact, including  
1801 any changes proposed under subsection (19), may be initiated by  
1802 a local planning agency or the developer and must be considered  
1803 by the local governing body at the same time as the application  
1804 for development approval using the procedures provided for local  
1805 plan amendment in s. 163.3187 and applicable local ordinances,  
1806 without regard to local limits on the frequency of consideration  
1807 of amendments to the local comprehensive plan. This paragraph  
1808 does not require favorable consideration of a plan amendment  
1809 solely because it is related to a development of regional  
1810 impact. The procedure for processing such comprehensive plan  
1811 amendments is as follows:

1812 1. If a developer seeks a comprehensive plan amendment  
1813 related to a development of regional impact, the developer must  
1814 so notify in writing the regional planning agency, the  
1815 applicable local government, and the state land planning agency  
1816 no later than the date of preapplication conference or the  
1817 submission of the proposed change under subsection (19).

1818 2. When filing the application for development approval or  
1819 the proposed change, the developer must include a written  
1820 request for comprehensive plan amendments that would be  
1821 necessitated by the development-of-regional-impact approvals  
1822 sought. That request must include data and analysis upon which  
1823 the applicable local government can determine whether to  
1824 transmit the comprehensive plan amendment pursuant to s.  
1825 163.3184.

1826 3. The local government must advertise a public hearing on  
1827 the transmittal within 30 days after filing the application for

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1828 development approval or the proposed change and must make a  
1829 determination on the transmittal within 60 days after the  
1830 initial filing unless that time is extended by the developer.

1831 4. If the local government approves the transmittal,  
1832 procedures set forth in s. 163.3184(3)(b) and (c)  
1833 ~~163.3184(4)(b) --(d)~~ must be followed.

1834 5. Notwithstanding subsection (11) or subsection (19), the  
1835 local government may not hold a public hearing on the  
1836 application for development approval or the proposed change or  
1837 on the comprehensive plan amendments sooner than 30 days after  
1838 ~~from~~ receipt of the response from the state land planning agency  
1839 pursuant to s. 163.3184(3)(c)1. ~~163.3184(4)(d).~~

1840 6. The local government must hear both the application for  
1841 development approval or the proposed change and the  
1842 comprehensive plan amendments at the same hearing. However, the  
1843 local government must take action separately on the application  
1844 for development approval or the proposed change and on the  
1845 comprehensive plan amendments.

1846 7. Thereafter, the appeal process for the local government  
1847 development order must follow the provisions of s. 380.07, and  
1848 the compliance process for the comprehensive plan amendments  
1849 must follow the provisions of s. 163.3184.

1850 (19) SUBSTANTIAL DEVIATIONS.—

1851 (b) Any proposed change to a previously approved  
1852 development of regional impact or development order condition  
1853 which, either individually or cumulatively with other changes,  
1854 exceeds any of the following criteria shall constitute a  
1855 substantial deviation and shall cause the development to be  
1856 subject to further development-of-regional-impact review without



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1857 the necessity for a finding of same by the local government:

1858 1. An increase in the number of parking spaces at an  
1859 attraction or recreational facility by 15 percent or 500 spaces,  
1860 whichever is greater, or an increase in the number of spectators  
1861 that may be accommodated at such a facility by 15 percent or  
1862 1,500 spectators, whichever is greater.

1863 2. A new runway, a new terminal facility, a 25 percent ~~25-~~  
1864 ~~percent~~ lengthening of an existing runway, or a 25 percent ~~25-~~  
1865 ~~percent~~ increase in the number of gates of an existing terminal,  
1866 but only if the increase adds at least three additional gates.

1867 3. An increase in land area for office development by 15  
1868 percent or an increase of gross floor area of office development  
1869 by 15 percent or 100,000 gross square feet, whichever is  
1870 greater.

1871 4. An increase in the number of dwelling units by 10  
1872 percent or 55 dwelling units, whichever is greater.

1873 5. An increase in the number of dwelling units by 50  
1874 percent or 200 units, whichever is greater, provided that 15  
1875 percent of the proposed additional dwelling units are dedicated  
1876 to affordable workforce housing, subject to a recorded land use  
1877 restriction that shall be for a period of not less than 20 years  
1878 and that includes resale provisions to ensure long-term  
1879 affordability for income-eligible homeowners and renters and  
1880 provisions for the workforce housing to be commenced prior to  
1881 the completion of 50 percent of the market rate dwelling. For  
1882 purposes of this subparagraph, the term "affordable workforce  
1883 housing" means housing that is affordable to a person who earns  
1884 less than 120 percent of the area median income, or less than  
1885 140 percent of the area median income if located in a county in

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1886 which the median purchase price for a single-family existing  
1887 home exceeds the statewide median purchase price of a single-  
1888 family existing home. For purposes of this subparagraph, the  
1889 term "statewide median purchase price of a single-family  
1890 existing home" means the statewide purchase price as determined  
1891 in the Florida Sales Report, Single-Family Existing Homes,  
1892 released each January by the Florida Association of Realtors and  
1893 the University of Florida Real Estate Research Center.

1894 6. An increase in commercial development by 60,000 square  
1895 feet of gross floor area or of parking spaces provided for  
1896 customers for 425 cars or a 10 percent ~~10-percent~~ increase,  
1897 whichever is greater.

1898 7. An increase in a recreational vehicle park area by 10  
1899 percent or 110 vehicle spaces, whichever is less.

1900 8. A decrease in the area set aside for open space of 5  
1901 percent or 20 acres, whichever is less.

1902 9. A proposed increase to an approved multiuse development  
1903 of regional impact where the sum of the increases of each land  
1904 use as a percentage of the applicable substantial deviation  
1905 criteria is equal to or exceeds 110 percent. The percentage of  
1906 any decrease in the amount of open space shall be treated as an  
1907 increase for purposes of determining when 110 percent has been  
1908 reached or exceeded.

1909 10. A 15 percent ~~15-percent~~ increase in the number of  
1910 external vehicle trips generated by the development above that  
1911 which was projected during the original development-of-regional-  
1912 impact review.

1913 11. Any change that ~~which~~ would result in development of  
1914 any area which was specifically set aside in the application for

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1915 development approval or in the development order for  
1916 preservation or special protection of endangered or threatened  
1917 plants or animals designated as endangered, threatened, or  
1918 species of special concern and their habitat, any species  
1919 protected by 16 U.S.C. ss. 668a-668d, primary dunes, or  
1920 archaeological and historical sites designated as significant by  
1921 the Division of Historical Resources of the Department of State.  
1922 The refinement of the boundaries and configuration of such areas  
1923 shall be considered under sub-subparagraph (e)2.j.

1924  
1925 The substantial deviation numerical standards in subparagraphs  
1926 3., 6., and 9., excluding residential uses, and in subparagraph  
1927 10., are increased by 100 percent for a project certified under  
1928 s. 403.973 which creates jobs and meets criteria established by  
1929 the Department of Economic Opportunity ~~Office of Tourism, Trade,~~  
1930 ~~and Economic Development~~ as to its impact on an area's economy,  
1931 employment, and prevailing wage and skill levels. The  
1932 substantial deviation numerical standards in subparagraphs 3.,  
1933 4., 5., 6., 9., and 10. are increased by 50 percent for a  
1934 project located wholly within an urban infill and redevelopment  
1935 area designated on the applicable adopted local comprehensive  
1936 plan future land use map and not located within the coastal high  
1937 hazard area.

1938 (24) STATUTORY EXEMPTIONS.—

1939 (1) Any proposed development within an urban service  
1940 boundary established under s. 163.3177(14), Florida Statutes  
1941 (2010), which is not otherwise exempt pursuant to subsection  
1942 (29), is exempt from this section if the local government having  
1943 jurisdiction over the area where the development is proposed has

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1944 adopted the urban service boundary and has entered into a  
1945 binding agreement with jurisdictions that would be impacted and  
1946 with the Department of Transportation regarding the mitigation  
1947 of impacts on state and regional transportation facilities.

1948 (q) Any development identified in an airport master plan  
1949 and adopted into the comprehensive plan pursuant to s.  
1950 163.3177(6)(k), Florida Statutes (2010) is exempt from this  
1951 section.

1952  
1953 If a use is exempt from review as a development of regional  
1954 impact under paragraphs (a)-(u), but will be part of a larger  
1955 project that is subject to review as a development of regional  
1956 impact, the impact of the exempt use must be included in the  
1957 review of the larger project, unless such exempt use involves a  
1958 development of regional impact that includes a landowner,  
1959 tenant, or user that has entered into a funding agreement with  
1960 the Department of Economic Opportunity under the Innovation  
1961 Incentive Program and the agreement contemplates a state award  
1962 of at least \$50 million.

1963 (29) EXEMPTIONS FOR DENSE URBAN LAND AREAS.—

1964 (b) If a municipality that does not qualify as a dense  
1965 urban land area ~~pursuant to s. 163.3164~~ designates any of the  
1966 following areas in its comprehensive plan, any proposed  
1967 development within the designated area is exempt from the  
1968 development-of-regional-impact process:

- 1969 1. Urban infill as defined in s. 163.3164;
- 1970 2. Community redevelopment areas as defined in s. 163.340;
- 1971 3. Downtown revitalization areas as defined in s. 163.3164;
- 1972 4. Urban infill and redevelopment under s. 163.2517; or

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1973 5. Urban service areas as defined in s. 163.3164 or areas  
 1974 within a designated urban service boundary under s.  
 1975 163.3177(14).

1976 (c) If a county that does not qualify as a dense urban land  
 1977 area ~~pursuant to s. 163.3164~~ designates any of the following  
 1978 areas in its comprehensive plan, any proposed development within  
 1979 the designated area is exempt from the development-of-regional-  
 1980 impact process:

- 1981 1. Urban infill as defined in s. 163.3164;
- 1982 2. Urban infill and redevelopment under s. 163.2517; or
- 1983 3. Urban service areas as defined in s. 163.3164.

1984 Section 58. Paragraph (a) of subsection (4) of section  
 1985 402.56, Florida Statutes, is amended to read:

1986 402.56 Children's cabinet; organization; responsibilities;  
 1987 annual report.—

1988 (4) MEMBERS.—The cabinet shall consist of 14 members  
 1989 including the Governor and the following persons:

- 1990 (a)1. The Secretary of Children and Family Services;
- 1991 2. The Secretary of Juvenile Justice;
- 1992 3. The director of the Agency for Persons with  
 1993 Disabilities;
- 1994 4. The director of the Office ~~Division~~ of Early Learning;
- 1995 5. The State Surgeon General;
- 1996 6. The Secretary of Health Care Administration;
- 1997 7. The Commissioner of Education;
- 1998 8. The director of the Statewide Guardian Ad Litem Office;
- 1999 9. The director of the Office of Child Abuse Prevention;
- 2000 and
- 2001 10. Five members representing children and youth advocacy

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2002 organizations, who are not service providers and who are  
2003 appointed by the Governor.

2004 Section 59. Subsection (6) of section 403.0891, Florida  
2005 Statutes, is amended to read:

2006 403.0891 State, regional, and local stormwater management  
2007 plans and programs.—The department, the water management  
2008 districts, and local governments shall have the responsibility  
2009 for the development of mutually compatible stormwater management  
2010 programs.

2011 (6) The department and the Department of Economic  
2012 Opportunity Community Affairs, in cooperation with local  
2013 governments in the coastal zone, shall develop a model  
2014 stormwater management program that could be adopted by local  
2015 governments. The model program shall contain dedicated funding  
2016 options, including a stormwater utility fee system based upon an  
2017 equitable unit cost approach. Funding options shall be designed  
2018 to generate capital to retrofit existing stormwater management  
2019 systems, build new treatment systems, operate facilities, and  
2020 maintain and service debt.

2021 Section 60. Subsection (8) of section 420.503, Florida  
2022 Statutes, is amended to read:

2023 420.503 Definitions.—As used in this part, the term:

2024 (8) "Contract" means the contract between the executive  
2025 director ~~secretary~~ of the department and the corporation for  
2026 provision of housing services referenced in s. 420.0006.

2027 Section 61. Subsection (30) of section 420.507, Florida  
2028 Statutes, is amended to read:

2029 420.507 Powers of the corporation.—The corporation shall  
2030 have all the powers necessary or convenient to carry out and

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2031 effectuate the purposes and provisions of this part, including  
2032 the following powers which are in addition to all other powers  
2033 granted by other provisions of this part:

2034 (30) To prepare and submit to the executive director  
2035 ~~secretary~~ of the department a budget request for purposes of the  
2036 corporation, which request shall, notwithstanding the provisions  
2037 of chapter 216 and in accordance with s. 216.351, contain a  
2038 request for operational expenditures and separate requests for  
2039 other authorized corporation programs. The request need shall  
2040 ~~not be required to~~ contain information on the number of  
2041 employees, salaries, or any classification thereof, and the  
2042 approved operating budget therefor need not comply with s.  
2043 216.181(8)-(10). The executive director may ~~secretary is~~  
2044 ~~authorized to~~ include within the department's budget request the  
2045 corporation's budget request in the form as authorized by this  
2046 section.

2047 Section 62. Paragraph (d) of subsection (1) of section  
2048 420.101, Florida Statutes, is amended to read:

2049 420.101 Housing Development Corporation of Florida;  
2050 creation, membership, and purposes.—

2051 (1) Twenty-five or more persons, a majority of whom shall  
2052 be residents of this state, who may desire to create a housing  
2053 development corporation under the provisions of this part for  
2054 the purpose of promoting and developing housing and advancing  
2055 the prosperity and economic welfare of the state and, to that  
2056 end, to exercise the powers and privileges hereinafter provided,  
2057 may be incorporated by filing in the Department of State, as  
2058 hereinafter provided, articles of incorporation. The articles of  
2059 incorporation shall contain:

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2060 (d) The names and post office addresses of the members of  
2061 the first board of directors. The first board of directors shall  
2062 be elected by and from the stockholders of the corporation and  
2063 shall consist of 21 members. However, five of such members shall  
2064 consist of the following persons, who shall be nonvoting  
2065 members: the executive director ~~secretary~~ of the Department of  
2066 Economic Opportunity or her or his designee; the head of the  
2067 Department of Financial Services or her or his designee with  
2068 expertise in banking matters; a designee of the head of the  
2069 Department of Financial Services with expertise in insurance  
2070 matters; one state senator appointed by the President of the  
2071 Senate; and one representative appointed by the Speaker of the  
2072 House of Representatives.

2073 Section 63. Section 420.0005, Florida Statutes, is amended  
2074 to read:

2075 420.0005 State Housing Trust Fund; State Housing Fund.—  
2076 There is ~~hereby~~ established in the State Treasury a separate  
2077 trust fund to be named the "State Housing Trust Fund." There  
2078 shall be deposited in the fund all moneys appropriated by the  
2079 Legislature, or moneys received from any other source, for the  
2080 purpose of this chapter, and all proceeds derived from the use  
2081 of such moneys. The fund shall be administered by the Florida  
2082 Housing Finance Corporation on behalf of the department, as  
2083 specified in this chapter. Money deposited to the fund and  
2084 appropriated by the Legislature must, notwithstanding the  
2085 provisions of chapter 216 or s. 420.504(3), be transferred  
2086 quarterly in advance, to the extent available, or, if not so  
2087 available, as soon as received into the State Housing Trust  
2088 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)



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2089 by the Chief Financial Officer to the corporation upon  
2090 certification by the executive director of the Department of  
2091 Economic Opportunity that the corporation is in compliance with  
2092 the requirements of s. 420.0006. The certification made by the  
2093 executive director ~~secretary~~ shall also include the split of  
2094 funds among programs administered by the corporation and the  
2095 department as specified in chapter 92-317, Laws of Florida, as  
2096 amended. Moneys advanced by the Chief Financial Officer must be  
2097 deposited by the corporation into a separate fund established  
2098 with a qualified public depository meeting the requirements of  
2099 chapter 280 to be named the "State Housing Fund" and used for  
2100 the purposes of this chapter. Administrative and personnel costs  
2101 incurred in implementing this chapter may be paid from the State  
2102 Housing Fund, but such costs may not exceed 5 percent of the  
2103 moneys deposited into such fund. To the State Housing Fund shall  
2104 be credited all loan repayments, penalties, and other fees and  
2105 charges accruing to such fund under this chapter. It is the  
2106 intent of this chapter that all loan repayments, penalties, and  
2107 other fees and charges collected be credited in full to the  
2108 program account from which the loan originated. Moneys in the  
2109 State Housing Fund which are not currently needed for the  
2110 purposes of this chapter shall be invested in such manner as is  
2111 provided for by statute. The interest received on any such  
2112 investment shall be credited to the State Housing Fund.

2113 Section 64. Section 420.0006, Florida Statutes, is amended  
2114 to read:

2115 420.0006 Authority to contract with corporation; contract  
2116 requirements; nonperformance.—The executive director ~~secretary~~  
2117 of the department shall contract, notwithstanding ~~the provisions~~

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2118 ~~of~~ part I of chapter 287, with the Florida Housing Finance  
2119 Corporation on a multiyear basis to stimulate, provide, and  
2120 foster affordable housing in the state. The contract must  
2121 incorporate the performance measures required by s. 420.511 and  
2122 must be consistent with the provisions of the corporation's  
2123 strategic plan prepared in accordance with s. 420.511. The  
2124 contract must provide that, in the event the corporation fails  
2125 to comply with any of the performance measures required by s.  
2126 420.511, the executive director ~~secretary~~ shall notify the  
2127 Governor and shall refer the nonperformance to the department's  
2128 inspector general for review and determination as to whether  
2129 such failure is due to forces beyond the corporation's control  
2130 or whether such failure is due to inadequate management of the  
2131 corporation's resources. Advances shall continue to be made  
2132 pursuant to s. 420.0005 during the pendency of the review by the  
2133 department's inspector general. If such failure is due to  
2134 outside forces, it shall not be deemed a violation of the  
2135 contract. If such failure is due to inadequate management, the  
2136 department's inspector general shall provide recommendations  
2137 regarding solutions. The Governor is authorized to resolve any  
2138 differences of opinion with respect to performance under the  
2139 contract and may request that advances continue in the event of  
2140 a failure under the contract due to inadequate management. The  
2141 Chief Financial Officer shall approve the request absent a  
2142 finding by the Chief Financial Officer that continuing such  
2143 advances would adversely impact the state; however, in any event  
2144 the Chief Financial Officer shall provide advances sufficient to  
2145 meet the debt service requirements of the corporation and  
2146 sufficient to fund contracts committing funds from the State

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2147 Housing Trust Fund so long as such contracts are in accordance  
2148 with the laws of this state.

2149 Section 65. Subsection (26) of section 443.036, Florida  
2150 Statutes, is amended to read:

2151 443.036 Definitions.—As used in this chapter, the term:

2152 (26) "Initial skills review" means an online education or  
2153 training program, such as that established under s. 1004.99,  
2154 which that is approved by the Department of Economic Opportunity  
2155 Agency for Workforce Innovation and designed to measure an  
2156 individual's mastery level of workplace skills.

2157 Section 66. Paragraphs (c) and (d) of subsection (1) of  
2158 section 443.091, Florida Statutes, are amended to read:

2159 443.091 Benefit eligibility conditions.—

2160 (1) An unemployed individual is eligible to receive  
2161 benefits for any week only if the Department of Economic  
2162 Opportunity finds that:

2163 (c) To make continued claims for benefits, she or he is  
2164 reporting to the department in accordance with this paragraph  
2165 and department agency rules, and participating in an initial  
2166 skills review as directed by the department agency. Department  
2167 Agency rules may not conflict with s. 443.111(1)(b), which  
2168 requires that each claimant continue to report regardless of any  
2169 pending appeal relating to her or his eligibility or  
2170 disqualification for benefits.

2171 1. For each week of unemployment claimed, each report must,  
2172 at a minimum, include the name, address, and telephone number of  
2173 each prospective employer contacted, or the date the claimant  
2174 reported to a one-stop career center, pursuant to paragraph (d).

2175 2. The administrator or operator of the initial skills

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2176 review shall notify the department ~~agency~~ when the individual  
2177 completes the initial skills review and report the results of  
2178 the review to the regional workforce board or the one-stop  
2179 career center as directed by the workforce board. The workforce  
2180 board shall use the initial skills review to develop a plan for  
2181 referring individuals to training and employment opportunities.  
2182 The failure of the individual to comply with this requirement  
2183 will result in the individual being determined ineligible for  
2184 benefits for the week in which the noncompliance occurred and  
2185 for any subsequent week of unemployment until the requirement is  
2186 satisfied. However, this requirement does not apply if the  
2187 individual is able to affirmatively attest to being unable to  
2188 complete such review due to illiteracy or a language impediment.

2189 (d) She or he is able to work and is available for work. In  
2190 order to assess eligibility for a claimed week of unemployment,  
2191 the department shall develop criteria to determine a claimant's  
2192 ability to work and availability for work. A claimant must be  
2193 actively seeking work in order to be considered available for  
2194 work. This means engaging in systematic and sustained efforts to  
2195 find work, including contacting at least five prospective  
2196 employers for each week of unemployment claimed. The department  
2197 ~~agency~~ may require the claimant to provide proof of such efforts  
2198 to the one-stop career center as part of reemployment services.  
2199 The department ~~agency~~ shall conduct random reviews of work  
2200 search information provided by claimants. As an alternative to  
2201 contacting at least five prospective employers for any week of  
2202 unemployment claimed, a claimant may, for that same week, report  
2203 in person to a one-stop career center to meet with a  
2204 representative of the center and access reemployment services of

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2205 the center. The center shall keep a record of the services or  
2206 information provided to the claimant and shall provide the  
2207 records to the department ~~agency~~ upon request by the department  
2208 ~~agency~~. However:

2209 1. Notwithstanding any other provision of this paragraph or  
2210 paragraphs (b) and (e), an otherwise eligible individual may not  
2211 be denied benefits for any week because she or he is in training  
2212 with the approval of the department, or by reason of s.

2213 443.101(2) relating to failure to apply for, or refusal to  
2214 accept, suitable work. Training may be approved by the  
2215 department in accordance with criteria prescribed by rule. A  
2216 claimant's eligibility during approved training is contingent  
2217 upon satisfying eligibility conditions prescribed by rule.

2218 2. Notwithstanding any other provision of this chapter, an  
2219 otherwise eligible individual who is in training approved under  
2220 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be  
2221 determined ineligible or disqualified for benefits due to  
2222 enrollment in such training or because of leaving work that is  
2223 not suitable employment to enter such training. As used in this  
2224 subparagraph, the term "suitable employment" means work of a  
2225 substantially equal or higher skill level than the worker's past  
2226 adversely affected employment, as defined for purposes of the  
2227 Trade Act of 1974, as amended, the wages for which are at least  
2228 80 percent of the worker's average weekly wage as determined for  
2229 purposes of the Trade Act of 1974, as amended.

2230 3. Notwithstanding any other provision of this section, an  
2231 otherwise eligible individual may not be denied benefits for any  
2232 week because she or he is before any state or federal court  
2233 pursuant to a lawfully issued summons to appear for jury duty.

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2234 Section 67. Paragraph (a) of subsection (5) of section  
2235 443.111, Florida Statutes, is amended to read:

2236 443.111 Payment of benefits.—

2237 (5) DURATION OF BENEFITS.—

2238 (a) As used in this section, the term "Florida average  
2239 unemployment rate" means the average of the 3 months for the  
2240 most recent third calendar year quarter of the seasonally  
2241 adjusted statewide unemployment rates as published by the  
2242 Department of Economic Opportunity ~~Agency for Workforce~~  
2243 ~~Innovation~~.

2244 Section 68. Paragraph (b) of subsection (1) of section  
2245 443.141, Florida Statutes, is amended to read:

2246 443.141 Collection of contributions and reimbursements.—

2247 (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT,  
2248 ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

2249 (b) *Penalty for delinquent, erroneous, incomplete, or*  
2250 *insufficient reports.*—

2251 1. An employing unit that fails to file any report required  
2252 by the Department of Economic Opportunity or its tax collection  
2253 service provider, in accordance with rules for administering  
2254 this chapter, shall pay to the service provider for each  
2255 delinquent report the sum of \$25 for each 30 days or fraction  
2256 thereof that the employing unit is delinquent, unless the  
2257 department ~~agency~~ or its service provider, whichever required  
2258 the report, finds that the employing unit has good reason for  
2259 failing to file the report. The department or its service  
2260 provider may assess penalties only through the date of the  
2261 issuance of the final assessment notice. However, additional  
2262 penalties accrue if the delinquent report is subsequently filed.

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2263           2.a. An employing unit that files an erroneous, incomplete,  
2264 or insufficient report with the department or its tax collection  
2265 service provider shall pay a penalty. The amount of the penalty  
2266 is \$50 or 10 percent of any tax due, whichever is greater, but  
2267 no more than \$300 per report. The penalty shall be added to any  
2268 tax, penalty, or interest otherwise due.

2269           b. The department or its tax collection service provider  
2270 shall waive the penalty if the employing unit files an accurate,  
2271 complete, and sufficient report within 30 days after a penalty  
2272 notice is issued to the employing unit. The penalty may not be  
2273 waived pursuant to this subparagraph more than one time during a  
2274 12-month period.

2275           c. As used in this subsection, the term "erroneous,  
2276 incomplete, or insufficient report" means a report so lacking in  
2277 information, completeness, or arrangement that the report cannot  
2278 be readily understood, verified, or reviewed. Such reports  
2279 include, but are not limited to, reports having missing wage or  
2280 employee information, missing or incorrect social security  
2281 numbers, or illegible entries; reports submitted in a format  
2282 that is not approved by the department or its tax collection  
2283 service provider; and reports showing gross wages that do not  
2284 equal the total of the wages of each employee. However, the term  
2285 does not include a report that merely contains inaccurate data  
2286 that was supplied to the employer by the employee, if the  
2287 employer was unaware of the inaccuracy.

2288           3. Penalties imposed pursuant to this paragraph shall be  
2289 deposited in the Special Employment Security Administration  
2290 Trust Fund.

2291           4. The penalty and interest for a delinquent, erroneous,

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2292 incomplete, or insufficient report may be waived if the penalty  
2293 or interest is inequitable. The provisions of s. 213.24(1) apply  
2294 to any penalty or interest that is imposed under this section.

2295 Section 69. Paragraph (b) of subsection (2) of section  
2296 443.1715, Florida Statutes, is amended to read:

2297 443.1715 Disclosure of information; confidentiality.—

2298 (2) DISCLOSURE OF INFORMATION.—

2299 (b) The employer or the employer's workers' compensation  
2300 carrier against whom a claim for benefits under chapter 440 has  
2301 been made, or a representative of either, may request from the  
2302 department records of wages of the employee reported to the  
2303 department by any employer for the quarter that includes the  
2304 date of the accident that is the subject of such claim and for  
2305 subsequent quarters.

2306 1. The request must be made with the authorization or  
2307 consent of the employee or any employer who paid wages to the  
2308 employee after the date of the accident.

2309 2. The employer or carrier shall make the request on a form  
2310 prescribed by rule for such purpose by the department ~~agency~~.  
2311 Such form shall contain a certification by the requesting party  
2312 that it is a party entitled to the information requested.

2313 3. The department shall provide the most current  
2314 information readily available within 15 days after receiving the  
2315 request.

2316 Section 70. Subsections (1), (2), (4), (5), (6), and (7) of  
2317 section 443.17161, Florida Statutes, are amended to read:

2318 443.17161 Authorized electronic access to employer  
2319 information.—

2320 (1) Notwithstanding any other provision of this chapter,



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2321 the Department of Economic Opportunity ~~Agency for Workforce~~  
2322 ~~Innovation~~ shall contract with one or more consumer reporting  
2323 agencies to provide users with secured electronic access to  
2324 employer-provided information relating to the quarterly wages  
2325 report submitted in accordance with the state's unemployment  
2326 compensation law. The access is limited to the wage reports for  
2327 the appropriate amount of time for the purpose the information  
2328 is requested.

2329 (2) Users must obtain consent in writing or by electronic  
2330 signature from an applicant for credit, employment, or other  
2331 permitted purposes. Any written or electronic signature consent  
2332 from an applicant must be signed and must include the following:

2333 (a) Specific notice that information concerning the  
2334 applicant's wage and employment history will be released to a  
2335 consumer reporting agency;

2336 (b) Notice that the release is made for the sole purpose of  
2337 reviewing the specific application for credit, employment, or  
2338 other permitted purpose made by the applicant;

2339 (c) Notice that the files of the Department of Economic  
2340 Opportunity ~~Agency for Workforce Innovation~~ or its tax  
2341 collection service provider containing information concerning  
2342 wage and employment history which is submitted by the applicant  
2343 or his or her employers may be accessed; and

2344 (d) A listing of the parties authorized to receive the  
2345 released information.

2346 (4) If a consumer reporting agency or user violates this  
2347 section, the Department of Economic Opportunity ~~Agency for~~  
2348 ~~Workforce Innovation~~ shall, upon 30 days' written notice to the  
2349 consumer reporting agency, terminate the contract established

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2350 between the Department of Economic Opportunity ~~Agency for~~  
2351 ~~Workforce Innovation~~ and the consumer reporting agency or  
2352 require the consumer reporting agency to terminate the contract  
2353 established between the consumer reporting agency and the user  
2354 under this section.

2355 (5) The Department of Economic Opportunity ~~Agency for~~  
2356 ~~Workforce Innovation~~ shall establish minimum audit, security,  
2357 net worth, and liability insurance standards, technical  
2358 requirements, and any other terms and conditions considered  
2359 necessary in the discretion of the state agency to safeguard the  
2360 confidentiality of the information released under this section  
2361 and to otherwise serve the public interest. The Department of  
2362 Economic Opportunity ~~Agency for Workforce Innovation~~ shall also  
2363 include, in coordination with any necessary state agencies,  
2364 necessary audit procedures to ensure that these rules are  
2365 followed.

2366 (6) In contracting with one or more consumer reporting  
2367 agencies under this section, any revenues generated by the  
2368 contract must be used to pay the entire cost of providing access  
2369 to the information. Further, in accordance with federal  
2370 regulations, any additional revenues generated by the Department  
2371 of Economic Opportunity ~~Agency for Workforce Innovation~~ or the  
2372 state under this section must be paid into the Administrative  
2373 Trust Fund of the Department of Economic Opportunity ~~Agency for~~  
2374 ~~Workforce Innovation~~ for the administration of the unemployment  
2375 compensation system or be used as program income.

2376 (7) The Department of Economic Opportunity ~~Agency for~~  
2377 ~~Workforce Innovation~~ may not provide wage and employment history  
2378 information to any consumer reporting agency before the consumer

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2379 reporting agency or agencies under contract with the Department  
2380 of Economic Opportunity ~~Agency for Workforce Innovation~~ pay all  
2381 development and other startup costs incurred by the state in  
2382 connection with the design, installation, and administration of  
2383 technological systems and procedures for the electronic access  
2384 program.

2385 Section 71. Subsection (2) of section 446.50, Florida  
2386 Statutes, is amended to read:

2387 446.50 Displaced homemakers; multiservice programs; report  
2388 to the Legislature; Displaced Homemaker Trust Fund created.—

2389 (2) DEFINITION.—For the purposes of this section, the term  
2390 “displaced homemaker” means an individual who:

2391 (a) Is 35 years of age or older;

2392 (b) Has worked in the home, providing unpaid household  
2393 services for family members;

2394 (c) Is not adequately employed, as defined by rule of the  
2395 department ~~agency~~;

2396 (d) Has had, or would have, difficulty in securing adequate  
2397 employment; and

2398 (e) Has been dependent on the income of another family  
2399 member but is no longer supported by such income, or has been  
2400 dependent on federal assistance.

2401 Section 72. Section 450.261, Florida Statutes, is amended  
2402 to read:

2403 450.261 Interstate Migrant Labor Commission; Florida  
2404 membership.—In selecting the Florida membership of the  
2405 Interstate Migrant Labor Commission, the Governor may designate  
2406 the executive director ~~secretary~~ of the Department of Economic  
2407 Opportunity as his or her representative.

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2408 Section 73. Paragraph (c) of subsection (7) of section  
2409 509.032, Florida Statutes, is amended to read:

2410 509.032 Duties.—

2411 (7) PREEMPTION AUTHORITY.—

2412 (c) Paragraph (b) does not apply to any local law,  
2413 ordinance, or regulation exclusively relating to property  
2414 valuation as a criterion for vacation rental if the local law,  
2415 ordinance, or regulation is required to be approved by the state  
2416 land planning agency ~~Department of Community Affairs~~ pursuant to  
2417 an area of critical state concern designation.

2418 Section 74. Subsection (3) of section 624.5105, Florida  
2419 Statutes, is amended to read:

2420 624.5105 Community contribution tax credit; authorization;  
2421 limitations; eligibility and application requirements;  
2422 administration; definitions; expiration.—

2423 (3) APPLICATION REQUIREMENTS.—

2424 (a) Any eligible sponsor wishing to participate in this  
2425 program must submit a proposal to the Department of Economic  
2426 Opportunity ~~Office of Tourism, Trade, and Economic Development~~  
2427 which sets forth the sponsor, the project, the area in which the  
2428 project is located, and such supporting information as may be  
2429 prescribed by rule. The proposal shall also contain a resolution  
2430 from the local governmental unit in which the proposed project  
2431 is located certifying that the project is consistent with local  
2432 plans and regulations.

2433 (b)1. Any insurer wishing to participate in this program  
2434 must submit an application for tax credit to the Department of  
2435 Economic Opportunity ~~office~~ which sets forth the sponsor; the  
2436 project; and the type, value, and purpose of the contribution.

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2437 The sponsor must verify, in writing, the terms of the  
2438 application and indicate its willingness to receive the  
2439 contribution, which verification must accompany the application  
2440 for tax credit.

2441 2. The insurer must submit a separate application for tax  
2442 credit for each individual contribution which it proposes to  
2443 contribute to each individual project.

2444 Section 75. Subsection (4) of section 1002.75, Florida  
2445 Statutes, is amended to read:

2446 1002.75 Office of Early Learning; powers and duties;  
2447 operational requirements.—

2448 (4) The Office of Early Learning shall also adopt  
2449 procedures for the ~~agency's~~ distribution of funds to early  
2450 learning coalitions under s. 1002.71.

2451 Section 76. Subsection (2) of section 1002.79, Florida  
2452 Statutes, is amended to read:

2453 1002.79 Rulemaking authority.—

2454 (2) The Office of Early Learning shall adopt rules under  
2455 ss. 120.536(1) and 120.54 to administer the provisions of this  
2456 part conferring duties upon the office ~~agency~~.

2457 Section 77. Paragraph (a) of subsection (1) of section  
2458 259.035, Florida Statutes, is amended to read:

2459 259.035 Acquisition and Restoration Council.—

2460 (1) There is created the Acquisition and Restoration  
2461 Council.

2462 (a) The council shall be composed of 10 ~~eleven~~ voting  
2463 members, four of whom shall be appointed by the Governor. Of  
2464 these four appointees, three shall be from scientific  
2465 disciplines related to land, water, or environmental sciences

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2466 and the fourth shall have at least 5 years of experience in  
2467 managing lands for both active and passive types of recreation.  
2468 They shall serve 4-year terms, except that, initially, to  
2469 provide for staggered terms, two of the appointees shall serve  
2470 2-year terms. All subsequent appointments shall be for 4-year  
2471 terms. An ~~No~~ appointee may not ~~shall~~ serve more than 6 years.  
2472 The Governor may at any time fill a vacancy for the unexpired  
2473 term of a member appointed under this paragraph.

2474 Section 78. Subsection (2) of section 288.12265, Florida  
2475 Statutes, is amended to read:

2476 288.12265 Welcome centers.—

2477 (2) Enterprise Florida, Inc., shall administer and operate  
2478 the welcome centers. Pursuant to a contract with the Department  
2479 of Transportation, Enterprise Florida, Inc., shall be  
2480 responsible for routine repair, replacement, or improvement and  
2481 the day-to-day management of interior areas occupied by the  
2482 welcome centers. All other repairs, replacements, or  
2483 improvements to the welcome centers shall be the responsibility  
2484 of the Department of Transportation. Enterprise Florida, Inc.,  
2485 may contract with the Florida Tourism Industry Marketing  
2486 Corporation for the management and operation of the welcome  
2487 centers.

2488 Section 79. Paragraph (a) of subsection (5) of section  
2489 288.901, Florida Statutes, is amended to read:

2490 288.901 Enterprise Florida, Inc.—

2491 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

2492 (a) In addition to the Governor or the Governor's designee,  
2493 the board of directors shall consist of the following appointed  
2494 members:

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2495 1. The Commissioner of Education or the commissioner's  
2496 designee.

2497 2. The Chief Financial Officer or his or her designee.

2498 3. The chairperson of the board of directors of Workforce  
2499 Florida, Inc.

2500 4. The Secretary of State or the secretary's designee.

2501 5. Twelve members from the private sector, six of whom  
2502 shall be appointed by the Governor, three of whom shall be  
2503 appointed by the President of the Senate, and three of whom  
2504 shall be appointed by the Speaker of the House of  
2505 Representatives. Members appointed by the Governor ~~All~~  
2506 ~~appointees~~ are subject to Senate confirmation.

2507 Section 80. Paragraph (d) of subsection (2) and subsection  
2508 (3) of section 288.980, Florida Statutes, are amended to read:

2509 288.980 Military base retention; legislative intent; grants  
2510 program.—

2511 (2)

2512 (d) In making grant awards the department ~~office~~ shall  
2513 consider, at a minimum, the following factors:

2514 1. The relative value of the particular military  
2515 installation in terms of its importance to the local and state  
2516 economy relative to other military installations vulnerable to  
2517 closure.

2518 2. The potential job displacement within the local  
2519 community should the military installation be closed.

2520 3. The potential adverse impact on industries and  
2521 technologies which service the military installation.

2522 (3) The Florida Economic Reinvestment Initiative is  
2523 established to respond to the need for this state and defense-

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2524 dependent communities in this state to develop alternative  
2525 economic diversification strategies to lessen reliance on  
2526 national defense dollars in the wake of base closures and  
2527 reduced federal defense expenditures and the need to formulate  
2528 specific base reuse plans and identify any specific  
2529 infrastructure needed to facilitate reuse. The initiative shall  
2530 consist of the following three ~~two~~ distinct grant programs to be  
2531 administered by the department:

2532 (a) The Florida Defense Planning Grant Program, through  
2533 which funds shall be used to analyze the extent to which the  
2534 state is dependent on defense dollars and defense infrastructure  
2535 and prepare alternative economic development strategies. The  
2536 state shall work in conjunction with defense-dependent  
2537 communities in developing strategies and approaches that will  
2538 help communities make the transition from a defense economy to a  
2539 nondefense economy. Grant awards may not exceed \$250,000 per  
2540 applicant and shall be available on a competitive basis.

2541 (b) The Florida Defense Implementation Grant Program,  
2542 through which funds shall be made available to defense-dependent  
2543 communities to implement the diversification strategies  
2544 developed pursuant to paragraph (a). Eligible applicants include  
2545 defense-dependent counties and cities, and local economic  
2546 development councils located within such communities. Grant  
2547 awards may not exceed \$100,000 per applicant and shall be  
2548 available on a competitive basis. Awards shall be matched on a  
2549 one-to-one basis.

2550 (c) The Florida Military Installation Reuse Planning and  
2551 Marketing Grant Program, through which funds shall be used to  
2552 help counties, cities, and local economic development councils



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2553 develop and implement plans for the reuse of closed or realigned  
2554 military installations, including any necessary infrastructure  
2555 improvements needed to facilitate reuse and related marketing  
2556 activities.

2557  
2558 Applications for grants under this subsection must include a  
2559 coordinated program of work or plan of action delineating how  
2560 the eligible project will be administered and accomplished,  
2561 which must include a plan for ensuring close cooperation between  
2562 civilian and military authorities in the conduct of the funded  
2563 activities and a plan for public involvement.

2564 Section 81. Section 331.3081, Florida Statutes, is amended  
2565 to read:

2566 331.3081 Board of directors; ~~advisory board.~~

2567 ~~(1)~~ Space Florida shall be governed by a 13-member ~~12-~~  
2568 ~~member~~ independent board of directors that consists of the  
2569 members appointed to the board of directors of Enterprise  
2570 Florida, Inc., by the Governor, the President of the Senate, and  
2571 the Speaker of the House of Representatives pursuant to s.  
2572 288.901(5)(a)5. The Governor or the Governor's designee shall be  
2573 an ex officio voting member and shall serve as the chair of the  
2574 board.

2575 ~~(2) Space Florida shall have a 15-member advisory council,~~  
2576 ~~appointed by the Governor from a list of nominations submitted~~  
2577 ~~by the board of directors. The advisory council shall be~~  
2578 ~~composed of Florida residents with expertise in the space~~  
2579 ~~industry, and each of the following areas of expertise or~~  
2580 ~~experience must be represented by at least one advisory council~~  
2581 ~~member: human space flight programs, commercial launches into~~

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2582 ~~space, organized labor with experience working in the aerospace~~  
2583 ~~industry, aerospace-related industries, a commercial company~~  
2584 ~~working under Federal Government contracts to conduct space-~~  
2585 ~~related business, an aerospace company whose primary client is~~  
2586 ~~the United States Department of Defense, and an alternative~~  
2587 ~~energy enterprise with potential for aerospace applications. The~~  
2588 ~~advisory council shall elect a member to serve as the chair of~~  
2589 ~~the council.~~

2590 ~~(3) The advisory council shall make recommendations to the~~  
2591 ~~board of directors of Enterprise Florida, Inc., on the operation~~  
2592 ~~of Space Florida, including matters pertaining to ways to~~  
2593 ~~improve or enhance Florida's efforts to expand its existing~~  
2594 ~~space and aerospace industry, to improve management and use of~~  
2595 ~~Florida's state-owned real property assets related to space and~~  
2596 ~~aerospace, how best to retain and, if necessary, retrain~~  
2597 ~~Florida's highly skilled space and aerospace workforce, and how~~  
2598 ~~to strengthen bonds between this state, NASA, the Department of~~  
2599 ~~Defense, and private space and aerospace industries.~~

2600 ~~(4) The term for an advisory council member is 4 years. A~~  
2601 ~~member may not serve more than two consecutive terms. The~~  
2602 ~~Governor may remove any member for cause and shall fill all~~  
2603 ~~vacancies that occur.~~

2604 ~~(5) Advisory council members shall serve without~~  
2605 ~~compensation but may be reimbursed for all reasonable,~~  
2606 ~~necessary, and actual expenses as determined by the board of~~  
2607 ~~directors of Enterprise Florida, Inc.~~

2608 Section 82. Paragraph (e) is added to subsection (3) of  
2609 section 20.60, Florida Statutes, to read:

2610 20.60 Department of Economic Opportunity; creation; powers

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2611 and duties.—

2612 (3) The following divisions of the Department of Economic  
2613 Opportunity are established:

2614 (e) The Division of Information Technology.

2615 Section 83. Section 163.03, Florida Statutes, is repealed.

2616 Section 84. Subsection (5) of section 373.461, Florida  
2617 Statutes, is amended, and present subsections (6) and (7) of  
2618 that section are renumbered as subsections (5) and (6),  
2619 respectively, to read:

2620 373.461 Lake Apopka improvement and management.—

2621 ~~(5) PURCHASE OF AGRICULTURAL LANDS.—~~

2622 ~~(a) The Legislature finds that it is in the public interest~~  
2623 ~~of the state to acquire lands in agricultural production, along~~  
2624 ~~with their related facilities, which contribute, directly or~~  
2625 ~~indirectly, to phosphorus discharges to Lake Apopka, for the~~  
2626 ~~purpose of improving water quality in Lake Apopka. These lands~~  
2627 ~~consist of those farming entities on Lake Apopka having consent~~  
2628 ~~and settlement agreements with the district and those sand land~~  
2629 ~~farms discharging indirectly to Lake Apopka through Lake Level~~  
2630 ~~Canal, Apopka Beauclair Canal, or McDonald Canal. The district~~  
2631 ~~is granted the power of eminent domain on those properties.~~

2632 ~~(b) In determining the fair market value of lands to be~~  
2633 ~~purchased from willing sellers, all appraisals of such lands may~~  
2634 ~~consider income from the use of the property for farming and,~~  
2635 ~~for this purpose, such income shall be deemed attributable to~~  
2636 ~~the real estate.~~

2637 ~~(c) The district shall explore the availability of funding~~  
2638 ~~from all sources, including any federal, state, regional, and~~  
2639 ~~local land acquisition funding programs, to purchase the~~

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2640 ~~agricultural lands described in paragraph (a). It is the~~  
2641 ~~Legislature's intent that, if such funding sources can be~~  
2642 ~~identified, acquisition of the lands described in paragraph (a)~~  
2643 ~~may be undertaken by the district to purchase these properties~~  
2644 ~~from willing sellers. However, the purchase price paid for~~  
2645 ~~acquisition of such lands that were in active cultivation during~~  
2646 ~~1996 shall not exceed the highest appraisal obtained by the~~  
2647 ~~district for these lands from a state-certified general~~  
2648 ~~appraiser following the Uniform Standards of Professional~~  
2649 ~~Appraisal Practice. This maximum purchase price limitation shall~~  
2650 ~~not include, nor be applicable to, that portion of the purchase~~  
2651 ~~price attributable to consideration of income described in~~  
2652 ~~paragraph (b), or that portion attributable to related~~  
2653 ~~facilities, or closing costs.~~

2654 ~~(d) In connection with successful acquisition of any of the~~  
2655 ~~lands described in this section which are not needed for~~  
2656 ~~stormwater management facilities, the district shall give the~~  
2657 ~~seller the option to lease the land for a period not to exceed 5~~  
2658 ~~years, at a fair market lease value for similar agricultural~~  
2659 ~~lands. Proceeds derived from such leases shall be used to offset~~  
2660 ~~the cost of acquiring the land.~~

2661 ~~(e) If all the lands within Zellwood are purchased in~~  
2662 ~~accordance with this section prior to expiration of the consent~~  
2663 ~~agreement between Zellwood and the district, Zellwood shall be~~  
2664 ~~reimbursed for any costs described in subsection (4).~~

2665 ~~(f)1. Tangible personal property acquired by the district~~  
2666 ~~as part of related facilities pursuant to this section, and~~  
2667 ~~classified as surplus by the district, shall be sold by the~~  
2668 ~~Department of Management Services. The Department of Management~~

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2669 ~~Services shall deposit the proceeds of such sale in the Economic~~  
2670 ~~Development Trust Fund in the Executive Office of the Governor.~~  
2671 ~~The proceeds shall be used for the purpose of providing economic~~  
2672 ~~and infrastructure development in portions of northwestern~~  
2673 ~~Orange County and east central Lake County which will be~~  
2674 ~~adversely affected economically due to the acquisition of lands~~  
2675 ~~pursuant to this subsection.~~

2676 ~~2. The Office of Tourism, Trade, and Economic Development~~  
2677 ~~shall, upon presentation of the appropriate documentation~~  
2678 ~~justifying expenditure of the funds deposited pursuant to this~~  
2679 ~~paragraph, pay any obligation for which it has sufficient funds~~  
2680 ~~from the proceeds of the sale of tangible personal property and~~  
2681 ~~which meets the limitations specified in paragraph (g). The~~  
2682 ~~authority of the Office of Tourism, Trade, and Economic~~  
2683 ~~Development to expend such funds shall expire 5 years from the~~  
2684 ~~effective date of this paragraph. Such expenditures may occur~~  
2685 ~~without future appropriation from the Legislature.~~

2686 ~~3. Funds deposited under this paragraph may not be used for~~  
2687 ~~any purpose other than those enumerated in paragraph (g).~~

2688 ~~(g)1. The proceeds of sale of tangible personal property~~  
2689 ~~authorized by paragraph (f) shall be distributed as follows: 60~~  
2690 ~~percent to Orange County; 25 percent to the City of Apopka; and~~  
2691 ~~15 percent to Lake County.~~

2692 ~~2. Such proceeds shall be used to implement the~~  
2693 ~~redevelopment plans adopted by the Orange County Board of County~~  
2694 ~~Commissioners, Apopka City Commission, and Lake County Board of~~  
2695 ~~County Commissioners.~~

2696 ~~3. Of the total proceeds, the Orange County Board of County~~  
2697 ~~Commissioners, Apopka City Commission, and Lake County Board of~~

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2698 County Commissioners, may not expend more than:

2699     a. ~~Twenty percent for labor force training related to the~~

2700 ~~redevelopment plan;~~

2701     b. ~~Thirty three percent for financial or economic~~

2702 ~~incentives for business location or expansion in the~~

2703 ~~redevelopment area; and~~

2704     c. ~~Four percent for administration, planning, and marketing~~

2705 ~~the redevelopment plan.~~

2706     4. ~~The Orange County Board of County Commissioners, Apopka~~

2707 ~~City Commission, and Lake County Board of County Commissioners~~

2708 ~~must spend those revenues not expended under subparagraph 3. for~~

2709 ~~infrastructure needs necessary for the redevelopment plan.~~

2710     Section 85. Section 379.2353, Florida Statutes, is

2711 repealed.

2712     Section 86. This act shall take effect upon becoming a law.