

By Senator Ring

32-01005-12

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1 A bill to be entitled
2 An act relating to economic development incentives;
3 providing legislative intent regarding the
4 maximization of economic development incentives;
5 requiring the Department of Economic Opportunity to
6 identify and group all statutorily created economic
7 development incentives according to classifications
8 created by the department; requiring the department to
9 develop criteria and procedures by which it will
10 select independent, third-party consultants to review
11 applications for economic development incentive
12 awards; requiring the department to develop criteria
13 for the selection of third-party consultants;
14 requiring the department to make recommendations to
15 the Legislature by a date certain; providing criteria
16 for the recommendations; providing an effective date.

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

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20 Section 1. (1) The Legislature intends that economic
21 development incentives be maximized to attract and keep the best
22 businesses and industries in this state while providing the
23 greatest return on its investment. The Legislature finds that in
24 order to meet this goal, proposals for economic development
25 incentives must be given sufficient and thorough scrutiny by
26 economic professionals in order to determine whether they are
27 based on sound business principles and technology, whether
28 stated goals are achievable, and whether the individuals charged
29 with managing a business that receives an incentive are

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30 qualified and knowledgeable. In addition, the Legislature finds
31 that the selection process for incentive awards must be fair and
32 transparent.

33 (2) The Department of Economic Opportunity shall review all
34 statutorily created economic development incentives and group
35 them according to classifications reflective of the nature of
36 the incentives. The department shall develop criteria for
37 selecting independent third-party consultants that have
38 expertise in each of the identified classifications. A third-
39 party consultant must have sufficient expertise and experience
40 to choose award recipients that can successfully meet the goals
41 identified for each classification, to monitor each award
42 contract to ensure that awarded funds are expended pursuant to
43 the contract, and to make recommendations to the department if
44 an award recipient does not meet the terms of the contract.

45 (3) By January 1, 2013, the department shall make
46 recommendations to the Legislature regarding statutory changes
47 necessary to implement the classification system and review
48 process. The recommendations must:

49 (a) Provide for the transfer of the oversight of economic
50 development incentive award programs from Enterprise Florida,
51 Inc., to the department and for the use of third-party
52 consultants to receive, review, and approve by classification
53 applications for economic development incentives.

54 (b) Provide criteria to classify economic incentives and to
55 ensure that economic development incentives or the awards are
56 not duplicative.

57 (c) Provide criteria and procedures to be used by the
58 department in selecting third-party consultants for each

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59 classification.

60 (d) Provide for an oversight board within the department to
61 manage the third-party consultants and oversee the economic
62 development incentives to ensure that incentive awards are not
63 duplicative and meet the objectives of each of the economic
64 development incentives.

65 Section 2. This act shall take effect July 1, 2012.