

1 A bill to be entitled
 2 An act relating to governmental reorganization;
 3 amending s. 20.60, F.S.; establishing the Division of
 4 Information Technology within the Department of
 5 Economic Opportunity; amending ss. 68.096, 68.105,
 6 159.81, 163.2517, 163.2523, 163.3178, 163.3191,
 7 163.3204, 163.3221, 163.3246, 163.3247, 163.336,
 8 163.458, 163.460, 163.461, 163.462, 163.5055, 163.506,
 9 163.508, 163.511, 163.512, 212.096, 213.053,
 10 215.55865, 218.411, 220.153, 220.183, 220.194,
 11 258.501, 259.042, 259.101, 282.201, 288.021, 288.1045,
 12 288.106, 288.108, 288.1083, 288.1089, 288.1097,
 13 288.11621, 288.1168, 288.1171, 288.1254, 288.714,
 14 288.7102, 288.987, 290.0055, 290.0065, 290.00726,
 15 290.00727, 290.00728, 311.09, 320.08058, 339.135,
 16 342.201, 373.461, 377.703, 377.809, 380.06, 402.56,
 17 403.0891, 420.503, 420.507, 420.101, 420.0005,
 18 420.0006, 443.036, 443.091, 443.111, 443.141,
 19 443.1715, 443.17161, 446.50, 450.261, 509.032,
 20 624.5105, 1002.75, and 1002.79, F.S.; correcting
 21 references to agency names and divisions and
 22 correcting cross-references to conform to the
 23 governmental reorganization resulting from the
 24 enactment of chapter 2011-142, Laws of Florida; making
 25 technical and grammatical changes; amending s.
 26 163.3178, F.S.; deleting provisions that encourage
 27 local governments to adopt countywide marina siting
 28 plans and use uniform criteria and standards for

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29 marina siting; conforming a cross-reference; amending
30 s. 259.035, F.S.; correcting a reference to the number
31 of members of the Acquisition and Restoration Council;
32 amending s. 288.12265, F.S.; authorizing Enterprise
33 Florida, Inc., to contract with the Florida Tourism
34 Industry Marketing Corporation for management and
35 operation of welcome centers; amending s. 288.901,
36 F.S.; revising the membership of the board of
37 directors of Enterprise Florida, Inc.; limiting the
38 requirement that members of the board of directors be
39 confirmed by the Senate to those members who are
40 appointed by the Governor; amending s. 288.980, F.S.;
41 replacing an obsolete reference to the former Office
42 of Tourism, Trade, and Economic Development;
43 correcting the number of grant programs relating to
44 Florida Economic Reinvestment Initiative; amending s.
45 331.3081, F.S.; revising the membership of the board
46 of directors of Space Florida; providing for
47 designation of the chair of the board of directors;
48 deleting provisions establishing the Space Florida
49 advisory council; repealing s. 163.03, F.S., relating
50 to the powers and duties of the Secretary of Community
51 Affairs and functions of Department of Community
52 Affairs with respect to federal grant-in-aid programs;
53 repealing s. 379.2353, F.S., relating to the
54 designation of enterprise zones in communities
55 suffering adverse impacts from the adoption of the

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56 constitutional amendment limiting the use of nets to
 57 harvest marine species; providing an effective date.

58

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

60

61 Section 1. Paragraph (e) is added to subsection (3) of
 62 section 20.60, Florida Statutes, to read:

63 20.60 Department of Economic Opportunity; creation; powers
 64 and duties.—

65 (3) The following divisions of the Department of Economic
 66 Opportunity are established:

67 (e) The Division of Information Technology.

68 Section 2. Subsection (1) of section 68.096, Florida
 69 Statutes, is amended to read:

70 68.096 Definitions.—For purposes of this act:

71 (1) "Department" means the Department of Legal Community
 72 Affairs.

73 Section 3. Section 68.105, Florida Statutes, is amended to
 74 read:

75 68.105 Use of funds; reports.—All appropriations made for
 76 the purposes of the Florida Access to Civil Legal Assistance
 77 ~~this~~ Act shall ~~only~~ be used only for legal education or
 78 assistance in family law, juvenile law, entitlement to federal
 79 benefits, protection from domestic violence, elder abuse, child
 80 abuse, or immigration law. These funds may ~~shall~~ not be used in
 81 criminal or postconviction relief matters; ; for lobbying
 82 activities; ; to sue the state, its agencies or political
 83 subdivisions, or colleges or universities; ; for class action

84 lawsuits, to provide legal assistance with respect to
 85 noncriminal infractions pursuant to chapter 316, chapter 318,
 86 chapter 320, or chapter 322;; to contest regulatory decisions of
 87 any municipal, county, or state administrative or legislative
 88 body;; or to file or assist in the filing of private causes of
 89 action under federal or state statutes relating to or arising
 90 out of employment or terms or conditions of employment. The
 91 contracting organization shall require pilot projects to provide
 92 data on the number of clients served, the types of cases, the
 93 reasons the cases were closed, and the state dollars saved and
 94 federal dollars brought into the state because of the legal
 95 services provided. The contracting organization shall provide to
 96 the department ~~of Community Affairs~~, within 60 days after
 97 completing ~~of the completion of~~ the contract, a report on the
 98 legal services provided, the state dollars saved, and the
 99 federal dollars brought into the state.

100 Section 4. Subsection (1) of section 159.81, Florida
 101 Statutes, is amended to read:

102 159.81 Unused allocations; carryforwards.-

103 (1) The division shall, when requested, provide
 104 carryforwards pursuant to s. 146(f) of the Code for written
 105 confirmations for priority projects which qualify for a
 106 carryforward pursuant to s. 146(f) of the Code, if such request
 107 is accompanied by an opinion of bond counsel to that effect. In
 108 addition, in the case of Florida First Business projects, the
 109 division shall, when requested, grant requests for carryforward
 110 only after receipt of a certification from the Department of
 111 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~

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112 ~~Development~~ that the project has been approved by the such
 113 department office to receive carryforward.

114 Section 5. Paragraph (b) of subsection (6) of section
 115 163.2517, Florida Statutes, is amended to read:

116 163.2517 Designation of urban infill and redevelopment
 117 area.—

118 (6)

119 (b) If the local government fails to implement the urban
 120 infill and redevelopment plan in accordance with the deadlines
 121 set forth in the plan, the state land planning agency ~~Department~~
 122 ~~of Community Affairs~~ may seek to rescind the economic and
 123 regulatory incentives granted to the urban infill and
 124 redevelopment area, subject to the provisions of chapter 120.
 125 The action to rescind may be initiated 90 days after issuing a
 126 written letter of warning to the local government.

127 Section 6. Section 163.2523, Florida Statutes, is amended
 128 to read:

129 163.2523 Grant program.—An Urban Infill and Redevelopment
 130 Assistance Grant Program is created for local governments. A
 131 local government may allocate grant money to special districts,
 132 including community redevelopment agencies, and nonprofit
 133 community development organizations to implement projects
 134 consistent with an adopted urban infill and redevelopment plan
 135 or plan employed in lieu thereof. Thirty percent of the general
 136 revenue appropriated for this program shall be available for
 137 planning grants to be used by local governments for the
 138 development of an urban infill and redevelopment plan, including
 139 community participation processes for the plan. Sixty percent of

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140 the general revenue appropriated for this program shall be
141 available for fifty/fifty matching grants for implementing urban
142 infill and redevelopment projects that further the objectives
143 set forth in the local government's adopted urban infill and
144 redevelopment plan or plan employed in lieu thereof. The
145 remaining 10 percent of the revenue must be used for outright
146 grants for implementing projects requiring an expenditure of
147 under \$50,000. If the volume of fundable applications under any
148 of the allocations specified in this section does not fully
149 obligate the amount of the allocation, the Department of
150 Economic Opportunity ~~Community Affairs~~ may transfer the unused
151 balance to the category having the highest dollar value of
152 applications eligible but unfunded. However, in no event may the
153 percentage of dollars allocated to outright grants for
154 implementing projects exceed 20 percent in any given fiscal
155 year. Projects that provide employment opportunities to clients
156 of the Temporary Cash Assistance program and projects within
157 urban infill and redevelopment areas that include a community
158 redevelopment area, Florida Main Street program, Front Porch
159 Florida Community, sustainable community, enterprise zone,
160 federal enterprise zone, enterprise community, or neighborhood
161 improvement district must be given an elevated priority in the
162 scoring of competing grant applications. The ~~Division of Housing~~
163 ~~and Community Development of the~~ Department of Economic
164 Opportunity ~~Community Affairs~~ shall administer the grant
165 program. The Department of Economic Opportunity ~~Community~~
166 ~~Affairs~~ shall adopt rules establishing grant review criteria
167 consistent with this section.

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168 Section 7. Subsection (3) of section 163.3178, Florida
 169 Statutes, is amended to read:

170 163.3178 Coastal management.—

171 (3) Expansions to port harbors, spoil disposal sites,
 172 navigation channels, turning basins, harbor berths, and other
 173 related inwater harbor facilities of ports listed in s.
 174 403.021(9); port transportation facilities and projects listed
 175 in s. 311.07(3)(b); intermodal transportation facilities
 176 identified pursuant to s. 311.09(3); and facilities determined
 177 by the state land planning agency ~~Department of Community~~
 178 ~~Affairs~~ and applicable general-purpose local government to be
 179 port-related industrial or commercial projects located within 3
 180 miles of or in a port master plan area which rely upon the use
 181 of port and intermodal transportation facilities may ~~shall~~ not
 182 be designated as developments of regional impact if such
 183 expansions, projects, or facilities are consistent with
 184 comprehensive master plans that are in compliance with this
 185 section.

186 Section 8. Subsection (3) of section 163.3191, Florida
 187 Statutes, is amended to read:

188 163.3191 Evaluation and appraisal of comprehensive plan.—

189 (3) Local governments are encouraged to comprehensively
 190 evaluate and, as necessary, update comprehensive plans to
 191 reflect changes in local conditions. Plan amendments transmitted
 192 pursuant to this section shall be reviewed pursuant to ~~in~~
 193 ~~accordance with~~ s. 163.3184(4).

194 Section 9. Section 163.3204, Florida Statutes, is amended
 195 to read:

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196 163.3204 Cooperation by state and regional agencies.—The
 197 state land planning agency ~~Department of Community Affairs~~ and
 198 any ad hoc working groups appointed by the department and all
 199 state and regional agencies involved in the administration and
 200 implementation of the Community Planning ~~this~~ Act shall
 201 cooperate and work with units of local government in the
 202 preparation and adoption of comprehensive plans, or elements or
 203 portions thereof, and of local land development regulations.

204 Section 10. Subsection (14) of section 163.3221, Florida
 205 Statutes, is amended to read:

206 163.3221 Florida Local Government Development Agreement
 207 Act; definitions.—As used in ss. 163.3220–163.3243:

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

210 Section 11. Subsection (1) of section 163.3246, Florida
 211 Statutes, is amended to read:

212 163.3246 Local government comprehensive planning
 213 certification program.—

214 (1) There is created the Local Government Comprehensive
 215 Planning Certification Program to be administered by the state
 216 land planning agency ~~Department of Community Affairs~~. The
 217 purpose of the program is to create a certification process for
 218 local governments who identify a geographic area for
 219 certification within which they commit to directing growth and
 220 who, because of a demonstrated record of effectively adopting,
 221 implementing, and enforcing its comprehensive plan, the level of
 222 technical planning experience exhibited by the local government,
 223 and a commitment to implement exemplary planning practices,

224 require less state and regional oversight of the comprehensive
 225 plan amendment process. The purpose of the certification area is
 226 to designate areas that are contiguous, compact, and appropriate
 227 for urban growth and development within a 10-year planning
 228 timeframe. Municipalities and counties are encouraged to jointly
 229 establish the certification area, and subsequently enter into
 230 joint certification agreement with the department.

231 Section 12. Paragraphs (a) and (b) of subsection (5) of
 232 section 163.3247, Florida Statutes, are amended to read:

233 163.3247 Century Commission for a Sustainable Florida.—

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

235 (a) The executive director of the state land planning
 236 agency ~~Secretary of Community Affairs~~ shall select an executive
 237 director of the commission, and the executive director of the
 238 commission shall serve at the pleasure of the executive director
 239 of the state land planning agency ~~secretary~~ under the
 240 supervision and control of the commission.

241 (b) The state land planning agency ~~Department of Community~~
 242 ~~Affairs~~ shall provide staff and other resources necessary to
 243 accomplish the goals of the commission based upon
 244 recommendations of the Governor.

245 Section 13. Paragraph (c) of subsection (2) of section
 246 163.336, Florida Statutes, is amended to read:

247 163.336 Coastal resort area redevelopment pilot project.—

248 (2) PILOT PROJECT ADMINISTRATION.—

249 (c) The Office of the Governor, the Department of
 250 Environmental Protection, and the Department of Economic
 251 Opportunity ~~Community Affairs~~ are directed to provide technical

252 assistance to expedite permitting for redevelopment projects and
 253 construction activities within the pilot project areas
 254 consistent with the principles, processes, and timeframes
 255 provided in s. 403.973.

256 Section 14. Section 163.458, Florida Statutes, is amended
 257 to read:

258 163.458 Three-tiered plan.—The Department of Economic
 259 Opportunity ~~may Community Affairs is authorized to~~ award core
 260 administrative and operating grants. Administrative and
 261 operating grants shall be used for staff salaries and
 262 administrative expenses for eligible community-based development
 263 organizations selected through a competitive three-tiered
 264 process for the purpose of housing and economic development
 265 projects. The department shall adopt by rule a set of criteria
 266 for three-tiered funding which ~~that~~ shall ensure equitable
 267 geographic distribution of the funding throughout the state.
 268 This three-tiered plan shall include emerging, intermediate, and
 269 mature community-based development organizations recognizing the
 270 varying needs of the three tiers. Funding shall be provided for
 271 core administrative and operating grants for all levels of
 272 community-based development organizations. Priority shall be
 273 given to those organizations that demonstrate community-based
 274 productivity and high performance as evidenced by past projects
 275 developed with stakeholder input that have responded to
 276 neighborhood needs, and have current projects located in high-
 277 poverty neighborhoods, and to emerging community-based
 278 development corporations that demonstrate a positive need
 279 identified by stakeholders. Persons, equipment, supplies, and

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280 other resources funded in whole or in part by grant funds shall
 281 be used ~~utilized~~ to further the purposes of the Community-Based
 282 Development Organization Assistance ~~this~~ Act, and may be used
 283 ~~utilized~~ to further the goals and objectives of the Front Porch
 284 Florida Initiative. Each community-based development
 285 organization is ~~shall be~~ eligible to apply for a grant of up to
 286 \$50,000 per year for a period of 5 years.

287 Section 15. Section 163.460, Florida Statutes, is amended
 288 to read:

289 163.460 Application requirements.—A community-based
 290 development organization applying for a core administrative and
 291 operating grant pursuant to the Community-Based Development
 292 Organization Assistance ~~this~~ Act must submit a proposal to the
 293 Department of Economic Opportunity ~~which Community Affairs that~~
 294 includes:

- 295 (1) A map and narrative description of the service areas
 296 for the community-based development organization.
- 297 (2) A copy of the documents creating the community-based
 298 development organization.
- 299 (3) A listing of the membership of the board of the
 300 community-based development organization, including individual
 301 members' terms of office and the number of low-income residents
 302 on the board.
- 303 (4) The organization's annual revitalization plan that
 304 describes the expenditure of the funds, including goals,
 305 objectives, and expected results, and has a clear relationship
 306 to the local municipality's comprehensive plan.
- 307 (5) Other supporting information that may be required by

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

310 (6) A description of the location, financing plan, and
 311 potential impact of the business enterprises on residential,
 312 commercial, or industrial development, which ~~that~~ shows a clear
 313 relationship to the organization's annual revitalization plan
 314 and demonstrates how the proposed expenditures are directly
 315 related to the scope of work for the proposed projects in the
 316 annual revitalization plan.

317 Section 16. Section 163.461, Florida Statutes, is amended
 318 to read:

319 163.461 Reporting and evaluation requirements.—Community-
 320 based development organizations that receive funds under the
 321 Community-Based Development Organization Assistance ~~this~~ Act
 322 shall provide the following information to the Department of
 323 Economic Opportunity ~~Community Affairs~~ annually:

324 (1) A listing of business firms and individuals assisted
 325 by the community-based development organization during the
 326 reporting period.

327 (2) A listing of the type, source, purpose, and amount of
 328 each individual grant, loan, or donation received by the
 329 community-based development organization during the reporting
 330 period.

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

333 (4) A listing of the salaries and administrative and
 334 operating expenses of the community-based development
 335 organization.

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336 (5) An identification and explanation of changes in the
337 boundaries of the target area.

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

340 (7) The number and description of projects in
341 predevelopment phase, projects under construction, ongoing
342 service programs, construction projects completed, and projects
343 at sell-out or lease-up and property management phase, and a
344 written explanation of the reasons that caused any projects not
345 to be completed for the projected development phase.

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

350 (9) The number of housing units rehabilitated or
351 constructed at various stages of development, predevelopment
352 phase, construction phase, completion and sell-out or lease-up
353 phase, and condominium or property management phase by the
354 community-based development organization within the service area
355 during the reporting period.

356 (10) The number of housing units, number of projects, and
357 number of persons served by prior projects developed by the
358 organization, the amounts of project financing leverage with
359 state funds for each prior and current project, and the
360 incremental amounts of local and state real estate tax and sales
361 tax revenue generated directly by the projects and programs
362 annually.

363 (11) The number of jobs, both permanent and temporary,

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364 received by individuals who were directly assisted by the
 365 community-based development organization through assistance to
 366 the business such as a loan or other credit assistance.

367 (12) An identification and explanation of changes in the
 368 boundaries of the service area.

369 (13) The impact of completed projects on residents in the
 370 target area and the relationship of this impact to expected
 371 outcomes listed in the organization's annual revitalization
 372 plan.

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

375 Section 17. Section 163.462, Florida Statutes, is amended
 376 to read:

377 163.462 Rulemaking authority.—The Department of Economic
 378 Opportunity Community Affairs shall adopt rules for the
 379 administration of the Community-Based Development Organization
 380 Assistance ~~this~~ Act.

381 Section 18. Subsection (1) of section 163.5055, Florida
 382 Statutes, is amended to read:

383 163.5055 Registration of district establishment; notice of
 384 dissolution.—

385 (1) (a) Each neighborhood improvement district authorized
 386 and established under this part shall within 30 days thereof
 387 register with both the Department of Economic Opportunity
 388 ~~Community Affairs~~ and the Department of Legal Affairs by
 389 providing these departments with the district's name, location,
 390 size, and type, and such other information as the departments
 391 may require.

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392 (b) Each local governing body that ~~which~~ authorizes the
 393 dissolution of a district shall notify both the Department of
 394 Economic Opportunity ~~Community Affairs~~ and the Department of
 395 Legal Affairs within 30 days after the dissolution of the
 396 district.

397 Section 19. Paragraph (h) of subsection (1) of section
 398 163.506, Florida Statutes, is amended to read:

399 163.506 Local government neighborhood improvement
 400 districts; creation; advisory council; dissolution.—

401 (1) After a local planning ordinance has been adopted
 402 authorizing the creation of local government neighborhood
 403 improvement districts, the local governing body of a
 404 municipality or county may create local government neighborhood
 405 improvement districts by the enactment of a separate ordinance
 406 for each district, which ordinance:

407 (h) Requires the district to notify the Department of
 408 Legal Affairs and the Department of Economic Opportunity
 409 ~~Community Affairs~~ in writing of its establishment within 30 days
 410 thereof pursuant to s. 163.5055.

411 Section 20. Paragraph (g) of subsection (1) of section
 412 163.508, Florida Statutes, is amended to read:

413 163.508 Property owners' association neighborhood
 414 improvement districts; creation; powers and duties; duration.—

415 (1) After a local planning ordinance has been adopted
 416 authorizing the creation of property owners' association
 417 neighborhood improvement districts, the local governing body of
 418 a municipality or county may create property owners' association
 419 neighborhood improvement districts by the enactment of a

420 separate ordinance for each district, which ordinance:

421 (g) Requires the district to notify the Department of
 422 Legal Affairs and the Department of Economic Opportunity
 423 ~~Community Affairs~~ in writing of its establishment within 30 days
 424 thereof pursuant to s. 163.5055.

425 Section 21. Paragraph (i) of subsection (1) of section
 426 163.511, Florida Statutes, is amended to read:

427 163.511 Special neighborhood improvement districts;
 428 creation; referendum; board of directors; duration; extension.-

429 (1) After a local planning ordinance has been adopted
 430 authorizing the creation of special neighborhood improvement
 431 districts, the governing body of a municipality or county may
 432 declare the need for and create special residential or business
 433 neighborhood improvement districts by the enactment of a
 434 separate ordinance for each district, which ordinance:

435 (i) Requires the district to notify the Department of
 436 Legal Affairs and the Department of Economic Opportunity
 437 ~~Community Affairs~~ in writing of its establishment within 30 days
 438 thereof pursuant to s. 163.5055.

439 Section 22. Paragraph (i) of subsection (1) of section
 440 163.512, Florida Statutes, is amended to read:

441 163.512 Community redevelopment neighborhood improvement
 442 districts; creation; advisory council; dissolution.-

443 (1) Upon the recommendation of the community redevelopment
 444 agency and after a local planning ordinance has been adopted
 445 authorizing the creation of community redevelopment neighborhood
 446 improvement districts, the local governing body of a
 447 municipality or county may create community redevelopment

448 neighborhood improvement districts by the enactment of a
 449 separate ordinance for each district, which ordinance:

450 (i) Requires the district to notify the Department of
 451 Legal Affairs and the Department of Economic Opportunity
 452 ~~Community Affairs~~ in writing of its establishment within 30 days
 453 thereof pursuant to s. 163.5055.

454 Section 23. Paragraph (d) of subsection (1) of section
 455 212.096, Florida Statutes, is amended to read:

456 212.096 Sales, rental, storage, use tax; enterprise zone
 457 jobs credit against sales tax.—

458 (1) For the purposes of the credit provided in this
 459 section:

460 (d) "Job" means a full-time position, as consistent with
 461 terms used by the Department of Economic Opportunity ~~Agency for~~
 462 ~~Workforce Innovation~~ and the United States Department of Labor
 463 for purposes of unemployment compensation tax administration and
 464 employment estimation resulting directly from a business
 465 operation in this state. This term does ~~may~~ not include a
 466 temporary construction job involved with the construction of
 467 facilities or any job that has previously been included in any
 468 application for tax credits under s. 220.181(1). The term also
 469 includes employment of an employee leased from an employee
 470 leasing company licensed under chapter 468 if such employee has
 471 been continuously leased to the employer for an average of at
 472 least 36 hours per week for more than 6 months.

473
 474 A person shall be deemed to be employed if the person performs
 475 duties in connection with the operations of the business on a

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476 regular, full-time basis, provided the person is performing such
 477 duties for an average of at least 36 hours per week each month.
 478 The person must be performing such duties at a business site
 479 located in the enterprise zone.

480 Section 24. Paragraphs (k) and (bb) of subsection (8) of
 481 section 213.053, Florida Statutes, are amended, and present
 482 paragraphs (l) through (bb) of that subsection are redesignated
 483 as paragraphs (k) through (aa), respectively, to read:

484 213.053 Confidentiality and information sharing.—

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

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

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

495
 496 Disclosure of information under this subsection shall be
 497 pursuant to a written agreement between the executive director
 498 and the agency. Such agencies, governmental or nongovernmental,
 499 shall be bound by the same requirements of confidentiality as
 500 the Department of Revenue. Breach of confidentiality is a
 501 misdemeanor of the first degree, punishable as provided by s.
 502 775.082 or s. 775.083.

503 Section 25. Section 215.55865, Florida Statutes, is

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504 amended to read:

505 215.55865 Uniform home grading scale.—The Financial
 506 Services Commission shall adopt a uniform home grading scale to
 507 grade the ability of a home to withstand the wind load from a
 508 sustained severe tropical storm or hurricane. The commission
 509 shall coordinate with the Office of Insurance Regulation, the
 510 Department of Financial Services, and the Florida Building
 511 Commission ~~Department of Community Affairs~~ in developing the
 512 grading scale, which must be based upon and consistent with the
 513 rating system required by chapter 2006-12, Laws of Florida. ~~The~~
 514 ~~commission shall adopt the uniform grading scale by rule no~~
 515 ~~later than June 30, 2007.~~

516 Section 26. Paragraph (c) of subsection (1) of section
 517 218.411, Florida Statutes, is amended to read:

518 218.411 Authorization for state technical and advisory
 519 assistance.—

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

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

526 Section 27. Subsections (1), (2), and (3), paragraphs (b)
 527 and (c) of subsection (4), and subsection (5) of section
 528 220.153, Florida Statutes, are amended to read:

529 220.153 Apportionment by sales factor.—

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

531 ~~(a) "Office" means the Office of Tourism, Trade, and~~

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532 ~~Economic Development.~~

533 ~~(b)~~ "qualified capital expenditures" means expenditures in
534 this state for purposes substantially related to a business's
535 production or sale of goods or services. The expenditure must
536 fund the acquisition of additional real property (land,
537 buildings, including appurtenances, fixtures and fixed
538 equipment, structures, etc.), including additions, replacements,
539 major repairs, and renovations to real property which materially
540 extend its useful life or materially improve or change its
541 functional use and the furniture and equipment necessary to
542 furnish and operate a new or improved facility. The term
543 ~~"qualified capital expenditures"~~ does not include an expenditure
544 for a passive investment or for an investment intended for the
545 accumulation of reserves or the realization of profit for
546 distribution to any person holding an ownership interest in the
547 business. The term ~~"qualified capital expenditures"~~ does not
548 include expenditures to acquire an existing business or
549 expenditures in excess of \$125 million to acquire land or
550 buildings.

551 (2) APPORTIONMENT OF TAXES; ELIGIBILITY.—A taxpayer, not
552 including a financial organization as defined in s. 220.15(6) or
553 a bank, savings association, international banking facility, or
554 banking organization as defined in s. 220.62, doing business
555 within and without this state, who applies and demonstrates to
556 the Department of Economic Opportunity ~~office~~ that, within a 2-
557 year period beginning on or after July 1, 2011, it has made
558 qualified capital expenditures equal to or exceeding \$250
559 million may apportion its adjusted federal income solely by the

560 sales factor set forth in s. 220.15(5), commencing in the
 561 taxable year that the Department of Economic Opportunity ~~office~~
 562 approves the application, but not before a taxable year that
 563 begins on or after January 1, 2013. Once approved, a taxpayer
 564 may elect to apportion its adjusted federal income for any
 565 taxable year using the method provided under this section or the
 566 method provided under s. 220.15.

567 (3) QUALIFICATION PROCESS.—

568 (a) To qualify as a taxpayer who is eligible to apportion
 569 its adjusted federal income under this section:

570 1. The taxpayer must notify the Department of Economic
 571 Opportunity ~~office~~ of its intent to submit an application to
 572 apportion its adjusted federal income in order to commence the
 573 2-year period for measuring qualified capital expenditures.

574 2. The taxpayer must submit an application to apportion
 575 its adjusted federal income under this section to the Department
 576 of Economic Opportunity ~~office~~ within 2 years after notifying
 577 the Department of Economic Opportunity ~~office~~ of the taxpayer's
 578 intent to qualify. The application must be made under oath and
 579 provide such information as the Department of Economic
 580 Opportunity ~~office~~ reasonably requires by rule for determining
 581 the applicant's eligibility to apportion adjusted federal income
 582 under this section. The taxpayer is responsible for
 583 affirmatively demonstrating to the satisfaction of the
 584 Department of Economic Opportunity ~~office~~ that it meets the
 585 eligibility requirements.

586 (b) The taxpayer notice and application forms shall be
 587 established by the Department of Economic Opportunity ~~office~~ by

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588 rule. The Department of Economic Opportunity ~~office~~ shall
589 acknowledge receipt of the notice and approve or deny the
590 application in writing within 45 days after receipt.

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

592 (b) The Department of Economic Opportunity ~~office~~ may, by
593 order, revoke its decision to grant eligibility for
594 apportionment pursuant to this section, and may also order the
595 recalculation of apportionment factors to those applicable under
596 s. 220.15 if, as the result of an audit, investigation, or
597 examination, it determines that information provided by the
598 taxpayer in the application, or in a statement, representation,
599 record, report, plan, or other document provided to the
600 Department of Economic Opportunity ~~office~~ to become eligible for
601 apportionment, was materially false at the time it was made and
602 that an individual acting on behalf of the taxpayer knew, or
603 should have known, that the information submitted was false. The
604 taxpayer shall pay such additional taxes and interest as may be
605 due pursuant to this chapter computed as the difference between
606 the tax that would have been due under the apportionment formula
607 provided in s. 220.15 for such years and the tax actually paid.
608 In addition, the department shall assess a penalty equal to 100
609 percent of the additional tax due.

610 (c) The Department of Economic Opportunity ~~office~~ shall
611 immediately notify the department of an order affecting a
612 taxpayer's eligibility to apportion tax pursuant to this
613 section. A taxpayer who is liable for past tax must file an
614 amended return with the department, or such other report as the
615 department prescribes by rule, and pay any required tax,

616 interest, and penalty within 60 days after the taxpayer receives
 617 notification from the Department of Economic Opportunity ~~office~~
 618 that the previously approved credits have been revoked. If the
 619 revocation is contested, the taxpayer shall file an amended
 620 return or other report within 30 days after an order becomes
 621 final. A taxpayer who fails to pay the past tax, interest, and
 622 penalty by the due date is subject to the penalties provided in
 623 s. 220.803.

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

626 Section 28. Paragraph (b) of subsection (2) of section
 627 220.183, Florida Statutes, is amended to read:

628 220.183 Community contribution tax credit.—

629 (2) ELIGIBILITY REQUIREMENTS.—

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

632 2. If, during the first 10 business days of the state
 633 fiscal year, eligible tax credit applications for projects that
 634 provide homeownership opportunities for low-income or very-low-
 635 income households as defined in s. 420.9071(19) and (28) are
 636 received for less than the annual tax credits available for
 637 those projects, the Department of Economic Opportunity shall
 638 grant tax credits for those applications and shall grant
 639 remaining tax credits on a first-come, first-served basis for
 640 any subsequent eligible applications received before the end of
 641 the state fiscal year. If, during the first 10 business days of
 642 the state fiscal year, eligible tax credit applications for
 643 projects that provide homeownership opportunities for low-income

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644 or very-low-income households as defined in s. 420.9071(19) and
645 (28) are received for more than the annual tax credits available
646 for those projects, the Department of Economic Opportunity
647 ~~office~~ shall grant the tax credits for those applications as
648 follows:

649 a. If tax credit applications submitted for approved
650 projects of an eligible sponsor do not exceed \$200,000 in total,
651 the credit shall be granted in full if the tax credit
652 applications are approved.

653 b. If tax credit applications submitted for approved
654 projects of an eligible sponsor exceed \$200,000 in total, the
655 amount of tax credits granted under sub-subparagraph a. shall be
656 subtracted from the amount of available tax credits, and the
657 remaining credits shall be granted to each approved tax credit
658 application on a pro rata basis.

659 3. If, during the first 10 business days of the state
660 fiscal year, eligible tax credit applications for projects other
661 than those that provide homeownership opportunities for low-
662 income or very-low-income households as defined in s.
663 420.9071(19) and (28) are received for less than the annual tax
664 credits available for those projects, the Department of Economic
665 Opportunity ~~office~~ shall grant tax credits for those
666 applications and shall grant remaining tax credits on a first-
667 come, first-served basis for any subsequent eligible
668 applications received before the end of the state fiscal year.
669 If, during the first 10 business days of the state fiscal year,
670 eligible tax credit applications for projects other than those
671 that provide homeownership opportunities for low-income or very-

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672 low-income households as defined in s. 420.9071(19) and (28) are
 673 received for more than the annual tax credits available for
 674 those projects, the Department of Economic Opportunity ~~office~~
 675 shall grant the tax credits for those applications on a pro rata
 676 basis.

677 Section 29. Paragraphs (b), (d), (e), and (f) of
 678 subsection (3), paragraphs (a), (c), and (e) of subsection (4),
 679 subsection (5), paragraph (b) of subsection (6), paragraphs (a),
 680 (b), (d), and (e) of subsection (7), paragraph (a) of subsection
 681 (8), and subsection (9) of section 220.194, Florida Statutes,
 682 are amended to read:

683 220.194 Corporate income tax credits for spaceflight
 684 projects.—

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

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

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

698 1. Pay new employees at least 115 percent of the statewide
 699 or countywide average annual private sector wage for the 3

700 taxable years immediately preceding filing an application for
 701 certification;

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

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

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

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

713 (4) TAX CREDITS.—

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

717 1. A certified spaceflight business may take a
 718 nontransferable corporate income tax credit for up to 50 percent
 719 of the business's tax liability under this chapter for the
 720 taxable year in which the credit is taken. The maximum
 721 nontransferable tax credit amount that may be approved per
 722 taxpayer for a taxable year is \$1 million. No more than \$3
 723 million in total tax credits pursuant to this subparagraph may
 724 be certified pursuant to subsection (5). No credit may be
 725 approved after October 1, 2017.

726 2. A certified spaceflight business may transfer, in whole
 727 or in part, its Florida net operating loss that would otherwise

728 be available to be taken on a return filed under this chapter,
 729 provided that the activity giving rise to such net operating
 730 loss must have occurred after July 1, 2011. The transfer allowed
 731 under this subparagraph will be in the form of a transferable
 732 tax credit equal to the amount of the net operating loss
 733 eligible to be transferred. The maximum transferable tax credit
 734 amount that may be approved per taxpayer for a taxable year is
 735 \$2.5 million. No more than \$7 million in total tax credits
 736 pursuant to this subparagraph may be certified pursuant to
 737 subsection (5). No credit may be approved after October 1, 2017.

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

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

741 (II) Have incurred a qualifying net operating loss on
 742 activity in this state after July 1, 2011, directly associated
 743 with one or more spaceflight projects in any of its 3 previous
 744 taxable years;

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

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

753 b. The credit that may be transferred by a certified
 754 spaceflight business:

755 (I) Is limited to the amount of eligible net operating

756 losses incurred in the immediate 3 taxable years before the
757 transfer; and

758 (II) Must be directly associated with a spaceflight
759 project in this state as verified through an audit or
760 examination by a certified public accountant licensed to do
761 business in this state and as verified by the Department of
762 Economic Opportunity ~~office~~.

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

769 (e) The certified spaceflight business or transferee must
770 demonstrate to the satisfaction of the Department of Economic
771 Opportunity ~~office~~ and the department that it is eligible to
772 take the credits approved under this section.

773 (5) APPLICATION AND CERTIFICATION.—

774 (a) In order to claim a tax credit under this section, a
775 spaceflight business must first submit an application to the
776 Department of Economic Opportunity ~~office~~ for approval to earn
777 tax credits or create transferable tax credits. The application
778 must be filed by the date established by the Department of
779 Economic Opportunity ~~office~~. In addition to any information that
780 the Department of Economic Opportunity ~~office~~ may require, the
781 applicant must provide a complete description of the activity in
782 this state which demonstrates to the Department of Economic
783 Opportunity ~~office~~ the applicant's likelihood to be certified to

784 take or transfer a credit. The applicant must also provide a
785 description of the total amount and type of credits for which
786 approval is sought. The Department of Economic Opportunity
787 ~~office~~ may consult with Space Florida regarding the
788 qualifications of an applicant. The applicant shall provide an
789 affidavit certifying that all information contained in the
790 application is true and correct.

791 1. Approval of the credits shall be provided on a first-
792 come, first-served basis, based on the date the completed
793 applications are received by the Department of Economic
794 Opportunity ~~office~~. A taxpayer may not submit more than one
795 completed application per state fiscal year. The Department of
796 Economic Opportunity ~~office~~ may not accept an incomplete
797 placeholder application, and the submission of such an
798 application will not secure a place in the first-come, first-
799 served application line.

800 2. The Department of Economic Opportunity ~~office~~ has 60
801 days after the receipt of a completed application within which
802 to issue a notice of intent to deny or approve an application
803 for credits. The Department of Economic Opportunity ~~office~~ must
804 ensure that the corporate income tax credits approved for all
805 applicants do not exceed the limits provided in this section.

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

811 1. The application must include:

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

813 b. Documentation demonstrating to the satisfaction of the
814 Department of Economic Opportunity ~~office~~ that:

815 (I) The taxpayer is a spaceflight business.

816 (II) The business has engaged in a qualifying spaceflight
817 project before taking or transferring a credit under this
818 section.

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

821 (I) Created 35 new jobs in this state directly associated
822 with spaceflight projects during its immediately preceding 3
823 taxable years. The business shall be deemed to have created new
824 jobs if the number of full-time jobs located in this state at
825 the time of application for certification is greater than the
826 total number of full-time jobs located in this state at the time
827 of application for approval to earn credits; and

828 (II) Invested a total of at least \$15 million in this
829 state on a spaceflight project during its immediately preceding
830 3 taxable years.

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

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

834 f. A copy of an audit or audits of the preceding 3 taxable
835 years, prepared by a certified public accountant licensed to
836 practice in this state, which identifies that portion of the
837 business's activities in this state related to spaceflight
838 projects in this state.

839 g. An acknowledgment that the business must file an annual

840 | report on the spaceflight project's progress with the Department
 841 | of Economic Opportunity ~~office~~.

842 | h. Any other information necessary to demonstrate that the
 843 | applicant meets the job creation, investment, and other
 844 | requirements of this section.

845 | 2. Within 60 days after receipt of the application for
 846 | certification, the Department of Economic Opportunity ~~office~~
 847 | shall evaluate the application and recommend the business for
 848 | certification or denial. The executive director of the
 849 | Department of Economic Opportunity ~~office~~ must approve or deny
 850 | the application within 30 days after receiving the
 851 | recommendation. If approved, the Department of Economic
 852 | Opportunity ~~office~~ must provide a letter of certification to the
 853 | applicant consistent with any restrictions imposed. If the
 854 | Department of Economic Opportunity ~~office~~ denies any part of the
 855 | requested credit, the Department of Economic Opportunity ~~office~~
 856 | must inform the applicant of the grounds for the denial. A copy
 857 | of the certification shall be submitted to the department within
 858 | 10 days after the executive director's approval.

859 | (6) TRANSFERABILITY OF CREDIT.—

860 | (b) In order to perfect the transfer, the transferor shall
 861 | provide the department with a written transfer statement that
 862 | has been approved by the Department of Economic Opportunity
 863 | ~~office~~ notifying the department of the transferor's intent to
 864 | transfer the tax credits to the transferee; the date that the
 865 | transfer is effective; the transferee's name, address, and
 866 | federal taxpayer identification number; the tax period; and the
 867 | amount of tax credits to be transferred. Upon receipt of the

868 approved transfer statement, the department shall provide the
869 transferee and the Department of Economic Opportunity ~~office~~
870 with a certificate reflecting the tax credit amounts
871 transferred. A copy of the certificate must be attached to each
872 tax return for which the transferee seeks to apply the credits.

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

874 (a) In addition to its existing audit and investigative
875 authority, the department may perform any additional financial
876 and technical audits and investigations, including examining the
877 accounts, books, and financial records of the tax credit
878 applicant, which are necessary for verifying the accuracy of the
879 return and to ensure compliance with this section. If requested
880 by the department, the Department of Economic Opportunity ~~office~~
881 and Space Florida must provide technical assistance for any
882 technical audits or examinations performed under this
883 subsection.

884 (b) Grounds for forfeiture of previously claimed tax
885 credits approved under this section exist if the department
886 determines, as a result of an audit or examination, or from
887 information received from the Department of Economic Opportunity
888 ~~office~~, that a certified spaceflight business, or in the case of
889 transferred tax credits, a taxpayer received tax credits for
890 which the certified spaceflight business or taxpayer was not
891 entitled. The spaceflight business or transferee must file an
892 amended return reflecting the disallowed credits and paying any
893 tax due as a result of the amendment.

894 (d) The Department of Economic Opportunity ~~office~~ may
895 revoke or modify a certification granting eligibility for tax

896 credits if it finds that the certified spaceflight business made
 897 a false statement or representation in any application, record,
 898 report, plan, or other document filed in an attempt to receive
 899 tax credits under this section. The Department of Economic
 900 Opportunity ~~office~~ shall immediately notify the department of
 901 any revoked or modified orders affecting previously granted tax
 902 credits. The certified spaceflight business must also notify the
 903 department of any change in its claimed tax credit.

904 (e) The certified spaceflight business must file with the
 905 department an amended return or other report required by the
 906 department by rule and pay any required tax and interest within
 907 60 days after the certified business receives notification from
 908 the Department of Economic Opportunity ~~office~~ that previously
 909 approved tax credits have been revoked or modified. If the
 910 revocation or modification order is contested, the spaceflight
 911 business must file the amended return or other report within 60
 912 days after a final order is issued.

913 (8) RULES.—

914 (a) The Department of Economic Opportunity ~~office~~, in
 915 consultation with Space Florida, shall adopt rules to administer
 916 this section, including rules relating to application forms for
 917 credit approval and certification, and the application and
 918 certification procedures, guidelines, and requirements necessary
 919 to administer this section.

920 (9) ANNUAL REPORT.—Beginning in 2014, the Department of
 921 Economic Opportunity ~~office~~, in cooperation with Space Florida
 922 and the department, shall submit an annual report summarizing
 923 activities relating to the Florida Space Business Incentives Act

924 established under this section to the Governor, the President of
 925 the Senate, and the Speaker of the House of Representatives by
 926 each November 30.

927 Section 30. Paragraph (b) of subsection (3), paragraph (b)
 928 of subsection (4), subsection (6), paragraph (a) of subsection
 929 (7), and paragraph (c) of subsection (9) of section 258.501,
 930 Florida Statutes, are amended to read:

931 258.501 Myakka River; wild and scenic segment.—

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

933 (b) "Agreement" means the interagency operating agreement
 934 between the department, the Department of Economic Opportunity
 935 ~~Community Affairs~~, and Sarasota County or the City of North
 936 Port.

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

938 (b) The governments of Sarasota County and the City of
 939 North Port shall manage the Myakka River wild and scenic
 940 protection zone under their existing authorities for
 941 comprehensive planning, the regulation of land development
 942 activities, and other necessary or appropriate ordinances and in
 943 conformance with this section, the management plan required
 944 under subsection (5), and the agreements adopted by the
 945 department and the Department of Economic Opportunity ~~Community~~
 946 ~~Affairs~~ with the city and county pursuant to this section.

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

948 (a) Sarasota County and the City of North Port shall amend
 949 their comprehensive plans so that the parts of such plans that
 950 affect the wild and scenic protection zone conform to, or are
 951 more stringent than, this section, the river management plan,

952 and management guidelines and performance standards to be
 953 developed and contained within agreements to be adopted by the
 954 department, the Department of Economic Opportunity Community
 955 ~~Affairs~~, and the city and county. The guidelines and performance
 956 standards must be used by the department and the Department of
 957 Economic Opportunity Community ~~Affairs~~ to review and monitor the
 958 regulation of activities by the city and county in the wild and
 959 scenic protection zone. Amendments to those comprehensive plans
 960 must include specific policies and guidelines for minimizing
 961 adverse impacts on resources in the river area and for managing
 962 the wild and scenic protection zone in conformance with this
 963 section, the river management plan, and the agreement. Such
 964 comprehensive plans must be amended within 1 year after the
 965 adoption date of the agreement, and thereafter, within 6 months
 966 following an amendment to this section, the river management
 967 plan, or the agreement, as may be necessary. For the purposes
 968 established in this subsection, such amendments need not conform
 969 to statutory or local ordinance limitations on the frequency of
 970 consideration of amendments to local comprehensive plans.

971 (b) Sarasota County and the City of North Port shall adopt
 972 or amend, within 1 year after the department and the Department
 973 of Economic Opportunity Community ~~Affairs~~ adopt with the city
 974 and with the county agreements for regulating activities in the
 975 wild and scenic protection zone, any necessary ordinances and
 976 land development regulations so that those ordinances and
 977 regulations conform to the purposes of this section, the river
 978 management plan, and the agreement. Thereafter, following any
 979 amendment to this section, the river management plan, or the

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980 agreement, the city and county must amend or adopt, within 1
 981 year, appropriate ordinances and land development regulations to
 982 maintain such local ordinances and regulations in conformance
 983 with this section, the river management plan, and the agreement.
 984 Those ordinances and regulations must provide that activities
 985 must be prohibited, or must undergo review and either be denied
 986 or permitted with or without conditions, so as to minimize
 987 potential adverse physical and visual impacts on resource values
 988 in the river area and to minimize adverse impacts on private
 989 landowners' use of land for residential purposes. The resource
 990 values of concern are those identified in this section and by
 991 the coordinating council in the river management plan.
 992 Activities which may be prohibited, subject to the agreement,
 993 include, but are not limited to, landfills, clear cuttings,
 994 major new infrastructure facilities, major activities that would
 995 alter historic water or flood flows, multifamily residential
 996 construction, commercial and industrial development, and mining
 997 and major excavations. However, appurtenant structures for these
 998 activities may be permitted if such structures do not have
 999 adverse visual or measurable adverse environmental impacts to
 1000 resource values in the river area.

1001 (c) If the Department of Economic Opportunity Community
 1002 ~~Affairs~~ determines that the local comprehensive plan or land
 1003 development regulations, as amended or supplemented by the local
 1004 government, are not in conformance with the purposes of this
 1005 section, the river management plan, and the agreement, the
 1006 Department of Economic Opportunity Community ~~Affairs~~ shall issue
 1007 a notice of intent to find the plan not in compliance and such

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1008 | plan shall be subject to the administrative proceedings in
 1009 | accordance with s. 163.3184.

1010 | (7) MANAGEMENT COORDINATING COUNCIL.—

1011 | (a) Upon designation, the department shall create a
 1012 | permanent council to provide interagency and intergovernmental
 1013 | coordination in the management of the river. The coordinating
 1014 | council shall be composed of one representative appointed from
 1015 | each of the following: the department, the Department of
 1016 | Transportation, the Fish and Wildlife Conservation Commission,
 1017 | the Department of Economic Opportunity ~~Community Affairs~~, the
 1018 | Division of Forestry of the Department of Agriculture and
 1019 | Consumer Services, the Division of Historical Resources of the
 1020 | Department of State, the Tampa Bay Regional Planning Council,
 1021 | the Southwest Florida Water Management District, the Southwest
 1022 | Florida Regional Planning Council, Manatee County, Sarasota
 1023 | County, Charlotte County, the City of Sarasota, the City of
 1024 | North Port, agricultural interests, environmental organizations,
 1025 | and any others deemed advisable by the department.

1026 | (9) RULEMAKING AUTHORITY.—

1027 | (c) The department and the Department of Economic
 1028 | Opportunity ~~Community Affairs~~ must enter into agreements with
 1029 | the City of North Port and Sarasota County which ~~that~~ provide
 1030 | for guiding and monitoring the regulation of activities by the
 1031 | city and county, in accordance with subsection (6). Such
 1032 | agreements shall include guidelines and performance standards
 1033 | for regulating proposed activities so as to minimize adverse
 1034 | environmental and visual impacts of such activities on the
 1035 | resource values in the river area, and to minimize adverse

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1036 impacts to landowners' use of land for residential purposes.

1037 Section 31. Subsection (3) of section 259.042, Florida
 1038 Statutes, is amended to read:

1039 259.042 Tax increment financing for conservation lands.—

1040 (3) The governing body of the jurisdiction that will
 1041 administer the separate reserve account shall provide
 1042 documentation to the Department of Economic Opportunity
 1043 ~~Community Affairs~~ identifying the boundary of the tax increment
 1044 area. The department shall determine whether the boundary is
 1045 appropriate in that property owners within the boundary will
 1046 receive a benefit from the proposed purchase of identified
 1047 conservation lands. The department must issue a letter of
 1048 approval stating that the establishment of the tax increment
 1049 area and the proposed purchases would benefit property owners
 1050 within the boundary and serve a public purpose before any tax
 1051 increment funds are deposited into the separate reserve account.
 1052 If the department fails to provide the required letter within 90
 1053 days after receiving sufficient documentation of the boundary,
 1054 the establishment of the area and the proposed purchases are
 1055 deemed to provide such benefit and serve a public purpose.

1056 Section 32. Paragraph (c) of subsection (3) of section
 1057 259.101, Florida Statutes, is amended to read:

1058 259.101 Florida Preservation 2000 Act.—

1059 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs
 1060 of issuance, the costs of funding reserve accounts, and other
 1061 costs with respect to the bonds, the proceeds of bonds issued
 1062 pursuant to this act shall be deposited into the Florida
 1063 Preservation 2000 Trust Fund created by s. 375.045. In fiscal

1064 year 2000-2001, for each Florida Preservation 2000 program
 1065 described in paragraphs (a)-(g), that portion of each program's
 1066 total remaining cash balance which, as of June 30, 2000, is in
 1067 excess of that program's total remaining appropriation balances
 1068 shall be redistributed by the department and deposited into the
 1069 Save Our Everglades Trust Fund for land acquisition. For
 1070 purposes of calculating the total remaining cash balances for
 1071 this redistribution, the Florida Preservation 2000 Series 2000
 1072 bond proceeds, including interest thereon, and the fiscal year
 1073 1999-2000 General Appropriations Act amounts shall be deducted
 1074 from the remaining cash and appropriation balances,
 1075 respectively. The remaining proceeds shall be distributed by the
 1076 Department of Environmental Protection in the following manner:

1077 (c) Ten percent to the Department of Environmental
 1078 Protection ~~Community Affairs~~ to provide land acquisition grants
 1079 and loans to local governments through the Florida Communities
 1080 Trust pursuant to part III of chapter 380. From funds allocated
 1081 to the trust, \$3 million annually shall be used by the Division
 1082 of State Lands within the Department of Environmental Protection
 1083 to implement the Green Swamp Land Protection Initiative
 1084 specifically for the purchase of conservation easements, as
 1085 defined in s. 380.0677(3), of lands, or severable interests or
 1086 rights in lands, in the Green Swamp Area of Critical State
 1087 Concern. From funds allocated to the trust, \$3 million annually
 1088 shall be used by the Monroe County Comprehensive Plan Land
 1089 Authority specifically for the purchase of a real property
 1090 interest in those lands subject to the Rate of Growth Ordinances
 1091 adopted by local governments in Monroe County or those lands

1092 within the boundary of an approved Conservation and Recreation
 1093 Lands project located within the Florida Keys or Key West Areas
 1094 of Critical State Concern; however, title to lands acquired
 1095 within the boundary of an approved Conservation and Recreation
 1096 Lands project may, in accordance with an approved joint
 1097 acquisition agreement, vest in the Board of Trustees of the
 1098 Internal Improvement Trust Fund. Of the remaining funds, one-
 1099 half shall be matched by local governments on a dollar-for-
 1100 dollar basis. To the extent allowed by federal requirements for
 1101 the use of bond proceeds, the trust shall expend Preservation
 1102 2000 funds to carry out the purposes of part III of chapter 380.

1103
 1104 Local governments may use federal grants or loans, private
 1105 donations, or environmental mitigation funds, including
 1106 environmental mitigation funds required pursuant to s. 338.250,
 1107 for any part or all of any local match required for the purposes
 1108 described in this subsection. Bond proceeds allocated pursuant
 1109 to paragraph (c) may be used to purchase lands on the priority
 1110 lists developed pursuant to s. 259.035. Title to lands purchased
 1111 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
 1112 vested in the Board of Trustees of the Internal Improvement
 1113 Trust Fund. Title to lands purchased pursuant to paragraph (c)
 1114 may be vested in the Board of Trustees of the Internal
 1115 Improvement Trust Fund. The board of trustees shall hold title
 1116 to land protection agreements and conservation easements that
 1117 were or will be acquired pursuant to s. 380.0677, and the
 1118 Southwest Florida Water Management District and the St. Johns
 1119 River Water Management District shall monitor such agreements

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1120 and easements within their respective districts until the state
 1121 assumes this responsibility.

1122 Section 33. Paragraphs (e) and (h) of subsection (4) of
 1123 section 282.201, Florida Statutes, are amended to read:

1124 282.201 State data center system; agency duties and
 1125 limitations.—A state data center system that includes all
 1126 primary data centers, other nonprimary data centers, and
 1127 computing facilities, and that provides an enterprise
 1128 information technology service as defined in s. 282.0041, is
 1129 established.

1130 (4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

1131 (e) During the 2012-2013 fiscal year, the following shall
 1132 be consolidated into the Southwood Shared Resource Center:

1133 1. By September 30, 2012, the Division of Emergency
 1134 Management ~~and the Department of Community Affairs~~, except for
 1135 the Emergency Operation Center's management system in
 1136 Tallahassee and the Camp Blanding Emergency Operations Center in
 1137 Starke.

1138 2. By September 30, 2012, the Department of Revenue's
 1139 Carlton Building and Imaging Center locations.

1140 3. By December 31, 2012, the Department of Health's Test
 1141 and Development Lab and all remaining data center resources
 1142 located at the Capital Circle Office Complex.

1143 (h) During the 2014-2015 fiscal year, the following
 1144 agencies shall work with the Agency for Enterprise Information
 1145 Technology to begin preliminary planning for consolidation into
 1146 a primary data center:

1147 1. The Department of Health's Jacksonville Lab Data

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- 1148 Center.
- 1149 2. The Department of Transportation's district offices,
1150 toll offices, and the District Materials Office.
- 1151 3. The Department of Military Affairs' Camp Blanding Joint
1152 Training Center in Starke.
- 1153 4. The ~~Department of Community Affairs'~~ Camp Blanding
1154 Emergency Operations Center in Starke.
- 1155 5. The Department of Education's Division of Blind
1156 Services disaster recovery site in Daytona Beach.
- 1157 6. The Department of Education's disaster recovery site at
1158 Santa Fe College.
- 1159 7. The Department of the Lottery's Disaster Recovery
1160 Backup Data Center in Orlando.
- 1161 8. The Fish and Wildlife Conservation Commission's Fish
1162 and Wildlife Research Institute in St. Petersburg.
- 1163 9. The Department of Children and Family Services'
1164 Suncoast Data Center in Tampa.
- 1165 10. The Department of Children and Family Services'
1166 Florida State Hospital in Chattahoochee.
- 1167 Section 34. Subsection (1) of section 288.021, Florida
1168 Statutes, is amended to read:
- 1169 288.021 Economic development liaison.—
- 1170 (1) The heads of the Department of Transportation, the
1171 Department of Environmental Protection and an additional member
1172 appointed by the secretary of the department, ~~the Agency for~~
1173 ~~Workforce Innovation~~, the Department of Education, the
1174 Department of Management Services, the Department of Revenue,
1175 the Fish and Wildlife Conservation Commission, each water

1176 management district, and each Department of Transportation
 1177 District office shall designate a high-level staff member from
 1178 within such agency to serve as the economic development liaison
 1179 for the agency. This person shall report to the agency head and
 1180 have general knowledge both of the state's permitting and other
 1181 regulatory functions and of the state's economic goals,
 1182 policies, and programs. This person shall also be the primary
 1183 point of contact for the agency with the department on issues
 1184 and projects important to the economic development of Florida,
 1185 including its rural areas, to expedite project review, to ensure
 1186 a prompt, effective response to problems arising with regard to
 1187 permitting and regulatory functions, and to work closely with
 1188 the other economic development liaisons to resolve interagency
 1189 conflicts.

1190 Section 35. Paragraph (f) of subsection (2) and paragraph
 1191 (c) of subsection (5) of section 288.1045, Florida Statutes, are
 1192 amended to read:

1193 288.1045 Qualified defense contractor and space flight
 1194 business tax refund program.—

1195 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.—

1196 (f) After entering into a tax refund agreement pursuant to
 1197 subsection (4), a qualified applicant may:

1198 1. Receive refunds from the account for corporate income
 1199 taxes due and paid pursuant to chapter 220 by that business
 1200 beginning with the first taxable year of the business which
 1201 begins after entering into the agreement.

1202 2. Receive refunds from the account for the following
 1203 taxes due and paid by that business after entering into the

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1204 agreement:

1205 a. Taxes on sales, use, and other transactions paid

1206 pursuant to chapter 212.

1207 b. Intangible personal property taxes paid pursuant to

1208 chapter 199.

1209 c. Excise taxes paid on documents pursuant to chapter 201.

1210 d. Ad valorem taxes paid, as defined in s. 220.03(1)(a) on

1211 June 1, 1996.

1212 e. State communications services taxes administered under

1213 chapter 202. This provision does not apply to the gross receipts

1214 tax imposed under chapter 203 and administered under chapter 202

1215 or the local communications services tax authorized under s.

1216 202.19.

1217

1218 However, a qualified applicant may not receive a tax refund

1219 pursuant to this section for any amount of credit, refund, or

1220 exemption granted such contractor for any of such taxes. If a

1221 refund for such taxes is provided by the department, which taxes

1222 are subsequently adjusted by the application of any credit,

1223 refund, or exemption granted to the qualified applicant other

1224 than that provided in this section, the qualified applicant

1225 shall reimburse the Economic Development Trust Fund for the

1226 amount of such credit, refund, or exemption. A qualified

1227 applicant must notify and tender payment to the department

1228 ~~office~~ within 20 days after receiving a credit, refund, or

1229 exemption, other than that provided in this section.

1230 (5) ANNUAL CLAIM FOR REFUND.—

1231 (c) A tax refund may not be approved for any qualified

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1232 applicant unless local financial support has been paid to the
 1233 Economic Development Trust Fund for that refund. If the local
 1234 financial support is less than 20 percent of the approved tax
 1235 refund, the tax refund shall be reduced. The tax refund paid may
 1236 not exceed 5 times the local financial support received. Funding
 1237 from local sources includes tax abatement under s. 196.1995 or
 1238 the appraised market value of municipal or county land,
 1239 including any improvements or structures, conveyed or provided
 1240 at a discount through a sale or lease to that applicant. The
 1241 amount of any tax refund for an applicant approved under this
 1242 section shall be reduced by the amount of any such tax abatement
 1243 granted or the value of the land granted, including the value of
 1244 any improvements or structures; and the limitations in
 1245 subsection (2) shall be reduced by the amount of any such tax
 1246 abatement or the value of the land granted, including any
 1247 improvements or structures. A report listing all sources of the
 1248 local financial support shall be provided to the department
 1249 ~~office~~ when such support is paid to the Economic Development
 1250 Trust Fund.

1251 Section 36. Paragraph (f) of subsection (4) and paragraphs
 1252 (c), (d), and (e) of subsection (6) of section 288.106, Florida
 1253 Statutes, are amended to read:

1254 288.106 Tax refund program for qualified target industry
 1255 businesses.—

1256 (4) APPLICATION AND APPROVAL PROCESS.—

1257 (f) ~~Effective July 1, 2011,~~ Notwithstanding paragraph
 1258 (2) (j) ~~(2) (k)~~, the department ~~office~~ may reduce the local
 1259 financial support requirements of this section by one-half for a

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1260 qualified target industry business located in Bay County,
 1261 Escambia County, Franklin County, Gadsden County, Gulf County,
 1262 Jefferson County, Leon County, Okaloosa County, Santa Rosa
 1263 County, Wakulla County, or Walton County, if the department
 1264 ~~office~~ determines that such reduction of the local financial
 1265 support requirements is in the best interest of the state and
 1266 facilitates economic development, growth, or new employment
 1267 opportunities in such county. This paragraph expires June 30,
 1268 2014.

1269 (6) ANNUAL CLAIM FOR REFUND.—

1270 (c) The department may waive the requirement for proof of
 1271 taxes paid in future years for a qualified target industry
 1272 business that provides the department ~~office~~ with proof that, in
 1273 a single year, the business has paid an amount of state taxes
 1274 from the categories in paragraph (3)(d) which ~~that~~ is at least
 1275 equal to the total amount of tax refunds that the business may
 1276 receive through successful completion of its tax refund
 1277 agreement.

1278 (d) A tax refund may not be approved for a qualified
 1279 target industry business unless the required local financial
 1280 support has been paid into the account for that refund. If the
 1281 local financial support provided is less than 20 percent of the
 1282 approved tax refund, the tax refund must be reduced. In no event
 1283 may the tax refund exceed an amount that is equal to 5 times the
 1284 amount of the local financial support received. Further, funding
 1285 from local sources includes any tax abatement granted to that
 1286 business under s. 196.1995 or the appraised market value of
 1287 municipal or county land conveyed or provided at a discount to

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1288 that business. The amount of any tax refund for such business
 1289 approved under this section must be reduced by the amount of any
 1290 such tax abatement granted or the value of the land granted, and
 1291 the limitations in subsection (3) and paragraph (4)(e) must be
 1292 reduced by the amount of any such tax abatement or the value of
 1293 the land granted. A report listing all sources of the local
 1294 financial support shall be provided to the department ~~office~~
 1295 when such support is paid to the account.

1296 (e) A prorated tax refund, less a 5 percent ~~5-percent~~
 1297 penalty, shall be approved for a qualified target industry
 1298 business if all other applicable requirements have been
 1299 satisfied and the business proves to the satisfaction of the
 1300 department ~~office~~ that:

1301 1. It has achieved at least 80 percent of its projected
 1302 employment; and

1303 2. The average wage paid by the business is at least 90
 1304 percent of the average wage specified in the tax refund
 1305 agreement, but in no case less than 115 percent of the average
 1306 private sector wage in the area available at the time of
 1307 certification, or 150 percent or 200 percent of the average
 1308 private sector wage if the business requested the additional
 1309 per-job tax refund authorized in paragraph (3)(b) for wages
 1310 above those levels. The prorated tax refund shall be calculated
 1311 by multiplying the tax refund amount for which the qualified
 1312 target industry business would have been eligible, if all
 1313 applicable requirements had been satisfied, by the percentage of
 1314 the average employment specified in the tax refund agreement
 1315 which was achieved, and by the percentage of the average wages

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1316 specified in the tax refund agreement which was achieved.

1317 Section 37. Paragraph (a) of subsection (3) of section
1318 288.108, Florida Statutes, is amended to read:

1319 288.108 High-impact business.—

1320 (3) HIGH-IMPACT SECTOR PERFORMANCE GRANTS; ELIGIBLE
1321 AMOUNTS.—

1322 (a) Upon commencement of operations, a qualified high-
1323 impact business is eligible to receive a high-impact business
1324 performance grant in the amount as determined by the department
1325 ~~office~~ under subsection (5), consistent with eligible amounts as
1326 provided in paragraph (b), and specified in the qualified high-
1327 impact business agreement. The precise conditions that are
1328 considered commencement of operations must be specified in the
1329 qualified high-impact business agreement.

1330 Section 38. Subsection (3) of section 288.1083, Florida
1331 Statutes, is amended to read:

1332 288.1083 Manufacturing and Spaceport Investment Incentive
1333 Program.—

1334 (3) Beginning July 1, 2010, and ending June 30, 2011, and
1335 beginning July 1, 2011, and ending June 30, 2012, sales and use
1336 tax paid in this state on eligible equipment purchases may
1337 qualify for a refund as provided in this section. The total
1338 amount of refunds that may be allocated by the department ~~office~~
1339 to all applicants during the period beginning July 1, 2010, and
1340 ending June 30, 2011, is \$19 million. The total amount of tax
1341 refunds that may be allocated to all applicants during the
1342 period beginning July 1, 2011, and ending June 30, 2012, is \$24
1343 million. An applicant may not be allocated more than \$50,000 in

1344 refunds under this section for a single year. Preliminary refund
 1345 allocations that are revoked or voluntarily surrendered shall be
 1346 immediately available for reallocation.

1347 Section 39. Paragraph (1) of subsection (2) of section
 1348 288.1089, Florida Statutes, is amended to read:

1349 288.1089 Innovation Incentive Program.—

1350 (2) As used in this section, the term:

1351 (1) "Match" means funding from local sources, public or
 1352 private, which will be paid to the applicant and which is equal
 1353 to 100 percent of an award. Eligible match funding may include
 1354 any tax abatement granted to the applicant under s. 196.1995 or
 1355 the appraised market value of land, buildings, infrastructure,
 1356 or equipment conveyed or provided at a discount to the
 1357 applicant. Complete documentation of a match payment or other
 1358 conveyance must be presented to and verified by the department
 1359 ~~office~~ prior to transfer of state funds to an applicant. An
 1360 applicant may not provide, directly or indirectly, more than 5
 1361 percent of match funding in any fiscal year. The sources of such
 1362 funding may not include, directly or indirectly, state funds
 1363 appropriated from the General Revenue Fund or any state trust
 1364 fund, excluding tax revenues shared with local governments
 1365 pursuant to law.

1366 Section 40. Subsection (2) of section 288.1097, Florida
 1367 Statutes, is amended to read:

1368 288.1097 Qualified job training organizations;
 1369 certification; duties.—

1370 (2) To be eligible for funding, an organization must be
 1371 certified by the department ~~Office of Tourism, Trade, and~~

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1372 ~~Economic Development~~ as meeting the criteria in subsection (1).
 1373 After certification, the department ~~Office of Tourism, Trade,~~
 1374 ~~and Economic Development~~ may release funds to the qualified job
 1375 training organization pursuant to a contract with the
 1376 organization. The contract must include the performance
 1377 conditions that must be met in order to obtain the award or
 1378 portions of the award, including, but not limited to, net new
 1379 employment in the state, the methodology for validating
 1380 performance, the schedule of payments, and sanctions for failure
 1381 to meet the performance requirements including any provisions
 1382 for repayment of awards. The contract must also require that
 1383 salaries paid to officers and employees of the qualified job
 1384 training organization comply with s. 4958 of the Internal
 1385 Revenue Code of 1986, as amended.

1386 Section 41. Paragraph (c) of subsection (3) of section
 1387 288.11621, Florida Statutes, is amended to read:

1388 288.11621 Spring training baseball franchises.—

1389 (3) USE OF FUNDS.—

1390 (c) The Department of Revenue may not distribute funds to
 1391 an applicant certified on or after July 1, 2010, until it
 1392 receives notice from the department ~~office~~ that the certified
 1393 applicant has encumbered funds under subparagraph (a)2.

1394 Section 42. Subsection (6) of section 288.1168, Florida
 1395 Statutes, is amended to read:

1396 288.1168 Professional golf hall of fame facility.—

1397 (6) The department ~~Office of Tourism, Trade, and Economic~~
 1398 ~~Development~~ must recertify every 10 years that the facility is
 1399 open, continues to be the only professional golf hall of fame in

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1400 the United States recognized by the PGA Tour, Inc., and is
 1401 meeting the minimum projections for attendance or sales tax
 1402 revenue as required at the time of original certification. If
 1403 the facility is not certified as meeting the minimum
 1404 projections, the PGA Tour, Inc., shall increase its required
 1405 advertising contribution of \$2 million annually to \$2.5 million
 1406 annually in lieu of reduction of any funds as provided by s.
 1407 212.20. The additional \$500,000 must be allocated in its
 1408 entirety for the use and promotion of generic Florida
 1409 advertising as determined by the department ~~Office of Tourism,~~
 1410 ~~Trade, and Economic Development~~. If the facility is not open to
 1411 the public or is no longer in use as the only professional golf
 1412 hall of fame in the United States recognized by the PGA Tour,
 1413 Inc., the entire \$2.5 million for advertising must be used for
 1414 generic Florida advertising as determined by the department
 1415 ~~Office of Tourism, Trade, and Economic Development~~.

1416 Section 43. Subsection (4) of section 288.1171, Florida
 1417 Statutes, is amended to read:

1418 288.1171 Motorsports entertainment complex; definitions;
 1419 certification; duties.-

1420 (4) Upon determining that an applicant meets the
 1421 requirements of subsection (3), the department ~~office~~ shall
 1422 notify the applicant and the executive director of the
 1423 Department of Revenue of such certification by means of an
 1424 official letter granting certification. If the applicant fails
 1425 to meet the certification requirements of subsection (3), the
 1426 department ~~office~~ shall notify the applicant not later than 10
 1427 days following such determination.

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1428 Section 44. Paragraph (a) of subsection (8) of section
 1429 288.1254, Florida Statutes, is amended to read:

1430 288.1254 Entertainment industry financial incentive
 1431 program.—

1432 (8) RULES, POLICIES, AND PROCEDURES.—

1433 (a) The department ~~Office of Tourism, Trade, and Economic~~
 1434 ~~Development~~ may adopt rules pursuant to ss. 120.536(1) and
 1435 120.54 and develop policies and procedures to implement and
 1436 administer this section, including, but not limited to, rules
 1437 specifying requirements for the application and approval
 1438 process, records required for substantiation for tax credits,
 1439 procedures for making the election in paragraph (4)(d), the
 1440 manner and form of documentation required to claim tax credits
 1441 awarded or transferred under this section, and marketing
 1442 requirements for tax credit recipients.

1443 Section 45. Subsection (2) of section 288.714, Florida
 1444 Statutes, is amended to read:

1445 288.714 Quarterly and annual reports.—

1446 (2) The department must compile a summary of all quarterly
 1447 reports ~~and provide a copy of the summary to the board~~ within 30
 1448 days after the end of each calendar quarter which ~~that~~ includes
 1449 a detailed summary of the recipient's performance of the duties
 1450 imposed by s. 288.7102.

1451 Section 46. Subsection (7) of section 288.7102, Florida
 1452 Statutes, is amended to read:

1453 288.7102 Black Business Loan Program.—

1454 (7) The department, ~~in consultation with the board,~~ shall
 1455 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement

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1456 | this section.

1457 | Section 47. Subsections (5) and (7) of section 288.987,
1458 | Florida Statutes, are amended to read:

1459 | 288.987 Florida Defense Support Task Force.—

1460 | (5) The executive director of the Department of Economic
1461 | Opportunity Office of Tourism, Trade, and Economic Development
1462 | ~~within the Executive Office of the Governor,~~ or his or her
1463 | designee, shall serve as the ex officio, nonvoting executive
1464 | director of the task force.

1465 | (7) The department ~~Office of Tourism, Trade, and Economic~~
1466 | ~~Development~~ shall contract with the task force for expenditure
1467 | of appropriated funds, which may be used by the task force for
1468 | economic and product research and development, joint planning
1469 | with host communities to accommodate military missions and
1470 | prevent base encroachment, advocacy on the state's behalf with
1471 | federal civilian and military officials, assistance to school
1472 | districts in providing a smooth transition for large numbers of
1473 | additional military-related students, job training and placement
1474 | for military spouses in communities with high proportions of
1475 | active duty military personnel, and promotion of the state to
1476 | military and related contractors and employers. The task force
1477 | may annually spend up to \$200,000 of funds appropriated to the
1478 | department ~~Executive Office of the Governor, Office of Tourism,~~
1479 | ~~Trade, and Economic Development,~~ for the task force for staffing
1480 | and administrative expenses of the task force, including travel
1481 | and per diem costs incurred by task force members who are not
1482 | otherwise eligible for state reimbursement.

1483 | Section 48. Paragraph (d) of subsection (6) of section

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1484 290.0055, Florida Statutes, is amended to read:

1485 290.0055 Local nominating procedure.—

1486 (6)

1487 (d)1. The governing body of a jurisdiction which has
 1488 nominated an application for an enterprise zone that is no
 1489 larger than 12 square miles and includes a portion of the state
 1490 designated as a rural area of critical economic concern under s.
 1491 288.0656(7) may apply to the department ~~Office of Tourism,~~
 1492 ~~Trade, and Economic Development~~ to expand the boundary of the
 1493 enterprise zone by not more than 3 square miles. An application
 1494 to expand the boundary of an enterprise zone under this
 1495 paragraph must be submitted by December 31, 2012.

1496 2. Notwithstanding the area limitations specified in
 1497 subsection (4), the department ~~Office of Tourism, Trade, and~~
 1498 ~~Economic Development~~ may approve the request for a boundary
 1499 amendment if the area continues to satisfy the remaining
 1500 requirements of this section.

1501 3. The department ~~Office of Tourism, Trade, and Economic~~
 1502 ~~Development~~ shall establish the initial effective date of an
 1503 enterprise zone designated under this paragraph.

1504 Section 49. Paragraph (a) of subsection (4) of section
 1505 290.0065, Florida Statutes, is amended to read:

1506 290.0065 State designation of enterprise zones.—

1507 (4) (a) Notwithstanding s. 290.0055, the department may
 1508 redesignate any state enterprise zone having an effective date
 1509 on or before January 1, 2005, as a state enterprise zone upon
 1510 completion and submittal to the department ~~office~~ by the
 1511 governing body for an enterprise zone of the following:

1512 1. An updated zone profile for the enterprise zone based
 1513 on the most recent census data that complies with s. 290.0055,
 1514 except that pervasive poverty criteria may be set aside for
 1515 rural enterprise zones.

1516 2. A resolution passed by the governing body for that
 1517 enterprise zone requesting redesignation and explaining the
 1518 reasons the conditions of the zone merit redesignation.

1519 3. Measurable goals for the enterprise zone developed by
 1520 the enterprise zone development agency, which may be the goals
 1521 established in the enterprise zone's strategic plan.

1522

1523 The governing body may also submit a request for a boundary
 1524 change in an enterprise zone in the same application to the
 1525 department as long as the new area complies with the
 1526 requirements of s. 290.0055, except that pervasive poverty
 1527 criteria may be set aside for rural enterprise zones.

1528 Section 50. Section 290.00726, Florida Statutes, is
 1529 amended to read:

1530 290.00726 Enterprise zone designation for Martin County.—
 1531 Martin County may apply to the department ~~Office of Tourism,~~
 1532 ~~Trade, and Economic Development~~ for designation of one
 1533 enterprise zone for an area within Martin County, which zone
 1534 shall encompass an area of up to 10 square miles consisting of
 1535 land within the primary urban services boundary and focusing on
 1536 Indiantown, but excluding property owned by Florida Power and
 1537 Light to the west, two areas to the north designated as estate
 1538 residential, and the county-owned Timer Powers Recreational
 1539 Area. Within the designated enterprise zone, Martin County shall

1540 exempt residential condominiums from benefiting from state
 1541 enterprise zone incentives, unless prohibited by law. The
 1542 application must have been submitted by December 31, 2011, and
 1543 must comply with the requirements of s. 290.0055.

1544 Notwithstanding s. 290.0065 limiting the total number of
 1545 enterprise zones designated and the number of enterprise zones
 1546 within a population category, the department ~~Office of Tourism,~~
 1547 ~~Trade, and Economic Development~~ may designate one enterprise
 1548 zone under this section. The department ~~Office of Tourism,~~
 1549 ~~Trade, and Economic Development~~ shall establish the initial
 1550 effective date of the enterprise zone designated under this
 1551 section.

1552 Section 51. Section 290.00727, Florida Statutes, is
 1553 amended to read:

1554 290.00727 Enterprise zone designation for the City of Palm
 1555 Bay.—The City of Palm Bay may apply to the department ~~Office of~~
 1556 ~~Tourism, Trade, and Economic Development~~ for designation of one
 1557 enterprise zone for an area within the northeast portion of the
 1558 city, which zone shall encompass an area of up to 5 square
 1559 miles. The application must have been submitted by December 31,
 1560 2011, and must comply with the requirements of s. 290.0055.

1561 Notwithstanding s. 290.0065 limiting the total number of
 1562 enterprise zones designated and the number of enterprise zones
 1563 within a population category, the department ~~Office of Tourism,~~
 1564 ~~Trade, and Economic Development~~ may designate one enterprise
 1565 zone under this section. The department ~~Office of Tourism,~~
 1566 ~~Trade, and Economic Development~~ shall establish the initial
 1567 effective date of the enterprise zone designated under this

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1568 section.

1569 Section 52. Section 290.00728, Florida Statutes, is
 1570 amended to read:

1571 290.00728 Enterprise zone designation for Lake County.—
 1572 Lake County may apply to the department ~~Office of Tourism,~~
 1573 ~~Trade, and Economic Development~~ for designation of one
 1574 enterprise zone, which zone shall encompass an area of up to 10
 1575 square miles within Lake County. The application must have been
 1576 submitted by December 31, 2011, and must comply with the
 1577 requirements of s. 290.0055. Notwithstanding s. 290.0065
 1578 limiting the total number of enterprise zones designated and the
 1579 number of enterprise zones within a population category, the
 1580 department ~~Office of Tourism, Trade, and Economic Development~~
 1581 may designate one enterprise zone under this section. The
 1582 department ~~Office of Tourism, Trade, and Economic Development~~
 1583 shall establish the initial effective date of the enterprise
 1584 zone designated under this section.

1585 Section 53. Subsections (1) and (6) of section 311.09,
 1586 Florida Statutes, are amended to read:

1587 311.09 Florida Seaport Transportation and Economic
 1588 Development Council.—

1589 (1) The Florida Seaport Transportation and Economic
 1590 Development Council is created within the Department of
 1591 Transportation. The council consists of the following 17 ~~18~~
 1592 members: the port director, or the port director's designee, of
 1593 each of the ports of Jacksonville, Port Canaveral, Port Citrus,
 1594 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,
 1595 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key

1596 West, and Fernandina; the secretary of the Department of
 1597 Transportation or his or her designee; and the director of the
 1598 Department of Economic Opportunity or his or her designee.

1599 (6) The Department of Economic Opportunity ~~Community~~
 1600 ~~Affairs~~ shall review the list of projects approved by the
 1601 council to determine consistency with approved local government
 1602 comprehensive plans of the units of local government in which
 1603 the port is located and consistency with the port master plan.
 1604 The Department of Economic Opportunity ~~Community Affairs~~ shall
 1605 identify and notify the council of those projects that ~~which~~ are
 1606 not consistent, to the maximum extent feasible, with such
 1607 comprehensive plans and port master plans.

1608 Section 54. Paragraph (b) of subsection (9), paragraph (a)
 1609 of subsection (35), and paragraph (b) of subsection (62) of
 1610 section 320.08058, Florida Statutes, are amended to read:

1611 320.08058 Specialty license plates.—

1612 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

1613 (b) The license plate annual use fees are to be annually
 1614 distributed as follows:

1615 1. Fifty-five percent of the proceeds from the Florida
 1616 Professional Sports Team plate must be deposited into the
 1617 Professional Sports Development Trust Fund within the Department
 1618 of Economic Opportunity. These funds must be used solely to
 1619 attract and support major sports events in this state. As used
 1620 in this subparagraph, the term "major sports events" means, but
 1621 is not limited to, championship or all-star contests of Major
 1622 League Baseball, the National Basketball Association, the
 1623 National Football League, the National Hockey League, the men's

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1624 and women's National Collegiate Athletic Association Final Four
 1625 basketball championship, or a horseracing or dogracing Breeders'
 1626 Cup. All funds must be used to support and promote major
 1627 sporting events, and the uses must be approved by the Department
 1628 of Economic Opportunity ~~Florida Sports Foundation~~.

1629 2. The remaining proceeds of the Florida Professional
 1630 Sports Team license plate must be allocated to Enterprise
 1631 Florida, Inc. These funds must be deposited into the
 1632 Professional Sports Development Trust Fund within the Department
 1633 of Economic Opportunity. These funds must be used by Enterprise
 1634 Florida, Inc., to promote the economic development of the sports
 1635 industry; to distribute licensing and royalty fees to
 1636 participating professional sports teams; to promote education
 1637 programs in Florida schools that provide an awareness of the
 1638 benefits of physical activity and nutrition standards; to
 1639 partner with the Department of Education and the Department of
 1640 Health to develop a program that recognizes schools whose
 1641 students demonstrate excellent physical fitness or fitness
 1642 improvement; to institute a grant program for communities
 1643 bidding on minor sporting events that create an economic impact
 1644 for the state; to distribute funds to Florida-based charities
 1645 designated by Enterprise Florida, Inc., and the participating
 1646 professional sports teams; and to fulfill the sports promotion
 1647 responsibilities of the Department of Economic Opportunity.

1648 3. Enterprise Florida, Inc., shall provide an annual
 1649 financial audit in accordance with s. 215.981 of its financial
 1650 accounts and records by an independent certified public
 1651 accountant pursuant to the contract established by the

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1652 Department of Economic Opportunity. The auditor shall submit the
 1653 audit report to the Department of Economic Opportunity for
 1654 review and approval. If the audit report is approved, the
 1655 Department of Economic Opportunity shall certify the audit
 1656 report to the Auditor General for review.

1657 4. Notwithstanding the provisions of subparagraphs 1. and
 1658 2., proceeds from the Professional Sports Development Trust Fund
 1659 may also be used for operational expenses of Enterprise Florida,
 1660 Inc., and financial support of the Sunshine State Games.

1661 (35) FLORIDA GOLF LICENSE PLATES.—

1662 (a) The Department of Highway Safety and Motor Vehicles
 1663 shall develop a Florida Golf license plate as provided in this
 1664 section. The word "Florida" must appear at the bottom of the
 1665 plate. The Dade Amateur Golf Association, following consultation
 1666 with the PGA TOUR, Enterprise Florida, Inc., ~~the Florida Sports~~
 1667 ~~Foundation~~, the LPGA, and the PGA of America may submit a
 1668 revised sample plate for consideration by the department.

1669 (62) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

1670 (b) The annual use fees shall be distributed to the
 1671 Wildlife Foundation of Florida, Inc., a citizen support
 1672 organization created pursuant to s. 379.223, which shall
 1673 administer the fees as follows:

1674 1. Wildlife Foundation of Florida, Inc., shall retain the
 1675 first \$60,000 of the annual use fees as direct reimbursement for
 1676 administrative costs, startup costs, and costs incurred in the
 1677 development and approval process.

1678 2. Thereafter, a maximum of 10 percent of the fees may be
 1679 used for administrative costs directly associated with education

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1680 programs, conservation, springs research, and grant
 1681 administration of the foundation. A maximum of 15 percent of the
 1682 fees may be used for continuing promotion and marketing of the
 1683 license plate.

1684 3. At least 55 percent of the fees shall be available for
 1685 competitive grants for targeted community-based springs research
 1686 not currently available for state funding. The remaining 20
 1687 percent shall be directed toward community outreach programs
 1688 aimed at implementing such research findings. The competitive
 1689 grants shall be administered and approved by the board of
 1690 directors of the Wildlife Foundation of Florida. The granting
 1691 advisory committee shall be composed of nine members, including
 1692 one representative from the Fish and Wildlife Conservation
 1693 Commission, one representative from the Department of
 1694 Environmental Protection, one representative from the Department
 1695 of Health, one representative from the Department of Economic
 1696 Opportunity Community Affairs, three citizen representatives,
 1697 and two representatives from nonprofit stakeholder groups.

1698 4. The remaining funds shall be distributed with the
 1699 approval of and accountability to the board of directors of the
 1700 Wildlife Foundation of Florida, and shall be used to support
 1701 activities contributing to education, outreach, and springs
 1702 conservation.

1703 Section 55. Paragraph (b) of subsection (5) of section
 1704 339.135, Florida Statutes, is amended to read:

1705 339.135 Work program; legislative budget request;
 1706 definitions; preparation, adoption, execution, and amendment.—

1707 (5) ADOPTION OF THE WORK PROGRAM.—

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1708 (b) Notwithstanding paragraph (a), and for the 2011-2012
 1709 fiscal year only, the Department of Transportation shall
 1710 transfer funds to the Department of Economic Opportunity ~~Office~~
 1711 ~~of Tourism, Trade, and Economic Development~~ in an amount equal
 1712 to \$15 million for the purpose of funding transportation-related
 1713 needs of economic development projects. This transfer does ~~shall~~
 1714 not reduce, delete, or defer any existing projects funded, as of
 1715 July 1, 2011, in the Department of Transportation's 5-year work
 1716 program. This paragraph expires July 1, 2012.

1717 Section 56. Subsection (1) of section 342.201, Florida
 1718 Statutes, is amended to read:

1719 342.201 Waterfronts Florida Program.—

1720 (1) There is established within the Department of Economic
 1721 Opportunity ~~Environmental Protection~~ the Waterfronts Florida
 1722 Program to provide technical assistance and support to
 1723 communities in revitalizing waterfront areas in this state.

1724 Section 57. Paragraph (f) of subsection (5) of section
 1725 373.461, Florida Statutes, is amended to read:

1726 373.461 Lake Apopka improvement and management.—

1727 (5) PURCHASE OF AGRICULTURAL LANDS.—

1728 (f)1. Tangible personal property acquired by the district
 1729 as part of related facilities pursuant to this section, and
 1730 classified as surplus by the district, shall be sold by the
 1731 Department of Management Services. The Department of Management
 1732 Services shall deposit the proceeds of such sale in the Economic
 1733 Development Trust Fund in the Department of Economic Opportunity
 1734 ~~Executive Office of the Governor~~. The proceeds shall be used for
 1735 the purpose of providing economic and infrastructure development

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1736 in portions of northwestern Orange County and east central Lake
 1737 County which will be adversely affected economically due to the
 1738 acquisition of lands pursuant to this subsection.

1739 2. The Department ~~Office~~ of ~~Tourism, Trade, and~~ Economic
 1740 Opportunity Development shall, upon presentation of the
 1741 appropriate documentation justifying expenditure of the funds
 1742 deposited pursuant to this paragraph, pay any obligation for
 1743 which it has sufficient funds from the proceeds of the sale of
 1744 tangible personal property and which meets the limitations
 1745 specified in paragraph (g). The authority of the Department
 1746 ~~Office of Tourism, Trade, and Economic Opportunity Development~~
 1747 to expend such funds shall expire 5 years from the effective
 1748 date of this paragraph. Such expenditures may occur without
 1749 future appropriation from the Legislature.

1750 3. Funds deposited under this paragraph may not be used
 1751 for any purpose other than those enumerated in paragraph (g).

1752 Section 58. Paragraph (h) of subsection (2) of section
 1753 377.703, Florida Statutes, is amended to read:

1754 377.703 Additional functions of the Department of
 1755 Agriculture and Consumer Services.—

1756 (2) DUTIES.—The department shall perform the following
 1757 functions, unless as otherwise provided, consistent with the
 1758 development of a state energy policy:

1759 (h) The department shall promote the development and use
 1760 of renewable energy resources, in conformance with ~~the~~
 1761 ~~provisions of~~ chapter 187 and s. 377.601, by:

1762 1. Establishing goals and strategies for increasing the
 1763 use of solar energy in this state.

1764 2. Aiding and promoting the commercialization of solar
 1765 energy technology, in cooperation with the Florida Solar Energy
 1766 Center, Enterprise Florida, Inc., and any other federal, state,
 1767 or local governmental agency which may seek to promote research,
 1768 development, and demonstration of solar energy equipment and
 1769 technology.

1770 3. Identifying barriers to greater use of solar energy
 1771 systems in this state, and developing specific recommendations
 1772 for overcoming identified barriers, with findings and
 1773 recommendations to be submitted annually in the report to the
 1774 Governor and Legislature required under paragraph (f).

1775 4. In cooperation with the Department of Environmental
 1776 Protection, the Department of Transportation, the Department of
 1777 Economic Opportunity ~~Community Affairs~~, Enterprise Florida,
 1778 Inc., the Florida Solar Energy Center, and the Florida Solar
 1779 Energy Industries Association, investigating opportunities,
 1780 pursuant to the National Energy Policy Act of 1992, the Housing
 1781 and Community Development Act of 1992, and any subsequent
 1782 federal legislation, for solar electric vehicles and other solar
 1783 energy manufacturing, distribution, installation, and financing
 1784 efforts which will enhance this state's position as the leader
 1785 in solar energy research, development, and use.

1786 5. Undertaking other initiatives to advance the
 1787 development and use of renewable energy resources in this state.

1788
 1789 In the exercise of its responsibilities under this paragraph,
 1790 the department shall seek the assistance of the solar energy
 1791 industry in this state and other interested parties and is

1792 authorized to enter into contracts, retain professional
 1793 consulting services, and expend funds appropriated by the
 1794 Legislature for such purposes.

1795 Section 59. Paragraphs (c) and (d) of subsection (4) of
 1796 section 377.809, Florida Statutes, are amended to read:

1797 377.809 Energy Economic Zone Pilot Program.—

1798 (4)

1799 (c) Upon approving an incentive for an eligible business,
 1800 the governing body that has jurisdiction over the energy
 1801 economic zone shall provide the taxpayer with a certificate
 1802 indicating the name and federal identification number of the
 1803 eligible business, the date the incentive is provided, the name
 1804 of the energy economic zone, the incentive type, and the
 1805 incentive amount. The local governing body shall certify to the
 1806 Department of Revenue or the Department of Economic Opportunity
 1807 ~~Office of Tourism, Trade, and Economic Development~~, whichever is
 1808 applicable, which businesses or properties are eligible to
 1809 receive any or all of the state incentives according to their
 1810 statutory requirements. The governing body that has jurisdiction
 1811 over the energy economic zone shall provide a copy of the
 1812 certificate to the Department of Revenue and the Department of
 1813 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~
 1814 ~~Development~~ as notification that such incentives were approved
 1815 for the specific eligible business or property. For incentives
 1816 to be claimed against the sales and use tax under chapter 212,
 1817 the Department of Revenue shall send, within 14 days after
 1818 receipt, written instructions to an eligible business on how to
 1819 claim the credit on a sales and use tax return initiated through

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1820 an electronic data interchange. Any credit against the sales and
 1821 use tax shall be deducted from any sales and use tax remitted by
 1822 the dealer to the Department of Revenue by electronic funds
 1823 transfer and may be deducted only on a sales and use tax return
 1824 initiated through an electronic data interchange. The dealer
 1825 shall separately state the credit on the electronic return. The
 1826 net amount of tax due and payable must be remitted by electronic
 1827 funds transfer. If the credit exceeds the amount owed on the
 1828 sales and use tax return, such excess amount may be carried
 1829 forward for a period not to exceed 12 months after the date that
 1830 the credit is initially claimed.

1831 (d) If all conditions are deemed met, the Department of
 1832 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~
 1833 ~~Development~~ and the Department of Revenue may adopt emergency
 1834 rules pursuant to ss. 120.536(1) and 120.54 to administer ~~the~~
 1835 ~~provisions of~~ this subsection. The emergency rules shall remain
 1836 in effect for 6 months after the rules are adopted, and the
 1837 rules may be renewed while the procedures to adopt permanent
 1838 rules addressing the subject of the emergency rules are pending.

1839 Section 60. Paragraph (b) of subsection (6), paragraph (b)
 1840 of subsection (19), paragraphs (l) and (q) of subsection (24),
 1841 and paragraphs (b) and (c) of subsection (29) of section 380.06,
 1842 Florida Statutes, are amended to read:

1843 380.06 Developments of regional impact.—

1844 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT; CONCURRENT
 1845 PLAN AMENDMENTS.—

1846 (b) Any local government comprehensive plan amendments
 1847 related to a proposed development of regional impact, including

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1848 any changes proposed under subsection (19), may be initiated by
1849 a local planning agency or the developer and must be considered
1850 by the local governing body at the same time as the application
1851 for development approval using the procedures provided for local
1852 plan amendment in s. 163.3187 and applicable local ordinances,
1853 without regard to local limits on the frequency of consideration
1854 of amendments to the local comprehensive plan. This paragraph
1855 does not require favorable consideration of a plan amendment
1856 solely because it is related to a development of regional
1857 impact. The procedure for processing such comprehensive plan
1858 amendments is as follows:

1859 1. If a developer seeks a comprehensive plan amendment
1860 related to a development of regional impact, the developer must
1861 so notify in writing the regional planning agency, the
1862 applicable local government, and the state land planning agency
1863 no later than the date of preapplication conference or the
1864 submission of the proposed change under subsection (19).

1865 2. When filing the application for development approval or
1866 the proposed change, the developer must include a written
1867 request for comprehensive plan amendments that would be
1868 necessitated by the development-of-regional-impact approvals
1869 sought. That request must include data and analysis upon which
1870 the applicable local government can determine whether to
1871 transmit the comprehensive plan amendment pursuant to s.
1872 163.3184.

1873 3. The local government must advertise a public hearing on
1874 the transmittal within 30 days after filing the application for
1875 development approval or the proposed change and must make a

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1876 determination on the transmittal within 60 days after the
 1877 initial filing unless that time is extended by the developer.

1878 4. If the local government approves the transmittal,
 1879 procedures set forth in s. 163.3184(3)(b) and (c)
 1880 ~~163.3184(4)(b)–(d)~~ must be followed.

1881 5. Notwithstanding subsection (11) or subsection (19), the
 1882 local government may not hold a public hearing on the
 1883 application for development approval or the proposed change or
 1884 on the comprehensive plan amendments sooner than 30 days after
 1885 ~~from~~ receipt of the response from the state land planning agency
 1886 pursuant to s. 163.3184(3)(c)1. ~~163.3184(4)(d).~~

1887 6. The local government must hear both the application for
 1888 development approval or the proposed change and the
 1889 comprehensive plan amendments at the same hearing. However, the
 1890 local government must take action separately on the application
 1891 for development approval or the proposed change and on the
 1892 comprehensive plan amendments.

1893 7. Thereafter, the appeal process for the local government
 1894 development order must follow the provisions of s. 380.07, and
 1895 the compliance process for the comprehensive plan amendments
 1896 must follow the provisions of s. 163.3184.

1897 (19) SUBSTANTIAL DEVIATIONS.—

1898 (b) Any proposed change to a previously approved
 1899 development of regional impact or development order condition
 1900 which, either individually or cumulatively with other changes,
 1901 exceeds any of the following criteria shall constitute a
 1902 substantial deviation and shall cause the development to be
 1903 subject to further development-of-regional-impact review without

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1904 the necessity for a finding of same by the local government:

1905 1. An increase in the number of parking spaces at an
 1906 attraction or recreational facility by 15 percent or 500 spaces,
 1907 whichever is greater, or an increase in the number of spectators
 1908 that may be accommodated at such a facility by 15 percent or
 1909 1,500 spectators, whichever is greater.

1910 2. A new runway, a new terminal facility, a 25 percent ~~25-~~
 1911 ~~percent~~ lengthening of an existing runway, or a 25 percent ~~25-~~
 1912 ~~percent~~ increase in the number of gates of an existing terminal,
 1913 but only if the increase adds at least three additional gates.

1914 3. An increase in land area for office development by 15
 1915 percent or an increase of gross floor area of office development
 1916 by 15 percent or 100,000 gross square feet, whichever is
 1917 greater.

1918 4. An increase in the number of dwelling units by 10
 1919 percent or 55 dwelling units, whichever is greater.

1920 5. An increase in the number of dwelling units by 50
 1921 percent or 200 units, whichever is greater, provided that 15
 1922 percent of the proposed additional dwelling units are dedicated
 1923 to affordable workforce housing, subject to a recorded land use
 1924 restriction that shall be for a period of not less than 20 years
 1925 and that includes resale provisions to ensure long-term
 1926 affordability for income-eligible homeowners and renters and
 1927 provisions for the workforce housing to be commenced prior to
 1928 the completion of 50 percent of the market rate dwelling. For
 1929 purposes of this subparagraph, the term "affordable workforce
 1930 housing" means housing that is affordable to a person who earns
 1931 less than 120 percent of the area median income, or less than

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1932 140 percent of the area median income if located in a county in
 1933 which the median purchase price for a single-family existing
 1934 home exceeds the statewide median purchase price of a single-
 1935 family existing home. For purposes of this subparagraph, the
 1936 term "statewide median purchase price of a single-family
 1937 existing home" means the statewide purchase price as determined
 1938 in the Florida Sales Report, Single-Family Existing Homes,
 1939 released each January by the Florida Association of Realtors and
 1940 the University of Florida Real Estate Research Center.

1941 6. An increase in commercial development by 60,000 square
 1942 feet of gross floor area or of parking spaces provided for
 1943 customers for 425 cars or a 10 percent ~~10-percent~~ increase,
 1944 whichever is greater.

1945 7. An increase in a recreational vehicle park area by 10
 1946 percent or 110 vehicle spaces, whichever is less.

1947 8. A decrease in the area set aside for open space of 5
 1948 percent or 20 acres, whichever is less.

1949 9. A proposed increase to an approved multiuse development
 1950 of regional impact where the sum of the increases of each land
 1951 use as a percentage of the applicable substantial deviation
 1952 criteria is equal to or exceeds 110 percent. The percentage of
 1953 any decrease in the amount of open space shall be treated as an
 1954 increase for purposes of determining when 110 percent has been
 1955 reached or exceeded.

1956 10. A 15 percent ~~15-percent~~ increase in the number of
 1957 external vehicle trips generated by the development above that
 1958 which was projected during the original development-of-regional-
 1959 impact review.

1960 11. Any change that ~~which~~ would result in development of
 1961 any area which was specifically set aside in the application for
 1962 development approval or in the development order for
 1963 preservation or special protection of endangered or threatened
 1964 plants or animals designated as endangered, threatened, or
 1965 species of special concern and their habitat, any species
 1966 protected by 16 U.S.C. ss. 668a-668d, primary dunes, or
 1967 archaeological and historical sites designated as significant by
 1968 the Division of Historical Resources of the Department of State.
 1969 The refinement of the boundaries and configuration of such areas
 1970 shall be considered under sub-subparagraph (e)2.j.

1971
 1972 The substantial deviation numerical standards in subparagraphs
 1973 3., 6., and 9., excluding residential uses, and in subparagraph
 1974 10., are increased by 100 percent for a project certified under
 1975 s. 403.973 which creates jobs and meets criteria established by
 1976 the Department of Economic Opportunity ~~Office of Tourism, Trade,~~
 1977 ~~and Economic Development~~ as to its impact on an area's economy,
 1978 employment, and prevailing wage and skill levels. The
 1979 substantial deviation numerical standards in subparagraphs 3.,
 1980 4., 5., 6., 9., and 10. are increased by 50 percent for a
 1981 project located wholly within an urban infill and redevelopment
 1982 area designated on the applicable adopted local comprehensive
 1983 plan future land use map and not located within the coastal high
 1984 hazard area.

1985 (24) STATUTORY EXEMPTIONS.—

1986 (1) Any proposed development within an urban service
 1987 boundary established under s. 163.3177(14), Florida Statutes

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1988 (2010), which is not otherwise exempt pursuant to subsection
 1989 (29), is exempt from this section if the local government having
 1990 jurisdiction over the area where the development is proposed has
 1991 adopted the urban service boundary and has entered into a
 1992 binding agreement with jurisdictions that would be impacted and
 1993 with the Department of Transportation regarding the mitigation
 1994 of impacts on state and regional transportation facilities.

1995 (q) Any development identified in an airport master plan
 1996 and adopted into the comprehensive plan pursuant to s.
 1997 163.3177(6)(k), Florida Statutes (2010), is exempt from this
 1998 section.

1999
 2000 If a use is exempt from review as a development of regional
 2001 impact under paragraphs (a)-(u), but will be part of a larger
 2002 project that is subject to review as a development of regional
 2003 impact, the impact of the exempt use must be included in the
 2004 review of the larger project, unless such exempt use involves a
 2005 development of regional impact that includes a landowner,
 2006 tenant, or user that has entered into a funding agreement with
 2007 the Department of Economic Opportunity under the Innovation
 2008 Incentive Program and the agreement contemplates a state award
 2009 of at least \$50 million.

2010 (29) EXEMPTIONS FOR DENSE URBAN LAND AREAS.—

2011 (b) If a municipality that does not qualify as a dense
 2012 urban land area ~~pursuant to s. 163.3164~~ designates any of the
 2013 following areas in its comprehensive plan, any proposed
 2014 development within the designated area is exempt from the
 2015 development-of-regional-impact process:

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- 2016 1. Urban infill as defined in s. 163.3164;
- 2017 2. Community redevelopment areas as defined in s. 163.340;
- 2018 3. Downtown revitalization areas as defined in s.
- 2019 163.3164;
- 2020 4. Urban infill and redevelopment under s. 163.2517; or
- 2021 5. Urban service areas as defined in s. 163.3164 or areas
- 2022 within a designated urban service boundary under s.
- 2023 163.3177(14).
- 2024 (c) If a county that does not qualify as a dense urban
- 2025 land area ~~pursuant to s. 163.3164~~ designates any of the
- 2026 following areas in its comprehensive plan, any proposed
- 2027 development within the designated area is exempt from the
- 2028 development-of-regional-impact process:
- 2029 1. Urban infill as defined in s. 163.3164;
- 2030 2. Urban infill and redevelopment under s. 163.2517; or
- 2031 3. Urban service areas as defined in s. 163.3164.
- 2032 Section 61. Paragraph (a) of subsection (4) of section
- 2033 402.56, Florida Statutes, is amended to read:
- 2034 402.56 Children's cabinet; organization; responsibilities;
- 2035 annual report.—
- 2036 (4) MEMBERS.—The cabinet shall consist of 14 members
- 2037 including the Governor and the following persons:
- 2038 (a)1. The Secretary of Children and Family Services;
- 2039 2. The Secretary of Juvenile Justice;
- 2040 3. The director of the Agency for Persons with
- 2041 Disabilities;
- 2042 4. The director of the Office ~~Division~~ of Early Learning;
- 2043 5. The State Surgeon General;

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- 2044 6. The Secretary of Health Care Administration;
 2045 7. The Commissioner of Education;
 2046 8. The director of the Statewide Guardian Ad Litem Office;
 2047 9. The director of the Office of Child Abuse Prevention;
 2048 and
 2049 10. Five members representing children and youth advocacy
 2050 organizations, who are not service providers and who are
 2051 appointed by the Governor.

2052 Section 62. Subsection (6) of section 403.0891, Florida
 2053 Statutes, is amended to read:

2054 403.0891 State, regional, and local stormwater management
 2055 plans and programs.—The department, the water management
 2056 districts, and local governments shall have the responsibility
 2057 for the development of mutually compatible stormwater management
 2058 programs.

2059 (6) The department and the Department of Economic
 2060 Opportunity ~~Community Affairs~~, in cooperation with local
 2061 governments in the coastal zone, shall develop a model
 2062 stormwater management program that could be adopted by local
 2063 governments. The model program shall contain dedicated funding
 2064 options, including a stormwater utility fee system based upon an
 2065 equitable unit cost approach. Funding options shall be designed
 2066 to generate capital to retrofit existing stormwater management
 2067 systems, build new treatment systems, operate facilities, and
 2068 maintain and service debt.

2069 Section 63. Subsection (8) of section 420.503, Florida
 2070 Statutes, is amended to read:

2071 420.503 Definitions.—As used in this part, the term:

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2072 (8) "Contract" means the contract between the executive
 2073 director ~~secretary~~ of the department and the corporation for
 2074 provision of housing services referenced in s. 420.0006.

2075 Section 64. Subsection (30) of section 420.507, Florida
 2076 Statutes, is amended to read:

2077 420.507 Powers of the corporation.—The corporation shall
 2078 have all the powers necessary or convenient to carry out and
 2079 effectuate the purposes and provisions of this part, including
 2080 the following powers which are in addition to all other powers
 2081 granted by other provisions of this part:

2082 (30) To prepare and submit to the executive director
 2083 ~~secretary~~ of the department a budget request for purposes of the
 2084 corporation, which request shall, notwithstanding the provisions
 2085 of chapter 216 and in accordance with s. 216.351, contain a
 2086 request for operational expenditures and separate requests for
 2087 other authorized corporation programs. The request need ~~shall~~
 2088 ~~not be required to~~ contain information on the number of
 2089 employees, salaries, or any classification thereof, and the
 2090 approved operating budget therefor need not comply with s.
 2091 216.181(8)-(10). The executive director ~~may secretary is~~
 2092 ~~authorized to~~ include within the department's budget request the
 2093 corporation's budget request in the form as authorized by this
 2094 section.

2095 Section 65. Paragraph (d) of subsection (1) of section
 2096 420.101, Florida Statutes, is amended to read:

2097 420.101 Housing Development Corporation of Florida;
 2098 creation, membership, and purposes.—

2099 (1) Twenty-five or more persons, a majority of whom shall

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2100 be residents of this state, who may desire to create a housing
 2101 development corporation under the provisions of this part for
 2102 the purpose of promoting and developing housing and advancing
 2103 the prosperity and economic welfare of the state and, to that
 2104 end, to exercise the powers and privileges hereinafter provided,
 2105 may be incorporated by filing in the Department of State, as
 2106 hereinafter provided, articles of incorporation. The articles of
 2107 incorporation shall contain:

2108 (d) The names and post office addresses of the members of
 2109 the first board of directors. The first board of directors shall
 2110 be elected by and from the stockholders of the corporation and
 2111 shall consist of 21 members. However, five of such members shall
 2112 consist of the following persons, who shall be nonvoting
 2113 members: the executive director ~~secretary~~ of the Department of
 2114 Economic Opportunity or her or his designee; the head of the
 2115 Department of Financial Services or her or his designee with
 2116 expertise in banking matters; a designee of the head of the
 2117 Department of Financial Services with expertise in insurance
 2118 matters; one state senator appointed by the President of the
 2119 Senate; and one representative appointed by the Speaker of the
 2120 House of Representatives.

2121 Section 66. Section 420.0005, Florida Statutes, is amended
 2122 to read:

2123 420.0005 State Housing Trust Fund; State Housing Fund.—
 2124 There is ~~hereby~~ established in the State Treasury a separate
 2125 trust fund to be named the "State Housing Trust Fund." There
 2126 shall be deposited in the fund all moneys appropriated by the
 2127 Legislature, or moneys received from any other source, for the

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2128 | purpose of this chapter, and all proceeds derived from the use
2129 | of such moneys. The fund shall be administered by the Florida
2130 | Housing Finance Corporation on behalf of the department, as
2131 | specified in this chapter. Money deposited to the fund and
2132 | appropriated by the Legislature must, notwithstanding the
2133 | provisions of chapter 216 or s. 420.504(3), be transferred
2134 | quarterly in advance, to the extent available, or, if not so
2135 | available, as soon as received into the State Housing Trust
2136 | Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)
2137 | by the Chief Financial Officer to the corporation upon
2138 | certification by the executive director of the Department of
2139 | Economic Opportunity that the corporation is in compliance with
2140 | the requirements of s. 420.0006. The certification made by the
2141 | executive director ~~secretary~~ shall also include the split of
2142 | funds among programs administered by the corporation and the
2143 | department as specified in chapter 92-317, Laws of Florida, as
2144 | amended. Moneys advanced by the Chief Financial Officer must be
2145 | deposited by the corporation into a separate fund established
2146 | with a qualified public depository meeting the requirements of
2147 | chapter 280 to be named the "State Housing Fund" and used for
2148 | the purposes of this chapter. Administrative and personnel costs
2149 | incurred in implementing this chapter may be paid from the State
2150 | Housing Fund, but such costs may not exceed 5 percent of the
2151 | moneys deposited into such fund. To the State Housing Fund shall
2152 | be credited all loan repayments, penalties, and other fees and
2153 | charges accruing to such fund under this chapter. It is the
2154 | intent of this chapter that all loan repayments, penalties, and
2155 | other fees and charges collected be credited in full to the

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2156 program account from which the loan originated. Moneys in the
 2157 State Housing Fund which are not currently needed for the
 2158 purposes of this chapter shall be invested in such manner as is
 2159 provided for by statute. The interest received on any such
 2160 investment shall be credited to the State Housing Fund.

2161 Section 67. Section 420.0006, Florida Statutes, is amended
 2162 to read:

2163 420.0006 Authority to contract with corporation; contract
 2164 requirements; nonperformance.—The executive director ~~secretary~~
 2165 of the department shall contract, notwithstanding ~~the provisions~~
 2166 ~~of~~ part I of chapter 287, with the Florida Housing Finance
 2167 Corporation on a multiyear basis to stimulate, provide, and
 2168 foster affordable housing in the state. The contract must
 2169 incorporate the performance measures required by s. 420.511 and
 2170 must be consistent with the provisions of the corporation's
 2171 strategic plan prepared in accordance with s. 420.511. The
 2172 contract must provide that, in the event the corporation fails
 2173 to comply with any of the performance measures required by s.
 2174 420.511, the executive director ~~secretary~~ shall notify the
 2175 Governor and shall refer the nonperformance to the department's
 2176 inspector general for review and determination as to whether
 2177 such failure is due to forces beyond the corporation's control
 2178 or whether such failure is due to inadequate management of the
 2179 corporation's resources. Advances shall continue to be made
 2180 pursuant to s. 420.0005 during the pendency of the review by the
 2181 department's inspector general. If such failure is due to
 2182 outside forces, it shall not be deemed a violation of the
 2183 contract. If such failure is due to inadequate management, the

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2184 department's inspector general shall provide recommendations
 2185 regarding solutions. The Governor is authorized to resolve any
 2186 differences of opinion with respect to performance under the
 2187 contract and may request that advances continue in the event of
 2188 a failure under the contract due to inadequate management. The
 2189 Chief Financial Officer shall approve the request absent a
 2190 finding by the Chief Financial Officer that continuing such
 2191 advances would adversely impact the state; however, in any event
 2192 the Chief Financial Officer shall provide advances sufficient to
 2193 meet the debt service requirements of the corporation and
 2194 sufficient to fund contracts committing funds from the State
 2195 Housing Trust Fund so long as such contracts are in accordance
 2196 with the laws of this state.

2197 Section 68. Subsection (26) of section 443.036, Florida
 2198 Statutes, is amended to read:

2199 443.036 Definitions.—As used in this chapter, the term:

2200 (26) "Initial skills review" means an online education or
 2201 training program, such as that established under s. 1004.99,
 2202 which that is approved by the Department of Economic Opportunity
 2203 ~~Agency for Workforce Innovation~~ and designed to measure an
 2204 individual's mastery level of workplace skills.

2205 Section 69. Paragraphs (c) and (d) of subsection (1) of
 2206 section 443.091, Florida Statutes, are amended to read:

2207 443.091 Benefit eligibility conditions.—

2208 (1) An unemployed individual is eligible to receive
 2209 benefits for any week only if the Department of Economic
 2210 Opportunity finds that:

2211 (c) To make continued claims for benefits, she or he is

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2212 reporting to the department in accordance with this paragraph
2213 and department ~~agency~~ rules, and participating in an initial
2214 skills review as directed by the department ~~agency~~. Department
2215 ~~Agency~~ rules may not conflict with s. 443.111(1)(b), which
2216 requires that each claimant continue to report regardless of any
2217 pending appeal relating to her or his eligibility or
2218 disqualification for benefits.

2219 1. For each week of unemployment claimed, each report
2220 must, at a minimum, include the name, address, and telephone
2221 number of each prospective employer contacted, or the date the
2222 claimant reported to a one-stop career center, pursuant to
2223 paragraph (d).

2224 2. The administrator or operator of the initial skills
2225 review shall notify the department ~~agency~~ when the individual
2226 completes the initial skills review and report the results of
2227 the review to the regional workforce board or the one-stop
2228 career center as directed by the workforce board. The workforce
2229 board shall use the initial skills review to develop a plan for
2230 referring individuals to training and employment opportunities.
2231 The failure of the individual to comply with this requirement
2232 will result in the individual being determined ineligible for
2233 benefits for the week in which the noncompliance occurred and
2234 for any subsequent week of unemployment until the requirement is
2235 satisfied. However, this requirement does not apply if the
2236 individual is able to affirmatively attest to being unable to
2237 complete such review due to illiteracy or a language impediment.

2238 (d) She or he is able to work and is available for work.
2239 In order to assess eligibility for a claimed week of

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2240 unemployment, the department shall develop criteria to determine
 2241 a claimant's ability to work and availability for work. A
 2242 claimant must be actively seeking work in order to be considered
 2243 available for work. This means engaging in systematic and
 2244 sustained efforts to find work, including contacting at least
 2245 five prospective employers for each week of unemployment
 2246 claimed. The department ~~agency~~ may require the claimant to
 2247 provide proof of such efforts to the one-stop career center as
 2248 part of reemployment services. The department ~~agency~~ shall
 2249 conduct random reviews of work search information provided by
 2250 claimants. As an alternative to contacting at least five
 2251 prospective employers for any week of unemployment claimed, a
 2252 claimant may, for that same week, report in person to a one-stop
 2253 career center to meet with a representative of the center and
 2254 access reemployment services of the center. The center shall
 2255 keep a record of the services or information provided to the
 2256 claimant and shall provide the records to the department ~~agency~~
 2257 upon request by the department ~~agency~~. However:

2258 1. Notwithstanding any other provision of this paragraph
 2259 or paragraphs (b) and (e), an otherwise eligible individual may
 2260 not be denied benefits for any week because she or he is in
 2261 training with the approval of the department, or by reason of s.
 2262 443.101(2) relating to failure to apply for, or refusal to
 2263 accept, suitable work. Training may be approved by the
 2264 department in accordance with criteria prescribed by rule. A
 2265 claimant's eligibility during approved training is contingent
 2266 upon satisfying eligibility conditions prescribed by rule.

2267 2. Notwithstanding any other provision of this chapter, an

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2268 otherwise eligible individual who is in training approved under
 2269 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be
 2270 determined ineligible or disqualified for benefits due to
 2271 enrollment in such training or because of leaving work that is
 2272 not suitable employment to enter such training. As used in this
 2273 subparagraph, the term "suitable employment" means work of a
 2274 substantially equal or higher skill level than the worker's past
 2275 adversely affected employment, as defined for purposes of the
 2276 Trade Act of 1974, as amended, the wages for which are at least
 2277 80 percent of the worker's average weekly wage as determined for
 2278 purposes of the Trade Act of 1974, as amended.

2279 3. Notwithstanding any other provision of this section, an
 2280 otherwise eligible individual may not be denied benefits for any
 2281 week because she or he is before any state or federal court
 2282 pursuant to a lawfully issued summons to appear for jury duty.

2283 Section 70. Paragraph (a) of subsection (5) of section
 2284 443.111, Florida Statutes, is amended to read:

2285 443.111 Payment of benefits.—

2286 (5) DURATION OF BENEFITS.—

2287 (a) As used in this section, the term "Florida average
 2288 unemployment rate" means the average of the 3 months for the
 2289 most recent third calendar year quarter of the seasonally
 2290 adjusted statewide unemployment rates as published by the
 2291 Department of Economic Opportunity ~~Agency for Workforce~~
 2292 ~~Innovation~~.

2293 Section 71. Paragraph (b) of subsection (1) of section
 2294 443.141, Florida Statutes, is amended to read:

2295 443.141 Collection of contributions and reimbursements.—

2296 (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT,
 2297 ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

2298 (b) *Penalty for delinquent, erroneous, incomplete, or*
 2299 *insufficient reports.—*

2300 1. An employing unit that fails to file any report
 2301 required by the Department of Economic Opportunity or its tax
 2302 collection service provider, in accordance with rules for
 2303 administering this chapter, shall pay to the service provider
 2304 for each delinquent report the sum of \$25 for each 30 days or
 2305 fraction thereof that the employing unit is delinquent, unless
 2306 the department ~~agency~~ or its service provider, whichever
 2307 required the report, finds that the employing unit has good
 2308 reason for failing to file the report. The department or its
 2309 service provider may assess penalties only through the date of
 2310 the issuance of the final assessment notice. However, additional
 2311 penalties accrue if the delinquent report is subsequently filed.

2312 2.a. An employing unit that files an erroneous,
 2313 incomplete, or insufficient report with the department or its
 2314 tax collection service provider shall pay a penalty. The amount
 2315 of the penalty is \$50 or 10 percent of any tax due, whichever is
 2316 greater, but no more than \$300 per report. The penalty shall be
 2317 added to any tax, penalty, or interest otherwise due.

2318 b. The department or its tax collection service provider
 2319 shall waive the penalty if the employing unit files an accurate,
 2320 complete, and sufficient report within 30 days after a penalty
 2321 notice is issued to the employing unit. The penalty may not be
 2322 waived pursuant to this subparagraph more than one time during a
 2323 12-month period.

2324 c. As used in this subsection, the term "erroneous,
 2325 incomplete, or insufficient report" means a report so lacking in
 2326 information, completeness, or arrangement that the report cannot
 2327 be readily understood, verified, or reviewed. Such reports
 2328 include, but are not limited to, reports having missing wage or
 2329 employee information, missing or incorrect social security
 2330 numbers, or illegible entries; reports submitted in a format
 2331 that is not approved by the department or its tax collection
 2332 service provider; and reports showing gross wages that do not
 2333 equal the total of the wages of each employee. However, the term
 2334 does not include a report that merely contains inaccurate data
 2335 that was supplied to the employer by the employee, if the
 2336 employer was unaware of the inaccuracy.

2337 3. Penalties imposed pursuant to this paragraph shall be
 2338 deposited in the Special Employment Security Administration
 2339 Trust Fund.

2340 4. The penalty and interest for a delinquent, erroneous,
 2341 incomplete, or insufficient report may be waived if the penalty
 2342 or interest is inequitable. The provisions of s. 213.24(1) apply
 2343 to any penalty or interest that is imposed under this section.

2344 Section 72. Paragraph (b) of subsection (2) of section
 2345 443.1715, Florida Statutes, is amended to read:

2346 443.1715 Disclosure of information; confidentiality.—

2347 (2) DISCLOSURE OF INFORMATION.—

2348 (b) The employer or the employer's workers' compensation
 2349 carrier against whom a claim for benefits under chapter 440 has
 2350 been made, or a representative of either, may request from the
 2351 department records of wages of the employee reported to the

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2352 department by any employer for the quarter that includes the
 2353 date of the accident that is the subject of such claim and for
 2354 subsequent quarters.

2355 1. The request must be made with the authorization or
 2356 consent of the employee or any employer who paid wages to the
 2357 employee after the date of the accident.

2358 2. The employer or carrier shall make the request on a
 2359 form prescribed by rule for such purpose by the department
 2360 ~~agency~~. Such form shall contain a certification by the
 2361 requesting party that it is a party entitled to the information
 2362 requested.

2363 3. The department shall provide the most current
 2364 information readily available within 15 days after receiving the
 2365 request.

2366 Section 73. Subsections (1), (2), (4), (5), (6), and (7)
 2367 of section 443.17161, Florida Statutes, are amended to read:

2368 443.17161 Authorized electronic access to employer
 2369 information.-

2370 (1) Notwithstanding any other provision of this chapter,
 2371 the Department of Economic Opportunity ~~Agency for Workforce~~
 2372 ~~Innovation~~ shall contract with one or more consumer reporting
 2373 agencies to provide users with secured electronic access to
 2374 employer-provided information relating to the quarterly wages
 2375 report submitted in accordance with the state's unemployment
 2376 compensation law. The access is limited to the wage reports for
 2377 the appropriate amount of time for the purpose the information
 2378 is requested.

2379 (2) Users must obtain consent in writing or by electronic

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2380 signature from an applicant for credit, employment, or other
 2381 permitted purposes. Any written or electronic signature consent
 2382 from an applicant must be signed and must include the following:

2383 (a) Specific notice that information concerning the
 2384 applicant's wage and employment history will be released to a
 2385 consumer reporting agency;

2386 (b) Notice that the release is made for the sole purpose
 2387 of reviewing the specific application for credit, employment, or
 2388 other permitted purpose made by the applicant;

2389 (c) Notice that the files of the Department of Economic
 2390 Opportunity Agency ~~for Workforce Innovation~~ or its tax
 2391 collection service provider containing information concerning
 2392 wage and employment history which is submitted by the applicant
 2393 or his or her employers may be accessed; and

2394 (d) A listing of the parties authorized to receive the
 2395 released information.

2396 (4) If a consumer reporting agency or user violates this
 2397 section, the Department of Economic Opportunity Agency ~~for~~
 2398 ~~Workforce Innovation~~ shall, upon 30 days' written notice to the
 2399 consumer reporting agency, terminate the contract established
 2400 between the Department of Economic Opportunity Agency ~~for~~
 2401 ~~Workforce Innovation~~ and the consumer reporting agency or
 2402 require the consumer reporting agency to terminate the contract
 2403 established between the consumer reporting agency and the user
 2404 under this section.

2405 (5) The Department of Economic Opportunity Agency ~~for~~
 2406 ~~Workforce Innovation~~ shall establish minimum audit, security,
 2407 net worth, and liability insurance standards, technical

2408 requirements, and any other terms and conditions considered
 2409 necessary in the discretion of the state agency to safeguard the
 2410 confidentiality of the information released under this section
 2411 and to otherwise serve the public interest. The Department of
 2412 Economic Opportunity Agency for Workforce Innovation shall also
 2413 include, in coordination with any necessary state agencies,
 2414 necessary audit procedures to ensure that these rules are
 2415 followed.

2416 (6) In contracting with one or more consumer reporting
 2417 agencies under this section, any revenues generated by the
 2418 contract must be used to pay the entire cost of providing access
 2419 to the information. Further, in accordance with federal
 2420 regulations, any additional revenues generated by the Department
 2421 of Economic Opportunity Agency for Workforce Innovation or the
 2422 state under this section must be paid into the Administrative
 2423 Trust Fund of the Department of Economic Opportunity Agency for
 2424 Workforce Innovation for the administration of the unemployment
 2425 compensation system or be used as program income.

2426 (7) The Department of Economic Opportunity Agency for
 2427 Workforce Innovation may not provide wage and employment history
 2428 information to any consumer reporting agency before the consumer
 2429 reporting agency or agencies under contract with the Department
 2430 of Economic Opportunity Agency for Workforce Innovation pay all
 2431 development and other startup costs incurred by the state in
 2432 connection with the design, installation, and administration of
 2433 technological systems and procedures for the electronic access
 2434 program.

2435 Section 74. Subsection (2) of section 446.50, Florida

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2436 Statutes, is amended to read:

2437 446.50 Displaced homemakers; multiservice programs; report
2438 to the Legislature; Displaced Homemaker Trust Fund created.—

2439 (2) DEFINITION.—For the purposes of this section, the term
2440 "displaced homemaker" means an individual who:

2441 (a) Is 35 years of age or older;

2442 (b) Has worked in the home, providing unpaid household
2443 services for family members;

2444 (c) Is not adequately employed, as defined by rule of the
2445 department ~~agency~~;

2446 (d) Has had, or would have, difficulty in securing
2447 adequate employment; and

2448 (e) Has been dependent on the income of another family
2449 member but is no longer supported by such income, or has been
2450 dependent on federal assistance.

2451 Section 75. Section 450.261, Florida Statutes, is amended
2452 to read:

2453 450.261 Interstate Migrant Labor Commission; Florida
2454 membership.—In selecting the Florida membership of the
2455 Interstate Migrant Labor Commission, the Governor may designate
2456 the executive director ~~secretary~~ of the Department of Economic
2457 Opportunity as his or her representative.

2458 Section 76. Paragraph (c) of subsection (7) of section
2459 509.032, Florida Statutes, is amended to read:

2460 509.032 Duties.—

2461 (7) PREEMPTION AUTHORITY.—

2462 (c) Paragraph (b) does not apply to any local law,
2463 ordinance, or regulation exclusively relating to property

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2464 valuation as a criterion for vacation rental if the local law,
 2465 ordinance, or regulation is required to be approved by the state
 2466 land planning agency ~~Department of Community Affairs~~ pursuant to
 2467 an area of critical state concern designation.

2468 Section 77. Subsection (3) of section 624.5105, Florida
 2469 Statutes, is amended to read:

2470 624.5105 Community contribution tax credit; authorization;
 2471 limitations; eligibility and application requirements;
 2472 administration; definitions; expiration.—

2473 (3) APPLICATION REQUIREMENTS.—

2474 (a) Any eligible sponsor wishing to participate in this
 2475 program must submit a proposal to the Department of Economic
 2476 Opportunity ~~Office of Tourism, Trade, and Economic Development~~
 2477 which sets forth the sponsor, the project, the area in which the
 2478 project is located, and such supporting information as may be
 2479 prescribed by rule. The proposal shall also contain a resolution
 2480 from the local governmental unit in which the proposed project
 2481 is located certifying that the project is consistent with local
 2482 plans and regulations.

2483 (b)1. Any insurer wishing to participate in this program
 2484 must submit an application for tax credit to the Department of
 2485 Economic Opportunity ~~office~~ which sets forth the sponsor; the
 2486 project; and the type, value, and purpose of the contribution.
 2487 The sponsor must verify, in writing, the terms of the
 2488 application and indicate its willingness to receive the
 2489 contribution, which verification must accompany the application
 2490 for tax credit.

2491 2. The insurer must submit a separate application for tax

2492 credit for each individual contribution which it proposes to
 2493 contribute to each individual project.

2494 Section 78. Subsection (4) of section 1002.75, Florida
 2495 Statutes, is amended to read:

2496 1002.75 Office of Early Learning; powers and duties;
 2497 operational requirements.—

2498 (4) The Office of Early Learning shall also adopt
 2499 procedures for the ~~agency's~~ distribution of funds to early
 2500 learning coalitions under s. 1002.71.

2501 Section 79. Subsection (2) of section 1002.79, Florida
 2502 Statutes, is amended to read:

2503 1002.79 Rulemaking authority.—

2504 (2) The Office of Early Learning shall adopt rules under
 2505 ss. 120.536(1) and 120.54 to administer the provisions of this
 2506 part conferring duties upon the office ~~agency~~.

2507 Section 80. Subsections (7) through (9) of section
 2508 163.3178, Florida Statutes, are renumbered as subsections (6)
 2509 through (8), respectively, and paragraph (h) of subsection (2)
 2510 and present subsection (6) of that section are amended to read:

2511 163.3178 Coastal management.—

2512 (2) Each coastal management element required by s.
 2513 163.3177(6)(g) shall be based on studies, surveys, and data; be
 2514 consistent with coastal resource plans prepared and adopted
 2515 pursuant to general or special law; and contain:

2516 (h) Designation of coastal high-hazard areas and the
 2517 criteria for mitigation for a comprehensive plan amendment in a
 2518 coastal high-hazard area as defined in subsection (8) ~~(9)~~. The
 2519 coastal high-hazard area is the area below the elevation of the

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2520 category 1 storm surge line as established by a Sea, Lake, and
 2521 Overland Surges from Hurricanes (SLOSH) computerized storm surge
 2522 model. Application of mitigation and the application of
 2523 development and redevelopment policies, pursuant to s.
 2524 380.27(2), and any rules adopted thereunder, shall be at the
 2525 discretion of local government.

2526 ~~(6) Local governments are encouraged to adopt countywide~~
 2527 ~~marina siting plans to designate sites for existing and future~~
 2528 ~~marinas. The Coastal Resources Interagency Management Committee,~~
 2529 ~~at the direction of the Legislature, shall identify incentives~~
 2530 ~~to encourage local governments to adopt such siting plans and~~
 2531 ~~uniform criteria and standards to be used by local governments~~
 2532 ~~to implement state goals, objectives, and policies relating to~~
 2533 ~~marina siting. These criteria must ensure that priority is given~~
 2534 ~~to water-dependent land uses. Countywide marina siting plans~~
 2535 ~~must be consistent with state and regional environmental~~
 2536 ~~planning policies and standards. Each local government in the~~
 2537 ~~coastal area which participates in adoption of a countywide~~
 2538 ~~marina siting plan shall incorporate the plan into the coastal~~
 2539 ~~management element of its local comprehensive plan.~~

2540 Section 81. Paragraph (a) of subsection (1) of section
 2541 259.035, Florida Statutes, is amended to read:

2542 259.035 Acquisition and Restoration Council.—

2543 (1) There is created the Acquisition and Restoration
 2544 Council.

2545 (a) The council shall be composed of 10 ~~eleven~~ voting
 2546 members, four of whom shall be appointed by the Governor. Of
 2547 these four appointees, three shall be from scientific

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2548 disciplines related to land, water, or environmental sciences
 2549 and the fourth shall have at least 5 years of experience in
 2550 managing lands for both active and passive types of recreation.
 2551 They shall serve 4-year terms, except that, initially, to
 2552 provide for staggered terms, two of the appointees shall serve
 2553 2-year terms. All subsequent appointments shall be for 4-year
 2554 terms. An ~~No~~ appointee may not ~~shall~~ serve more than 6 years.
 2555 The Governor may at any time fill a vacancy for the unexpired
 2556 term of a member appointed under this paragraph.

2557 Section 82. Subsection (2) of section 288.12265, Florida
 2558 Statutes, is amended to read:

2559 288.12265 Welcome centers.—

2560 (2) Enterprise Florida, Inc., shall administer and operate
 2561 the welcome centers. Pursuant to a contract with the Department
 2562 of Transportation, Enterprise Florida, Inc., shall be
 2563 responsible for routine repair, replacement, or improvement and
 2564 the day-to-day management of interior areas occupied by the
 2565 welcome centers. All other repairs, replacements, or
 2566 improvements to the welcome centers shall be the responsibility
 2567 of the Department of Transportation. Enterprise Florida, Inc.,
 2568 may contract with the Florida Tourism Industry Marketing
 2569 Corporation for the management and operation of the welcome
 2570 centers.

2571 Section 83. Paragraph (a) of subsection (5) of section
 2572 288.901, Florida Statutes, is amended to read:

2573 288.901 Enterprise Florida, Inc.—

2574 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

2575 (a) In addition to the Governor or the Governor's

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2576 | designee, the board of directors shall consist of the following
 2577 | appointed members:

2578 | 1. The Commissioner of Education or the commissioner's
 2579 | designee.

2580 | 2. The Chief Financial Officer or his or her designee.

2581 | 3. The Attorney General or his or her designee.

2582 | 4. The Commissioner of Agriculture or his or her designee.

2583 | ~~5.3.~~ The chairperson of the board of directors of
 2584 | Workforce Florida, Inc.

2585 | ~~6.4.~~ The Secretary of State or the secretary's designee.

2586 | ~~7.5.~~ Twelve members from the private sector, six of whom
 2587 | shall be appointed by the Governor, three of whom shall be
 2588 | appointed by the President of the Senate, and three of whom
 2589 | shall be appointed by the Speaker of the House of
 2590 | Representatives. Members appointed by the Governor ~~All~~
 2591 | ~~appointees~~ are subject to Senate confirmation.

2592 | Section 84. Paragraph (d) of subsection (2) and subsection
 2593 | (3) of section 288.980, Florida Statutes, are amended to read:

2594 | 288.980 Military base retention; legislative intent;
 2595 | grants program.—

2596 | (2)

2597 | (d) In making grant awards the department ~~office~~ shall
 2598 | consider, at a minimum, the following factors:

2599 | 1. The relative value of the particular military
 2600 | installation in terms of its importance to the local and state
 2601 | economy relative to other military installations vulnerable to
 2602 | closure.

2603 | 2. The potential job displacement within the local

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2604 community should the military installation be closed.

2605 3. The potential adverse impact on industries and
2606 technologies which service the military installation.

2607 (3) The Florida Economic Reinvestment Initiative is
2608 established to respond to the need for this state and defense-
2609 dependent communities in this state to develop alternative
2610 economic diversification strategies to lessen reliance on
2611 national defense dollars in the wake of base closures and
2612 reduced federal defense expenditures and the need to formulate
2613 specific base reuse plans and identify any specific
2614 infrastructure needed to facilitate reuse. The initiative shall
2615 consist of the following three ~~two~~ distinct grant programs to be
2616 administered by the department:

2617 (a) The Florida Defense Planning Grant Program, through
2618 which funds shall be used to analyze the extent to which the
2619 state is dependent on defense dollars and defense infrastructure
2620 and prepare alternative economic development strategies. The
2621 state shall work in conjunction with defense-dependent
2622 communities in developing strategies and approaches that will
2623 help communities make the transition from a defense economy to a
2624 nondefense economy. Grant awards may not exceed \$250,000 per
2625 applicant and shall be available on a competitive basis.

2626 (b) The Florida Defense Implementation Grant Program,
2627 through which funds shall be made available to defense-dependent
2628 communities to implement the diversification strategies
2629 developed pursuant to paragraph (a). Eligible applicants include
2630 defense-dependent counties and cities, and local economic
2631 development councils located within such communities. Grant

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2632 awards may not exceed \$100,000 per applicant and shall be
 2633 available on a competitive basis. Awards shall be matched on a
 2634 one-to-one basis.

2635 (c) The Florida Military Installation Reuse Planning and
 2636 Marketing Grant Program, through which funds shall be used to
 2637 help counties, cities, and local economic development councils
 2638 develop and implement plans for the reuse of closed or realigned
 2639 military installations, including any necessary infrastructure
 2640 improvements needed to facilitate reuse and related marketing
 2641 activities.

2642
 2643 Applications for grants under this subsection must include a
 2644 coordinated program of work or plan of action delineating how
 2645 the eligible project will be administered and accomplished,
 2646 which must include a plan for ensuring close cooperation between
 2647 civilian and military authorities in the conduct of the funded
 2648 activities and a plan for public involvement.

2649 Section 85. Section 331.3081, Florida Statutes, is amended
 2650 to read:

2651 331.3081 Board of directors; ~~advisory board.~~—

2652 ~~(1)~~ Space Florida shall be governed by a 13-member ~~12-~~
 2653 ~~member~~ independent board of directors that consists of the
 2654 members appointed to the board of directors of Enterprise
 2655 Florida, Inc., by the Governor, the President of the Senate, and
 2656 the Speaker of the House of Representatives pursuant to s.
 2657 288.901(5)(a)7. and the Governor, who shall serve ex officio, or
 2658 who may appoint a designee to serve, as the chair and a voting
 2659 member of the board ~~288.901(5)(a)5.~~

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2660 ~~(2) Space Florida shall have a 15 member advisory council,~~
 2661 ~~appointed by the Governor from a list of nominations submitted~~
 2662 ~~by the board of directors. The advisory council shall be~~
 2663 ~~composed of Florida residents with expertise in the space~~
 2664 ~~industry, and each of the following areas of expertise or~~
 2665 ~~experience must be represented by at least one advisory council~~
 2666 ~~member: human space flight programs, commercial launches into~~
 2667 ~~space, organized labor with experience working in the aerospace~~
 2668 ~~industry, aerospace-related industries, a commercial company~~
 2669 ~~working under Federal Government contracts to conduct space-~~
 2670 ~~related business, an aerospace company whose primary client is~~
 2671 ~~the United States Department of Defense, and an alternative~~
 2672 ~~energy enterprise with potential for aerospace applications. The~~
 2673 ~~advisory council shall elect a member to serve as the chair of~~
 2674 ~~the council.~~

2675 ~~(3) The advisory council shall make recommendations to the~~
 2676 ~~board of directors of Enterprise Florida, Inc., on the operation~~
 2677 ~~of Space Florida, including matters pertaining to ways to~~
 2678 ~~improve or enhance Florida's efforts to expand its existing~~
 2679 ~~space and aerospace industry, to improve management and use of~~
 2680 ~~Florida's state-owned real property assets related to space and~~
 2681 ~~aerospace, how best to retain and, if necessary, retrain~~
 2682 ~~Florida's highly skilled space and aerospace workforce, and how~~
 2683 ~~to strengthen bonds between this state, NASA, the Department of~~
 2684 ~~Defense, and private space and aerospace industries.~~

2685 ~~(4) The term for an advisory council member is 4 years. A~~
 2686 ~~member may not serve more than two consecutive terms. The~~
 2687 ~~Governor may remove any member for cause and shall fill all~~

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2688 | ~~vacancies that occur.~~

2689 | ~~(5) Advisory council members shall serve without~~
2690 | ~~compensation but may be reimbursed for all reasonable,~~
2691 | ~~necessary, and actual expenses as determined by the board of~~
2692 | ~~directors of Enterprise Florida, Inc.~~

2693 | Section 86. Sections 163.03 and 379.2353, Florida
2694 | Statutes, are repealed.

2695 | Section 87. This act shall take effect upon becoming a
2696 | law.