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CS/HB 7041, Engrossed 1

2012 Legislature

1  
 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; establishing additional duties  
 6 of the department with respect to the processing of  
 7 state development approvals or permits; amending ss.  
 8 68.096, 68.105, 159.81, 163.2517, 163.2523, 163.3178,  
 9 163.3191, 163.3204, 163.3221, 163.3246, 163.3247,  
 10 163.336, 163.458, 163.460, 163.461, 163.462, 163.5055,  
 11 163.506, 163.508, 163.511, 163.512, 212.096, 213.053,  
 12 215.55865, 218.411, 220.153, 220.183, 220.194,  
 13 258.501, 259.042, 259.101, 282.201, 288.021, 288.1045,  
 14 288.106, 288.108, 288.1083, 288.1089, 288.1097,  
 15 288.11621, 288.1168, 288.1171, 288.1254, 288.714,  
 16 288.7102, 288.987, 290.0055, 290.0065, 290.00726,  
 17 290.00727, 290.00728, 311.09, 320.08058, 339.135,  
 18 342.201, 373.461, 377.703, 377.809, 380.06, 402.56,  
 19 403.0891, 420.503, 420.507, 420.101, 420.0005,  
 20 420.0006, 443.036, 443.091, 443.111, 443.141,  
 21 443.1715, 443.17161, 446.50, 450.261, 509.032,  
 22 624.5105, 1002.75, and 1002.79, F.S.; correcting  
 23 references to agency names and divisions and  
 24 correcting cross-references to conform to the  
 25 governmental reorganization resulting from the  
 26 enactment of chapter 2011-142, Laws of Florida; making  
 27 technical and grammatical changes; amending s.  
 28 163.3178, F.S.; deleting provisions that encourage

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

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57 | suffering adverse impacts from the adoption of the  
 58 | constitutional amendment limiting the use of nets to  
 59 | harvest marine species; providing an effective date.

60 |  
 61 | Be It Enacted by the Legislature of the State of Florida:

62 |  
 63 | Section 1. Paragraph (e) is added to subsection (3) and  
 64 | paragraph (f) is added to subsection (4) of section 20.60,  
 65 | Florida Statutes, to read:

66 | 20.60 Department of Economic Opportunity; creation; powers  
 67 | and duties.—

68 | (3) The following divisions of the Department of Economic  
 69 | Opportunity are established:

70 | (e) The Division of Information Technology.

71 | (4) The purpose of the department is to assist the  
 72 | Governor in working with the Legislature, state agencies,  
 73 | business leaders, and economic development professionals to  
 74 | formulate and implement coherent and consistent policies and  
 75 | strategies designed to promote economic opportunities for all  
 76 | Floridians. To accomplish such purposes, the department shall:

77 | (f) Coordinate with state agencies on the processing of  
 78 | state development approvals or permits to minimize the  
 79 | duplication of information provided by the applicant and the  
 80 | time before approval or disapproval.

81 | Section 2. Subsection (1) of section 68.096, Florida  
 82 | Statutes, is amended to read:

83 | 68.096 Definitions.—For purposes of this act:

84 | (1) "Department" means the Department of Legal Community

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85 Affairs.

86 Section 3. Section 68.105, Florida Statutes, is amended to  
87 read:

88 68.105 Use of funds; reports.—All appropriations made for  
89 the purposes of the Florida Access to Civil Legal Assistance  
90 ~~this~~ Act shall ~~only~~ be used only for legal education or  
91 assistance in family law, juvenile law, entitlement to federal  
92 benefits, protection from domestic violence, elder abuse, child  
93 abuse, or immigration law. These funds may ~~shall~~ not be used in  
94 criminal or postconviction relief matters;; for lobbying  
95 activities;; to sue the state, its agencies or political  
96 subdivisions, or colleges or universities;; for class action  
97 lawsuits, to provide legal assistance with respect to  
98 noncriminal infractions pursuant to chapter 316, chapter 318,  
99 chapter 320, or chapter 322;; to contest regulatory decisions of  
100 any municipal, county, or state administrative or legislative  
101 body;; or to file or assist in the filing of private causes of  
102 action under federal or state statutes relating to or arising  
103 out of employment or terms or conditions of employment. The  
104 contracting organization shall require pilot projects to provide  
105 data on the number of clients served, the types of cases, the  
106 reasons the cases were closed, and the state dollars saved and  
107 federal dollars brought into the state because of the legal  
108 services provided. The contracting organization shall provide to  
109 the department ~~of Community Affairs~~, within 60 days after  
110 completing ~~of the completion of~~ the contract, a report on the  
111 legal services provided, the state dollars saved, and the  
112 federal dollars brought into the state.

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

115 159.81 Unused allocations; carryforwards.—

116 (1) The division shall, when requested, provide  
 117 carryforwards pursuant to s. 146(f) of the Code for written  
 118 confirmations for priority projects which qualify for a  
 119 carryforward pursuant to s. 146(f) of the Code, if such request  
 120 is accompanied by an opinion of bond counsel to that effect. In  
 121 addition, in the case of Florida First Business projects, the  
 122 division shall, when requested, grant requests for carryforward  
 123 only after receipt of a certification from the Department of  
 124 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~  
 125 ~~Development~~ that the project has been approved by the such  
 126 department ~~office~~ to receive carryforward.

127 Section 5. Paragraph (b) of subsection (6) of section  
 128 163.2517, Florida Statutes, is amended to read:

129 163.2517 Designation of urban infill and redevelopment  
 130 area.—

131 (6)

132 (b) If the local government fails to implement the urban  
 133 infill and redevelopment plan in accordance with the deadlines  
 134 set forth in the plan, the state land planning agency ~~Department~~  
 135 ~~of Community Affairs~~ may seek to rescind the economic and  
 136 regulatory incentives granted to the urban infill and  
 137 redevelopment area, subject to the provisions of chapter 120.  
 138 The action to rescind may be initiated 90 days after issuing a  
 139 written letter of warning to the local government.

140 Section 6. Section 163.2523, Florida Statutes, is amended

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141 to read:

142 163.2523 Grant program.—An Urban Infill and Redevelopment  
143 Assistance Grant Program is created for local governments. A  
144 local government may allocate grant money to special districts,  
145 including community redevelopment agencies, and nonprofit  
146 community development organizations to implement projects  
147 consistent with an adopted urban infill and redevelopment plan  
148 or plan employed in lieu thereof. Thirty percent of the general  
149 revenue appropriated for this program shall be available for  
150 planning grants to be used by local governments for the  
151 development of an urban infill and redevelopment plan, including  
152 community participation processes for the plan. Sixty percent of  
153 the general revenue appropriated for this program shall be  
154 available for fifty/fifty matching grants for implementing urban  
155 infill and redevelopment projects that further the objectives  
156 set forth in the local government's adopted urban infill and  
157 redevelopment plan or plan employed in lieu thereof. The  
158 remaining 10 percent of the revenue must be used for outright  
159 grants for implementing projects requiring an expenditure of  
160 under \$50,000. If the volume of fundable applications under any  
161 of the allocations specified in this section does not fully  
162 obligate the amount of the allocation, the Department of  
163 Economic Opportunity ~~Community Affairs~~ may transfer the unused  
164 balance to the category having the highest dollar value of  
165 applications eligible but unfunded. However, in no event may the  
166 percentage of dollars allocated to outright grants for  
167 implementing projects exceed 20 percent in any given fiscal  
168 year. Projects that provide employment opportunities to clients

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169 of the Temporary Cash Assistance program and projects within  
 170 urban infill and redevelopment areas that include a community  
 171 redevelopment area, Florida Main Street program, Front Porch  
 172 Florida Community, sustainable community, enterprise zone,  
 173 federal enterprise zone, enterprise community, or neighborhood  
 174 improvement district must be given an elevated priority in the  
 175 scoring of competing grant applications. The ~~Division of Housing~~  
 176 ~~and Community Development of the~~ Department of Economic  
 177 Opportunity Community Affairs shall administer the grant  
 178 program. The Department of Economic Opportunity Community  
 179 ~~Affairs~~ shall adopt rules establishing grant review criteria  
 180 consistent with this section.

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

183 163.3178 Coastal management.—

184 (3) Expansions to port harbors, spoil disposal sites,  
 185 navigation channels, turning basins, harbor berths, and other  
 186 related inwater harbor facilities of ports listed in s.  
 187 403.021(9); port transportation facilities and projects listed  
 188 in s. 311.07(3)(b); intermodal transportation facilities  
 189 identified pursuant to s. 311.09(3); and facilities determined  
 190 by the state land planning agency ~~Department of Community~~  
 191 ~~Affairs~~ and applicable general-purpose local government to be  
 192 port-related industrial or commercial projects located within 3  
 193 miles of or in a port master plan area which rely upon the use  
 194 of port and intermodal transportation facilities may ~~shall~~ not  
 195 be designated as developments of regional impact if such  
 196 expansions, projects, or facilities are consistent with

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197 comprehensive master plans that are in compliance with this  
 198 section.

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

201 163.3191 Evaluation and appraisal of comprehensive plan.—

202 (3) Local governments are encouraged to comprehensively  
 203 evaluate and, as necessary, update comprehensive plans to  
 204 reflect changes in local conditions. Plan amendments transmitted  
 205 pursuant to this section shall be reviewed pursuant to ~~in~~  
 206 ~~accordance with~~ s. 163.3184(4).

207 Section 9. Section 163.3204, Florida Statutes, is amended  
 208 to read:

209 163.3204 Cooperation by state and regional agencies.—The  
 210 state land planning agency ~~Department of Community Affairs~~ and  
 211 any ad hoc working groups appointed by the department and all  
 212 state and regional agencies involved in the administration and  
 213 implementation of the Community Planning ~~this~~ Act shall  
 214 cooperate and work with units of local government in the  
 215 preparation and adoption of comprehensive plans, or elements or  
 216 portions thereof, and of local land development regulations.

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

219 163.3221 Florida Local Government Development Agreement  
 220 Act; definitions.—As used in ss. 163.3220-163.3243:

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

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



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225 163.3246 Local government comprehensive planning  
 226 certification program.—

227 (1) There is created the Local Government Comprehensive  
 228 Planning Certification Program to be administered by the state  
 229 land planning agency ~~Department of Community Affairs~~. The  
 230 purpose of the program is to create a certification process for  
 231 local governments who identify a geographic area for  
 232 certification within which they commit to directing growth and  
 233 who, because of a demonstrated record of effectively adopting,  
 234 implementing, and enforcing its comprehensive plan, the level of  
 235 technical planning experience exhibited by the local government,  
 236 and a commitment to implement exemplary planning practices,  
 237 require less state and regional oversight of the comprehensive  
 238 plan amendment process. The purpose of the certification area is  
 239 to designate areas that are contiguous, compact, and appropriate  
 240 for urban growth and development within a 10-year planning  
 241 timeframe. Municipalities and counties are encouraged to jointly  
 242 establish the certification area, and subsequently enter into  
 243 joint certification agreement with the department.

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

246 163.3247 Century Commission for a Sustainable Florida.—

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

248 (a) The executive director of the state land planning  
 249 agency ~~Secretary of Community Affairs~~ shall select an executive  
 250 director of the commission, and the executive director of the  
 251 commission shall serve at the pleasure of the executive director  
 252 of the state land planning agency ~~secretary~~ under the

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253 supervision and control of the commission.

254 (b) The state land planning agency ~~Department of Community~~  
 255 ~~Affairs~~ shall provide staff and other resources necessary to  
 256 accomplish the goals of the commission based upon  
 257 recommendations of the Governor.

258 Section 13. Paragraph (c) of subsection (2) of section  
 259 163.336, Florida Statutes, is amended to read:

260 163.336 Coastal resort area redevelopment pilot project.—

261 (2) PILOT PROJECT ADMINISTRATION.—

262 (c) The Office of the Governor, the Department of  
 263 Environmental Protection, and the Department of Economic  
 264 Opportunity ~~Community Affairs~~ are directed to provide technical  
 265 assistance to expedite permitting for redevelopment projects and  
 266 construction activities within the pilot project areas  
 267 consistent with the principles, processes, and timeframes  
 268 provided in s. 403.973.

269 Section 14. Section 163.458, Florida Statutes, is amended  
 270 to read:

271 163.458 Three-tiered plan.—The Department of Economic  
 272 Opportunity ~~may~~ ~~Community Affairs is authorized to~~ award core  
 273 administrative and operating grants. Administrative and  
 274 operating grants shall be used for staff salaries and  
 275 administrative expenses for eligible community-based development  
 276 organizations selected through a competitive three-tiered  
 277 process for the purpose of housing and economic development  
 278 projects. The department shall adopt by rule a set of criteria  
 279 for three-tiered funding which ~~that~~ shall ensure equitable  
 280 geographic distribution of the funding throughout the state.

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281 This three-tiered plan shall include emerging, intermediate, and  
 282 mature community-based development organizations recognizing the  
 283 varying needs of the three tiers. Funding shall be provided for  
 284 core administrative and operating grants for all levels of  
 285 community-based development organizations. Priority shall be  
 286 given to those organizations that demonstrate community-based  
 287 productivity and high performance as evidenced by past projects  
 288 developed with stakeholder input that have responded to  
 289 neighborhood needs, and have current projects located in high-  
 290 poverty neighborhoods, and to emerging community-based  
 291 development corporations that demonstrate a positive need  
 292 identified by stakeholders. Persons, equipment, supplies, and  
 293 other resources funded in whole or in part by grant funds shall  
 294 be used ~~utilized~~ to further the purposes of the Community-Based  
 295 Development Organization Assistance ~~this~~ Act, and may be used  
 296 ~~utilized~~ to further the goals and objectives of the Front Porch  
 297 Florida Initiative. Each community-based development  
 298 organization is ~~shall be~~ eligible to apply for a grant of up to  
 299 \$50,000 per year for a period of 5 years.

300 Section 15. Section 163.460, Florida Statutes, is amended  
 301 to read:

302 163.460 Application requirements.—A community-based  
 303 development organization applying for a core administrative and  
 304 operating grant pursuant to the Community-Based Development  
 305 Organization Assistance ~~this~~ Act must submit a proposal to the  
 306 Department of Economic Opportunity ~~which Community Affairs~~ that  
 307 includes:

- 308 (1) A map and narrative description of the service areas

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309 for the community-based development organization.

310 (2) A copy of the documents creating the community-based  
311 development organization.

312 (3) A listing of the membership of the board of the  
313 community-based development organization, including individual  
314 members' terms of office and the number of low-income residents  
315 on the board.

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

320 (5) Other supporting information that may be required by  
321 the Department of Economic Opportunity ~~Community Affairs~~ to  
322 determine the organization's capacity and productivity.

323 (6) A description of the location, financing plan, and  
324 potential impact of the business enterprises on residential,  
325 commercial, or industrial development, which ~~that~~ shows a clear  
326 relationship to the organization's annual revitalization plan  
327 and demonstrates how the proposed expenditures are directly  
328 related to the scope of work for the proposed projects in the  
329 annual revitalization plan.

330 Section 16. Section 163.461, Florida Statutes, is amended  
331 to read:

332 163.461 Reporting and evaluation requirements.—Community-  
333 based development organizations that receive funds under the  
334 Community-Based Development Organization Assistance ~~this~~ Act  
335 shall provide the following information to the Department of  
336 Economic Opportunity ~~Community Affairs~~ annually:

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337 (1) A listing of business firms and individuals assisted  
 338 by the community-based development organization during the  
 339 reporting period.

340 (2) A listing of the type, source, purpose, and amount of  
 341 each individual grant, loan, or donation received by the  
 342 community-based development organization during the reporting  
 343 period.

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

346 (4) A listing of the salaries and administrative and  
 347 operating expenses of the community-based development  
 348 organization.

349 (5) An identification and explanation of changes in the  
 350 boundaries of the target area.

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

353 (7) The number and description of projects in  
 354 predevelopment phase, projects under construction, ongoing  
 355 service programs, construction projects completed, and projects  
 356 at sell-out or lease-up and property management phase, and a  
 357 written explanation of the reasons that caused any projects not  
 358 to be completed for the projected development phase.

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

363 (9) The number of housing units rehabilitated or  
 364 constructed at various stages of development, predevelopment

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365 phase, construction phase, completion and sell-out or lease-up  
366 phase, and condominium or property management phase by the  
367 community-based development organization within the service area  
368 during the reporting period.

369 (10) The number of housing units, number of projects, and  
370 number of persons served by prior projects developed by the  
371 organization, the amounts of project financing leverage with  
372 state funds for each prior and current project, and the  
373 incremental amounts of local and state real estate tax and sales  
374 tax revenue generated directly by the projects and programs  
375 annually.

376 (11) The number of jobs, both permanent and temporary,  
377 received by individuals who were directly assisted by the  
378 community-based development organization through assistance to  
379 the business such as a loan or other credit assistance.

380 (12) An identification and explanation of changes in the  
381 boundaries of the service area.

382 (13) The impact of completed projects on residents in the  
383 target area and the relationship of this impact to expected  
384 outcomes listed in the organization's annual revitalization  
385 plan.

386 (14) Such other information as the Department of Economic  
387 Opportunity ~~Community Affairs~~ requires.

388 Section 17. Section 163.462, Florida Statutes, is amended  
389 to read:

390 163.462 Rulemaking authority.—The Department of Economic  
391 Opportunity ~~Community Affairs~~ shall adopt rules for the  
392 administration of the Community-Based Development Organization

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393 Assistance ~~this~~ Act.

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

396 163.5055 Registration of district establishment; notice of  
397 dissolution.—

398 (1) (a) Each neighborhood improvement district authorized  
399 and established under this part shall within 30 days thereof  
400 register with both the Department of Economic Opportunity  
401 ~~Community Affairs~~ and the Department of Legal Affairs by  
402 providing these departments with the district's name, location,  
403 size, and type, and such other information as the departments  
404 may require.

405 (b) Each local governing body that ~~which~~ authorizes the  
406 dissolution of a district shall notify both the Department of  
407 Economic Opportunity ~~Community Affairs~~ and the Department of  
408 Legal Affairs within 30 days after the dissolution of the  
409 district.

410 Section 19. Paragraph (h) of subsection (1) of section  
411 163.506, Florida Statutes, is amended to read:

412 163.506 Local government neighborhood improvement  
413 districts; creation; advisory council; dissolution.—

414 (1) After a local planning ordinance has been adopted  
415 authorizing the creation of local government neighborhood  
416 improvement districts, the local governing body of a  
417 municipality or county may create local government neighborhood  
418 improvement districts by the enactment of a separate ordinance  
419 for each district, which ordinance:

420 (h) Requires the district to notify the Department of

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421 Legal Affairs and the Department of Economic Opportunity  
 422 ~~Community Affairs~~ in writing of its establishment within 30 days  
 423 thereof pursuant to s. 163.5055.

424 Section 20. Paragraph (g) of subsection (1) of section  
 425 163.508, Florida Statutes, is amended to read:

426 163.508 Property owners' association neighborhood  
 427 improvement districts; creation; powers and duties; duration.—

428 (1) After a local planning ordinance has been adopted  
 429 authorizing the creation of property owners' association  
 430 neighborhood improvement districts, the local governing body of  
 431 a municipality or county may create property owners' association  
 432 neighborhood improvement districts by the enactment of a  
 433 separate ordinance for each district, which ordinance:

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

438 Section 21. Paragraph (i) of subsection (1) of section  
 439 163.511, Florida Statutes, is amended to read:

440 163.511 Special neighborhood improvement districts;  
 441 creation; referendum; board of directors; duration; extension.—

442 (1) After a local planning ordinance has been adopted  
 443 authorizing the creation of special neighborhood improvement  
 444 districts, the governing body of a municipality or county may  
 445 declare the need for and create special residential or business  
 446 neighborhood improvement districts by the enactment of a  
 447 separate ordinance for each district, which ordinance:

448 (i) Requires the district to notify the Department of



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449 Legal Affairs and the Department of Economic Opportunity  
 450 ~~Community Affairs~~ in writing of its establishment within 30 days  
 451 thereof pursuant to s. 163.5055.

452 Section 22. Paragraph (i) of subsection (1) of section  
 453 163.512, Florida Statutes, is amended to read:

454 163.512 Community redevelopment neighborhood improvement  
 455 districts; creation; advisory council; dissolution.—

456 (1) Upon the recommendation of the community redevelopment  
 457 agency and after a local planning ordinance has been adopted  
 458 authorizing the creation of community redevelopment neighborhood  
 459 improvement districts, the local governing body of a  
 460 municipality or county may create community redevelopment  
 461 neighborhood improvement districts by the enactment of a  
 462 separate ordinance for each district, which ordinance:

463 (i) Requires the district to notify the Department of  
 464 Legal Affairs and the Department of Economic Opportunity  
 465 ~~Community Affairs~~ in writing of its establishment within 30 days  
 466 thereof pursuant to s. 163.5055.

467 Section 23. Paragraph (d) of subsection (1) of section  
 468 212.096, Florida Statutes, is amended to read:

469 212.096 Sales, rental, storage, use tax; enterprise zone  
 470 jobs credit against sales tax.—

471 (1) For the purposes of the credit provided in this  
 472 section:

473 (d) "Job" means a full-time position, as consistent with  
 474 terms used by the Department of Economic Opportunity ~~Agency for~~  
 475 ~~Workforce Innovation~~ and the United States Department of Labor  
 476 for purposes of unemployment compensation tax administration and

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477 employment estimation resulting directly from a business  
 478 operation in this state. This term does ~~may~~ not include a  
 479 temporary construction job involved with the construction of  
 480 facilities or any job that has previously been included in any  
 481 application for tax credits under s. 220.181(1). The term also  
 482 includes employment of an employee leased from an employee  
 483 leasing company licensed under chapter 468 if such employee has  
 484 been continuously leased to the employer for an average of at  
 485 least 36 hours per week for more than 6 months.

486  
 487 A person shall be deemed to be employed if the person performs  
 488 duties in connection with the operations of the business on a  
 489 regular, full-time basis, provided the person is performing such  
 490 duties for an average of at least 36 hours per week each month.  
 491 The person must be performing such duties at a business site  
 492 located in the enterprise zone.

493 Section 24. Paragraphs (k) and (bb) of subsection (8) of  
 494 section 213.053, Florida Statutes, are amended, and present  
 495 paragraphs (l) through (bb) of that subsection are redesignated  
 496 as paragraphs (k) through (aa), respectively, to read:

497 213.053 Confidentiality and information sharing.—

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

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

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

508  
 509 Disclosure of information under this subsection shall be  
 510 pursuant to a written agreement between the executive director  
 511 and the agency. Such agencies, governmental or nongovernmental,  
 512 shall be bound by the same requirements of confidentiality as  
 513 the Department of Revenue. Breach of confidentiality is a  
 514 misdemeanor of the first degree, punishable as provided by s.  
 515 775.082 or s. 775.083.

516           Section 25. Section 215.55865, Florida Statutes, is  
 517 amended to read:

518           215.55865 Uniform home grading scale.—The Financial  
 519 Services Commission shall adopt a uniform home grading scale to  
 520 grade the ability of a home to withstand the wind load from a  
 521 sustained severe tropical storm or hurricane. The commission  
 522 shall coordinate with the Office of Insurance Regulation, the  
 523 Department of Financial Services, and the Florida Building  
 524 Commission ~~Department of Community Affairs~~ in developing the  
 525 grading scale, which must be based upon and consistent with the  
 526 rating system required by chapter 2006-12, Laws of Florida. ~~The~~  
 527 ~~commission shall adopt the uniform grading scale by rule no~~  
 528 ~~later than June 30, 2007.~~

529           Section 26. Paragraph (c) of subsection (1) of section  
 530 218.411, Florida Statutes, is amended to read:

531           218.411 Authorization for state technical and advisory  
 532 assistance.—

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

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

539 Section 27. Subsections (1), (2), and (3), paragraphs (b)  
 540 and (c) of subsection (4), and subsection (5) of section  
 541 220.153, Florida Statutes, are amended to read:

542 220.153 Apportionment by sales factor.—

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

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

546 ~~(b) "qualified capital expenditures" means expenditures in~~  
 547 this state for purposes substantially related to a business's  
 548 production or sale of goods or services. The expenditure must  
 549 fund the acquisition of additional real property (land,  
 550 buildings, including appurtenances, fixtures and fixed  
 551 equipment, structures, etc.), including additions, replacements,  
 552 major repairs, and renovations to real property which materially  
 553 extend its useful life or materially improve or change its  
 554 functional use and the furniture and equipment necessary to  
 555 furnish and operate a new or improved facility. The term  
 556 ~~"qualified capital expenditures"~~ does not include an expenditure  
 557 for a passive investment or for an investment intended for the  
 558 accumulation of reserves or the realization of profit for  
 559 distribution to any person holding an ownership interest in the  
 560 business. The term ~~"qualified capital expenditures"~~ does not

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561 include expenditures to acquire an existing business or  
 562 expenditures in excess of \$125 million to acquire land or  
 563 buildings.

564 (2) APPORTIONMENT OF TAXES; ELIGIBILITY.—A taxpayer, not  
 565 including a financial organization as defined in s. 220.15(6) or  
 566 a bank, savings association, international banking facility, or  
 567 banking organization as defined in s. 220.62, doing business  
 568 within and without this state, who applies and demonstrates to  
 569 the Department of Economic Opportunity ~~office~~ that, within a 2-  
 570 year period beginning on or after July 1, 2011, it has made  
 571 qualified capital expenditures equal to or exceeding \$250  
 572 million may apportion its adjusted federal income solely by the  
 573 sales factor set forth in s. 220.15(5), commencing in the  
 574 taxable year that the Department of Economic Opportunity ~~office~~  
 575 approves the application, but not before a taxable year that  
 576 begins on or after January 1, 2013. Once approved, a taxpayer  
 577 may elect to apportion its adjusted federal income for any  
 578 taxable year using the method provided under this section or the  
 579 method provided under s. 220.15.

580 (3) QUALIFICATION PROCESS.—

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

583 1. The taxpayer must notify the Department of Economic  
 584 Opportunity ~~office~~ of its intent to submit an application to  
 585 apportion its adjusted federal income in order to commence the  
 586 2-year period for measuring qualified capital expenditures.

587 2. The taxpayer must submit an application to apportion  
 588 its adjusted federal income under this section to the Department

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589 of Economic Opportunity ~~office~~ within 2 years after notifying  
590 the Department of Economic Opportunity ~~office~~ of the taxpayer's  
591 intent to qualify. The application must be made under oath and  
592 provide such information as the Department of Economic  
593 Opportunity ~~office~~ reasonably requires by rule for determining  
594 the applicant's eligibility to apportion adjusted federal income  
595 under this section. The taxpayer is responsible for  
596 affirmatively demonstrating to the satisfaction of the  
597 Department of Economic Opportunity ~~office~~ that it meets the  
598 eligibility requirements.

599 (b) The taxpayer notice and application forms shall be  
600 established by the Department of Economic Opportunity ~~office~~ by  
601 rule. The Department of Economic Opportunity ~~office~~ shall  
602 acknowledge receipt of the notice and approve or deny the  
603 application in writing within 45 days after receipt.

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

605 (b) The Department of Economic Opportunity ~~office~~ may, by  
606 order, revoke its decision to grant eligibility for  
607 apportionment pursuant to this section, and may also order the  
608 recalculation of apportionment factors to those applicable under  
609 s. 220.15 if, as the result of an audit, investigation, or  
610 examination, it determines that information provided by the  
611 taxpayer in the application, or in a statement, representation,  
612 record, report, plan, or other document provided to the  
613 Department of Economic Opportunity ~~office~~ to become eligible for  
614 apportionment, was materially false at the time it was made and  
615 that an individual acting on behalf of the taxpayer knew, or  
616 should have known, that the information submitted was false. The

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617 taxpayer shall pay such additional taxes and interest as may be  
 618 due pursuant to this chapter computed as the difference between  
 619 the tax that would have been due under the apportionment formula  
 620 provided in s. 220.15 for such years and the tax actually paid.  
 621 In addition, the department shall assess a penalty equal to 100  
 622 percent of the additional tax due.

623 (c) The Department of Economic Opportunity ~~office~~ shall  
 624 immediately notify the department of an order affecting a  
 625 taxpayer's eligibility to apportion tax pursuant to this  
 626 section. A taxpayer who is liable for past tax must file an  
 627 amended return with the department, or such other report as the  
 628 department prescribes by rule, and pay any required tax,  
 629 interest, and penalty within 60 days after the taxpayer receives  
 630 notification from the Department of Economic Opportunity ~~office~~  
 631 that the previously approved credits have been revoked. If the  
 632 revocation is contested, the taxpayer shall file an amended  
 633 return or other report within 30 days after an order becomes  
 634 final. A taxpayer who fails to pay the past tax, interest, and  
 635 penalty by the due date is subject to the penalties provided in  
 636 s. 220.803.

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

639 Section 28. Paragraph (b) of subsection (2) of section  
 640 220.183, Florida Statutes, is amended to read:

641 220.183 Community contribution tax credit.—

642 (2) ELIGIBILITY REQUIREMENTS.—

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

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

662           a. If tax credit applications submitted for approved  
663 projects of an eligible sponsor do not exceed \$200,000 in total,  
664 the credit shall be granted in full if the tax credit  
665 applications are approved.

666           b. If tax credit applications submitted for approved  
667 projects of an eligible sponsor exceed \$200,000 in total, the  
668 amount of tax credits granted under sub-subparagraph a. shall be  
669 subtracted from the amount of available tax credits, and the  
670 remaining credits shall be granted to each approved tax credit  
671 application on a pro rata basis.

672           3. If, during the first 10 business days of the state



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673 | fiscal year, eligible tax credit applications for projects other  
 674 | than those that provide homeownership opportunities for low-  
 675 | income or very-low-income households as defined in s.  
 676 | 420.9071(19) and (28) are received for less than the annual tax  
 677 | credits available for those projects, the Department of Economic  
 678 | Opportunity ~~office~~ shall grant tax credits for those  
 679 | applications and shall grant remaining tax credits on a first-  
 680 | come, first-served basis for any subsequent eligible  
 681 | applications received before the end of the state fiscal year.  
 682 | If, during the first 10 business days of the state fiscal year,  
 683 | eligible tax credit applications for projects other than those  
 684 | that provide homeownership opportunities for low-income or very-  
 685 | low-income households as defined in s. 420.9071(19) and (28) are  
 686 | received for more than the annual tax credits available for  
 687 | those projects, the Department of Economic Opportunity ~~office~~  
 688 | shall grant the tax credits for those applications on a pro rata  
 689 | basis.

690 | Section 29. Paragraphs (b), (d), (e), and (f) of  
 691 | subsection (3), paragraphs (a), (c), and (e) of subsection (4),  
 692 | subsection (5), paragraph (b) of subsection (6), paragraphs (a),  
 693 | (b), (d), and (e) of subsection (7), paragraph (a) of subsection  
 694 | (8), and subsection (9) of section 220.194, Florida Statutes,  
 695 | are amended to read:

696 | 220.194 Corporate income tax credits for spaceflight  
 697 | projects.—

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

699 | (b) "Certified" means that a spaceflight business has been  
 700 | certified by the Department of Economic Opportunity ~~office~~ as

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701 meeting all of the requirements necessary to obtain at least one  
 702 of the approved tax credits available under this section,  
 703 including approval to transfer a credit.

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

711 1. Pay new employees at least 115 percent of the statewide  
 712 or countywide average annual private sector wage for the 3  
 713 taxable years immediately preceding filing an application for  
 714 certification;

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

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

722 ~~(c) "Office" means the Office of Tourism, Trade, and~~  
 723 ~~Economic Development.~~

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

726 (4) TAX CREDITS.—

727 (a) If approved and certified pursuant to subsection (5),  
 728 the following tax credits may be taken on a return for a taxable

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729 year beginning on or after October 1, 2015:

730 1. A certified spaceflight business may take a  
 731 nontransferable corporate income tax credit for up to 50 percent  
 732 of the business's tax liability under this chapter for the  
 733 taxable year in which the credit is taken. The maximum  
 734 nontransferable tax credit amount that may be approved per  
 735 taxpayer for a taxable year is \$1 million. No more than \$3  
 736 million in total tax credits pursuant to this subparagraph may  
 737 be certified pursuant to subsection (5). No credit may be  
 738 approved after October 1, 2017.

739 2. A certified spaceflight business may transfer, in whole  
 740 or in part, its Florida net operating loss that would otherwise  
 741 be available to be taken on a return filed under this chapter,  
 742 provided that the activity giving rise to such net operating  
 743 loss must have occurred after July 1, 2011. The transfer allowed  
 744 under this subparagraph will be in the form of a transferable  
 745 tax credit equal to the amount of the net operating loss  
 746 eligible to be transferred. The maximum transferable tax credit  
 747 amount that may be approved per taxpayer for a taxable year is  
 748 \$2.5 million. No more than \$7 million in total tax credits  
 749 pursuant to this subparagraph may be certified pursuant to  
 750 subsection (5). No credit may be approved after October 1, 2017.

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

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

754 (II) Have incurred a qualifying net operating loss on  
 755 activity in this state after July 1, 2011, directly associated  
 756 with one or more spaceflight projects in any of its 3 previous

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757 taxable years;

758 (III) Not be 50 percent or more owned or controlled,

759 directly or indirectly, by another corporation that has

760 demonstrated positive net income in any of the 3 previous

761 taxable years of ongoing operations; and

762 (IV) Not be part of a consolidated group of affiliated

763 corporations, as filed for federal income tax purposes, which in

764 the aggregate demonstrated positive net income in any of the 3

765 previous taxable years.

766 b. The credit that may be transferred by a certified

767 spaceflight business:

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

769 losses incurred in the immediate 3 taxable years before the

770 transfer; and

771 (II) Must be directly associated with a spaceflight

772 project in this state as verified through an audit or

773 examination by a certified public accountant licensed to do

774 business in this state and as verified by the Department of

775 Economic Opportunity ~~office~~.

776 (c) Credits approved under subparagraph (a)1. may be taken

777 only against the corporate income tax liability generated by or

778 arising out of a spaceflight project in this state, as verified

779 through an audit or examination by a certified public accountant

780 licensed to do business in this state and as verified by the

781 Department of Economic Opportunity ~~office~~.

782 (e) The certified spaceflight business or transferee must

783 demonstrate to the satisfaction of the Department of Economic

784 Opportunity ~~office~~ and the department that it is eligible to

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785 take the credits approved under this section.

786 (5) APPLICATION AND CERTIFICATION.—

787 (a) In order to claim a tax credit under this section, a  
 788 spaceflight business must first submit an application to the  
 789 Department of Economic Opportunity ~~office~~ for approval to earn  
 790 tax credits or create transferable tax credits. The application  
 791 must be filed by the date established by the Department of  
 792 Economic Opportunity ~~office~~. In addition to any information that  
 793 the Department of Economic Opportunity ~~office~~ may require, the  
 794 applicant must provide a complete description of the activity in  
 795 this state which demonstrates to the Department of Economic  
 796 Opportunity ~~office~~ the applicant's likelihood to be certified to  
 797 take or transfer a credit. The applicant must also provide a  
 798 description of the total amount and type of credits for which  
 799 approval is sought. The Department of Economic Opportunity  
 800 ~~office~~ may consult with Space Florida regarding the  
 801 qualifications of an applicant. The applicant shall provide an  
 802 affidavit certifying that all information contained in the  
 803 application is true and correct.

804 1. Approval of the credits shall be provided on a first-  
 805 come, first-served basis, based on the date the completed  
 806 applications are received by the Department of Economic  
 807 Opportunity ~~office~~. A taxpayer may not submit more than one  
 808 completed application per state fiscal year. The Department of  
 809 Economic Opportunity ~~office~~ may not accept an incomplete  
 810 placeholder application, and the submission of such an  
 811 application will not secure a place in the first-come, first-  
 812 served application line.

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813           2. The Department of Economic Opportunity ~~office~~ has 60  
 814 days after the receipt of a completed application within which  
 815 to issue a notice of intent to deny or approve an application  
 816 for credits. The Department of Economic Opportunity ~~office~~ must  
 817 ensure that the corporate income tax credits approved for all  
 818 applicants do not exceed the limits provided in this section.

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

824           1. The application must include:

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

826           b. Documentation demonstrating to the satisfaction of the  
 827 Department of Economic Opportunity ~~office~~ that:

828           (I) The taxpayer is a spaceflight business.

829           (II) The business has engaged in a qualifying spaceflight  
 830 project before taking or transferring a credit under this  
 831 section.

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

834           (I) Created 35 new jobs in this state directly associated  
 835 with spaceflight projects during its immediately preceding 3  
 836 taxable years. The business shall be deemed to have created new  
 837 jobs if the number of full-time jobs located in this state at  
 838 the time of application for certification is greater than the  
 839 total number of full-time jobs located in this state at the time  
 840 of application for approval to earn credits; and

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841 (II) Invested a total of at least \$15 million in this  
 842 state on a spaceflight project during its immediately preceding  
 843 3 taxable years.

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

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

847 f. A copy of an audit or audits of the preceding 3 taxable  
 848 years, prepared by a certified public accountant licensed to  
 849 practice in this state, which identifies that portion of the  
 850 business's activities in this state related to spaceflight  
 851 projects in this state.

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

855 h. Any other information necessary to demonstrate that the  
 856 applicant meets the job creation, investment, and other  
 857 requirements of this section.

858 2. Within 60 days after receipt of the application for  
 859 certification, the Department of Economic Opportunity ~~office~~  
 860 shall evaluate the application and recommend the business for  
 861 certification or denial. The executive director of the  
 862 Department of Economic Opportunity ~~office~~ must approve or deny  
 863 the application within 30 days after receiving the  
 864 recommendation. If approved, the Department of Economic  
 865 Opportunity ~~office~~ must provide a letter of certification to the  
 866 applicant consistent with any restrictions imposed. If the  
 867 Department of Economic Opportunity ~~office~~ denies any part of the  
 868 requested credit, the Department of Economic Opportunity ~~office~~

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869 must inform the applicant of the grounds for the denial. A copy  
 870 of the certification shall be submitted to the department within  
 871 10 days after the executive director's approval.

872 (6) TRANSFERABILITY OF CREDIT.—

873 (b) In order to perfect the transfer, the transferor shall  
 874 provide the department with a written transfer statement that  
 875 has been approved by the Department of Economic Opportunity  
 876 ~~office~~ notifying the department of the transferor's intent to  
 877 transfer the tax credits to the transferee; the date that the  
 878 transfer is effective; the transferee's name, address, and  
 879 federal taxpayer identification number; the tax period; and the  
 880 amount of tax credits to be transferred. Upon receipt of the  
 881 approved transfer statement, the department shall provide the  
 882 transferee and the Department of Economic Opportunity ~~office~~  
 883 with a certificate reflecting the tax credit amounts  
 884 transferred. A copy of the certificate must be attached to each  
 885 tax return for which the transferee seeks to apply the credits.

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

887 (a) In addition to its existing audit and investigative  
 888 authority, the department may perform any additional financial  
 889 and technical audits and investigations, including examining the  
 890 accounts, books, and financial records of the tax credit  
 891 applicant, which are necessary for verifying the accuracy of the  
 892 return and to ensure compliance with this section. If requested  
 893 by the department, the Department of Economic Opportunity ~~office~~  
 894 and Space Florida must provide technical assistance for any  
 895 technical audits or examinations performed under this  
 896 subsection.



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897 (b) Grounds for forfeiture of previously claimed tax  
 898 credits approved under this section exist if the department  
 899 determines, as a result of an audit or examination, or from  
 900 information received from the Department of Economic Opportunity  
 901 ~~office~~, that a certified spaceflight business, or in the case of  
 902 transferred tax credits, a taxpayer received tax credits for  
 903 which the certified spaceflight business or taxpayer was not  
 904 entitled. The spaceflight business or transferee must file an  
 905 amended return reflecting the disallowed credits and paying any  
 906 tax due as a result of the amendment.

907 (d) The Department of Economic Opportunity ~~office~~ may  
 908 revoke or modify a certification granting eligibility for tax  
 909 credits if it finds that the certified spaceflight business made  
 910 a false statement or representation in any application, record,  
 911 report, plan, or other document filed in an attempt to receive  
 912 tax credits under this section. The Department of Economic  
 913 Opportunity ~~office~~ shall immediately notify the department of  
 914 any revoked or modified orders affecting previously granted tax  
 915 credits. The certified spaceflight business must also notify the  
 916 department of any change in its claimed tax credit.

917 (e) The certified spaceflight business must file with the  
 918 department an amended return or other report required by the  
 919 department by rule and pay any required tax and interest within  
 920 60 days after the certified business receives notification from  
 921 the Department of Economic Opportunity ~~office~~ that previously  
 922 approved tax credits have been revoked or modified. If the  
 923 revocation or modification order is contested, the spaceflight  
 924 business must file the amended return or other report within 60

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925 days after a final order is issued.

926 (8) RULES.—

927 (a) The Department of Economic Opportunity ~~office~~, in  
 928 consultation with Space Florida, shall adopt rules to administer  
 929 this section, including rules relating to application forms for  
 930 credit approval and certification, and the application and  
 931 certification procedures, guidelines, and requirements necessary  
 932 to administer this section.

933 (9) ANNUAL REPORT.—Beginning in 2014, the Department of  
 934 Economic Opportunity ~~office~~, in cooperation with Space Florida  
 935 and the department, shall submit an annual report summarizing  
 936 activities relating to the Florida Space Business Incentives Act  
 937 established under this section to the Governor, the President of  
 938 the Senate, and the Speaker of the House of Representatives by  
 939 each November 30.

940 Section 30. Paragraph (b) of subsection (3), paragraph (b)  
 941 of subsection (4), subsection (6), paragraph (a) of subsection  
 942 (7), and paragraph (c) of subsection (9) of section 258.501,  
 943 Florida Statutes, are amended to read:

944 258.501 Myakka River; wild and scenic segment.—

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

946 (b) "Agreement" means the interagency operating agreement  
 947 between the department, the Department of Economic Opportunity  
 948 ~~Community Affairs~~, and Sarasota County or the City of North  
 949 Port.

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

951 (b) The governments of Sarasota County and the City of  
 952 North Port shall manage the Myakka River wild and scenic

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953 protection zone under their existing authorities for  
 954 comprehensive planning, the regulation of land development  
 955 activities, and other necessary or appropriate ordinances and in  
 956 conformance with this section, the management plan required  
 957 under subsection (5), and the agreements adopted by the  
 958 department and the Department of Economic Opportunity ~~Community~~  
 959 ~~Affairs~~ with the city and county pursuant to this section.

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

961 (a) Sarasota County and the City of North Port shall amend  
 962 their comprehensive plans so that the parts of such plans that  
 963 affect the wild and scenic protection zone conform to, or are  
 964 more stringent than, this section, the river management plan,  
 965 and management guidelines and performance standards to be  
 966 developed and contained within agreements to be adopted by the  
 967 department, the Department of Economic Opportunity ~~Community~~  
 968 ~~Affairs~~, and the city and county. The guidelines and performance  
 969 standards must be used by the department and the Department of  
 970 Economic Opportunity ~~Community Affairs~~ to review and monitor the  
 971 regulation of activities by the city and county in the wild and  
 972 scenic protection zone. Amendments to those comprehensive plans  
 973 must include specific policies and guidelines for minimizing  
 974 adverse impacts on resources in the river area and for managing  
 975 the wild and scenic protection zone in conformance with this  
 976 section, the river management plan, and the agreement. Such  
 977 comprehensive plans must be amended within 1 year after the  
 978 adoption date of the agreement, and thereafter, within 6 months  
 979 following an amendment to this section, the river management  
 980 plan, or the agreement, as may be necessary. For the purposes

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981 established in this subsection, such amendments need not conform  
 982 to statutory or local ordinance limitations on the frequency of  
 983 consideration of amendments to local comprehensive plans.

984 (b) Sarasota County and the City of North Port shall adopt  
 985 or amend, within 1 year after the department and the Department  
 986 of Economic Opportunity ~~Community Affairs~~ adopt with the city  
 987 and with the county agreements for regulating activities in the  
 988 wild and scenic protection zone, any necessary ordinances and  
 989 land development regulations so that those ordinances and  
 990 regulations conform to the purposes of this section, the river  
 991 management plan, and the agreement. Thereafter, following any  
 992 amendment to this section, the river management plan, or the  
 993 agreement, the city and county must amend or adopt, within 1  
 994 year, appropriate ordinances and land development regulations to  
 995 maintain such local ordinances and regulations in conformance  
 996 with this section, the river management plan, and the agreement.  
 997 Those ordinances and regulations must provide that activities  
 998 must be prohibited, or must undergo review and either be denied  
 999 or permitted with or without conditions, so as to minimize  
 1000 potential adverse physical and visual impacts on resource values  
 1001 in the river area and to minimize adverse impacts on private  
 1002 landowners' use of land for residential purposes. The resource  
 1003 values of concern are those identified in this section and by  
 1004 the coordinating council in the river management plan.  
 1005 Activities which may be prohibited, subject to the agreement,  
 1006 include, but are not limited to, landfills, clear cuttings,  
 1007 major new infrastructure facilities, major activities that would  
 1008 alter historic water or flood flows, multifamily residential

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1009 construction, commercial and industrial development, and mining  
 1010 and major excavations. However, appurtenant structures for these  
 1011 activities may be permitted if such structures do not have  
 1012 adverse visual or measurable adverse environmental impacts to  
 1013 resource values in the river area.

1014 (c) If the Department of Economic Opportunity ~~Community~~  
 1015 ~~Affairs~~ determines that the local comprehensive plan or land  
 1016 development regulations, as amended or supplemented by the local  
 1017 government, are not in conformance with the purposes of this  
 1018 section, the river management plan, and the agreement, the  
 1019 Department of Economic Opportunity ~~Community Affairs~~ shall issue  
 1020 a notice of intent to find the plan not in compliance and such  
 1021 plan shall be subject to the administrative proceedings in  
 1022 accordance with s. 163.3184.

1023 (7) MANAGEMENT COORDINATING COUNCIL.—

1024 (a) Upon designation, the department shall create a  
 1025 permanent council to provide interagency and intergovernmental  
 1026 coordination in the management of the river. The coordinating  
 1027 council shall be composed of one representative appointed from  
 1028 each of the following: the department, the Department of  
 1029 Transportation, the Fish and Wildlife Conservation Commission,  
 1030 the Department of Economic Opportunity ~~Community Affairs~~, the  
 1031 Division of Forestry of the Department of Agriculture and  
 1032 Consumer Services, the Division of Historical Resources of the  
 1033 Department of State, the Tampa Bay Regional Planning Council,  
 1034 the Southwest Florida Water Management District, the Southwest  
 1035 Florida Regional Planning Council, Manatee County, Sarasota  
 1036 County, Charlotte County, the City of Sarasota, the City of

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1037 North Port, agricultural interests, environmental organizations,  
 1038 and any others deemed advisable by the department.

1039 (9) RULEMAKING AUTHORITY.—

1040 (c) The department and the Department of Economic  
 1041 Opportunity ~~Community Affairs~~ must enter into agreements with  
 1042 the City of North Port and Sarasota County which ~~that~~ provide  
 1043 for guiding and monitoring the regulation of activities by the  
 1044 city and county, in accordance with subsection (6). Such  
 1045 agreements shall include guidelines and performance standards  
 1046 for regulating proposed activities so as to minimize adverse  
 1047 environmental and visual impacts of such activities on the  
 1048 resource values in the river area, and to minimize adverse  
 1049 impacts to landowners' use of land for residential purposes.

1050 Section 31. Subsection (3) of section 259.042, Florida  
 1051 Statutes, is amended to read:

1052 259.042 Tax increment financing for conservation lands.—

1053 (3) The governing body of the jurisdiction that will  
 1054 administer the separate reserve account shall provide  
 1055 documentation to the Department of Economic Opportunity  
 1056 ~~Community Affairs~~ identifying the boundary of the tax increment  
 1057 area. The department shall determine whether the boundary is  
 1058 appropriate in that property owners within the boundary will  
 1059 receive a benefit from the proposed purchase of identified  
 1060 conservation lands. The department must issue a letter of  
 1061 approval stating that the establishment of the tax increment  
 1062 area and the proposed purchases would benefit property owners  
 1063 within the boundary and serve a public purpose before any tax  
 1064 increment funds are deposited into the separate reserve account.

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1065 If the department fails to provide the required letter within 90  
 1066 days after receiving sufficient documentation of the boundary,  
 1067 the establishment of the area and the proposed purchases are  
 1068 deemed to provide such benefit and serve a public purpose.

1069 Section 32. Paragraph (c) of subsection (3) of section  
 1070 259.101, Florida Statutes, is amended to read:

1071 259.101 Florida Preservation 2000 Act.—

1072 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs  
 1073 of issuance, the costs of funding reserve accounts, and other  
 1074 costs with respect to the bonds, the proceeds of bonds issued  
 1075 pursuant to this act shall be deposited into the Florida  
 1076 Preservation 2000 Trust Fund created by s. 375.045. In fiscal  
 1077 year 2000-2001, for each Florida Preservation 2000 program  
 1078 described in paragraphs (a)-(g), that portion of each program's  
 1079 total remaining cash balance which, as of June 30, 2000, is in  
 1080 excess of that program's total remaining appropriation balances  
 1081 shall be redistributed by the department and deposited into the  
 1082 Save Our Everglades Trust Fund for land acquisition. For  
 1083 purposes of calculating the total remaining cash balances for  
 1084 this redistribution, the Florida Preservation 2000 Series 2000  
 1085 bond proceeds, including interest thereon, and the fiscal year  
 1086 1999-2000 General Appropriations Act amounts shall be deducted  
 1087 from the remaining cash and appropriation balances,  
 1088 respectively. The remaining proceeds shall be distributed by the  
 1089 Department of Environmental Protection in the following manner:

1090 (c) Ten percent to the Department of Environmental  
 1091 Protection ~~Community Affairs~~ to provide land acquisition grants  
 1092 and loans to local governments through the Florida Communities

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1093 Trust pursuant to part III of chapter 380. From funds allocated  
1094 to the trust, \$3 million annually shall be used by the Division  
1095 of State Lands within the Department of Environmental Protection  
1096 to implement the Green Swamp Land Protection Initiative  
1097 specifically for the purchase of conservation easements, as  
1098 defined in s. 380.0677(3), of lands, or severable interests or  
1099 rights in lands, in the Green Swamp Area of Critical State  
1100 Concern. From funds allocated to the trust, \$3 million annually  
1101 shall be used by the Monroe County Comprehensive Plan Land  
1102 Authority specifically for the purchase of a real property  
1103 interest in those lands subject to the Rate of Growth Ordinances  
1104 adopted by local governments in Monroe County or those lands  
1105 within the boundary of an approved Conservation and Recreation  
1106 Lands project located within the Florida Keys or Key West Areas  
1107 of Critical State Concern; however, title to lands acquired  
1108 within the boundary of an approved Conservation and Recreation  
1109 Lands project may, in accordance with an approved joint  
1110 acquisition agreement, vest in the Board of Trustees of the  
1111 Internal Improvement Trust Fund. Of the remaining funds, one-  
1112 half shall be matched by local governments on a dollar-for-  
1113 dollar basis. To the extent allowed by federal requirements for  
1114 the use of bond proceeds, the trust shall expend Preservation  
1115 2000 funds to carry out the purposes of part III of chapter 380.  
1116  
1117 Local governments may use federal grants or loans, private  
1118 donations, or environmental mitigation funds, including  
1119 environmental mitigation funds required pursuant to s. 338.250,  
1120 for any part or all of any local match required for the purposes



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1121 described in this subsection. Bond proceeds allocated pursuant  
 1122 to paragraph (c) may be used to purchase lands on the priority  
 1123 lists developed pursuant to s. 259.035. Title to lands purchased  
 1124 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be  
 1125 vested in the Board of Trustees of the Internal Improvement  
 1126 Trust Fund. Title to lands purchased pursuant to paragraph (c)  
 1127 may be vested in the Board of Trustees of the Internal  
 1128 Improvement Trust Fund. The board of trustees shall hold title  
 1129 to land protection agreements and conservation easements that  
 1130 were or will be acquired pursuant to s. 380.0677, and the  
 1131 Southwest Florida Water Management District and the St. Johns  
 1132 River Water Management District shall monitor such agreements  
 1133 and easements within their respective districts until the state  
 1134 assumes this responsibility.

1135 Section 33. Paragraphs (e) and (h) of subsection (4) of  
 1136 section 282.201, Florida Statutes, are amended to read:

1137 282.201 State data center system; agency duties and  
 1138 limitations.—A state data center system that includes all  
 1139 primary data centers, other nonprimary data centers, and  
 1140 computing facilities, and that provides an enterprise  
 1141 information technology service as defined in s. 282.0041, is  
 1142 established.

1143 (4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

1144 (e) During the 2012-2013 fiscal year, the following shall  
 1145 be consolidated into the Southwood Shared Resource Center:

1146 1. By September 30, 2012, the Division of Emergency  
 1147 Management and the Department of Community Affairs, except for  
 1148 the Emergency Operation Center's management system in

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1149 Tallahassee and the Camp Blanding Emergency Operations Center in  
 1150 Starke.

1151 2. By September 30, 2012, the Department of Revenue's  
 1152 Carlton Building and Imaging Center locations.

1153 3. By December 31, 2012, the Department of Health's Test  
 1154 and Development Lab and all remaining data center resources  
 1155 located at the Capital Circle Office Complex.

1156 (h) During the 2014-2015 fiscal year, the following  
 1157 agencies shall work with the Agency for Enterprise Information  
 1158 Technology to begin preliminary planning for consolidation into  
 1159 a primary data center:

1160 1. The Department of Health's Jacksonville Lab Data  
 1161 Center.

1162 2. The Department of Transportation's district offices,  
 1163 toll offices, and the District Materials Office.

1164 3. The Department of Military Affairs' Camp Blanding Joint  
 1165 Training Center in Starke.

1166 4. ~~The Department of Community Affairs'~~ Camp Blanding  
 1167 Emergency Operations Center in Starke.

1168 5. The Department of Education's Division of Blind  
 1169 Services disaster recovery site in Daytona Beach.

1170 6. The Department of Education's disaster recovery site at  
 1171 Santa Fe College.

1172 7. The Department of the Lottery's Disaster Recovery  
 1173 Backup Data Center in Orlando.

1174 8. The Fish and Wildlife Conservation Commission's Fish  
 1175 and Wildlife Research Institute in St. Petersburg.

1176 9. The Department of Children and Family Services'

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1177 Suncoast Data Center in Tampa.

1178 10. The Department of Children and Family Services'  
1179 Florida State Hospital in Chattahoochee.

1180 Section 34. Subsection (1) of section 288.021, Florida  
1181 Statutes, is amended to read:

1182 288.021 Economic development liaison.—

1183 (1) The heads of the Department of Transportation, the  
1184 Department of Environmental Protection and an additional member  
1185 appointed by the secretary of the department, ~~the Agency for~~  
1186 ~~Workforce Innovation~~, the Department of Education, the  
1187 Department of Management Services, the Department of Revenue,  
1188 the Fish and Wildlife Conservation Commission, each water  
1189 management district, and each Department of Transportation  
1190 District office shall designate a high-level staff member from  
1191 within such agency to serve as the economic development liaison  
1192 for the agency. This person shall report to the agency head and  
1193 have general knowledge both of the state's permitting and other  
1194 regulatory functions and of the state's economic goals,  
1195 policies, and programs. This person shall also be the primary  
1196 point of contact for the agency with the department on issues  
1197 and projects important to the economic development of Florida,  
1198 including its rural areas, to expedite project review, to ensure  
1199 a prompt, effective response to problems arising with regard to  
1200 permitting and regulatory functions, and to work closely with  
1201 the other economic development liaisons to resolve interagency  
1202 conflicts.

1203 Section 35. Paragraph (f) of subsection (2) and paragraph  
1204 (c) of subsection (5) of section 288.1045, Florida Statutes, are

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1205 amended to read:  
 1206 288.1045 Qualified defense contractor and space flight  
 1207 business tax refund program.—  
 1208 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.—  
 1209 (f) After entering into a tax refund agreement pursuant to  
 1210 subsection (4), a qualified applicant may:  
 1211 1. Receive refunds from the account for corporate income  
 1212 taxes due and paid pursuant to chapter 220 by that business  
 1213 beginning with the first taxable year of the business which  
 1214 begins after entering into the agreement.  
 1215 2. Receive refunds from the account for the following  
 1216 taxes due and paid by that business after entering into the  
 1217 agreement:  
 1218 a. Taxes on sales, use, and other transactions paid  
 1219 pursuant to chapter 212.  
 1220 b. Intangible personal property taxes paid pursuant to  
 1221 chapter 199.  
 1222 c. Excise taxes paid on documents pursuant to chapter 201.  
 1223 d. Ad valorem taxes paid, as defined in s. 220.03(1)(a) on  
 1224 June 1, 1996.  
 1225 e. State communications services taxes administered under  
 1226 chapter 202. This provision does not apply to the gross receipts  
 1227 tax imposed under chapter 203 and administered under chapter 202  
 1228 or the local communications services tax authorized under s.  
 1229 202.19.  
 1230  
 1231 However, a qualified applicant may not receive a tax refund  
 1232 pursuant to this section for any amount of credit, refund, or

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1233 exemption granted such contractor for any of such taxes. If a  
1234 refund for such taxes is provided by the department, which taxes  
1235 are subsequently adjusted by the application of any credit,  
1236 refund, or exemption granted to the qualified applicant other  
1237 than that provided in this section, the qualified applicant  
1238 shall reimburse the Economic Development Trust Fund for the  
1239 amount of such credit, refund, or exemption. A qualified  
1240 applicant must notify and tender payment to the department  
1241 ~~office~~ within 20 days after receiving a credit, refund, or  
1242 exemption, other than that provided in this section.

1243 (5) ANNUAL CLAIM FOR REFUND.—

1244 (c) A tax refund may not be approved for any qualified  
1245 applicant unless local financial support has been paid to the  
1246 Economic Development Trust Fund for that refund. If the local  
1247 financial support is less than 20 percent of the approved tax  
1248 refund, the tax refund shall be reduced. The tax refund paid may  
1249 not exceed 5 times the local financial support received. Funding  
1250 from local sources includes tax abatement under s. 196.1995 or  
1251 the appraised market value of municipal or county land,  
1252 including any improvements or structures, conveyed or provided  
1253 at a discount through a sale or lease to that applicant. The  
1254 amount of any tax refund for an applicant approved under this  
1255 section shall be reduced by the amount of any such tax abatement  
1256 granted or the value of the land granted, including the value of  
1257 any improvements or structures; and the limitations in  
1258 subsection (2) shall be reduced by the amount of any such tax  
1259 abatement or the value of the land granted, including any  
1260 improvements or structures. A report listing all sources of the

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1261 local financial support shall be provided to the department  
 1262 ~~office~~ when such support is paid to the Economic Development  
 1263 Trust Fund.

1264 Section 36. Paragraph (f) of subsection (4) and paragraphs  
 1265 (c), (d), and (e) of subsection (6) of section 288.106, Florida  
 1266 Statutes, are amended to read:

1267 288.106 Tax refund program for qualified target industry  
 1268 businesses.—

1269 (4) APPLICATION AND APPROVAL PROCESS.—

1270 (f) ~~Effective July 1, 2011,~~ Notwithstanding paragraph  
 1271 (2) (j) ~~(2) (k)~~, the department ~~office~~ may reduce the local  
 1272 financial support requirements of this section by one-half for a  
 1273 qualified target industry business located in Bay County,  
 1274 Escambia County, Franklin County, Gadsden County, Gulf County,  
 1275 Jefferson County, Leon County, Okaloosa County, Santa Rosa  
 1276 County, Wakulla County, or Walton County, if the department  
 1277 ~~office~~ determines that such reduction of the local financial  
 1278 support requirements is in the best interest of the state and  
 1279 facilitates economic development, growth, or new employment  
 1280 opportunities in such county. This paragraph expires June 30,  
 1281 2014.

1282 (6) ANNUAL CLAIM FOR REFUND.—

1283 (c) The department may waive the requirement for proof of  
 1284 taxes paid in future years for a qualified target industry  
 1285 business that provides the department ~~office~~ with proof that, in  
 1286 a single year, the business has paid an amount of state taxes  
 1287 from the categories in paragraph (3) (d) which ~~that~~ is at least  
 1288 equal to the total amount of tax refunds that the business may

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1289 receive through successful completion of its tax refund  
 1290 agreement.

1291 (d) A tax refund may not be approved for a qualified  
 1292 target industry business unless the required local financial  
 1293 support has been paid into the account for that refund. If the  
 1294 local financial support provided is less than 20 percent of the  
 1295 approved tax refund, the tax refund must be reduced. In no event  
 1296 may the tax refund exceed an amount that is equal to 5 times the  
 1297 amount of the local financial support received. Further, funding  
 1298 from local sources includes any tax abatement granted to that  
 1299 business under s. 196.1995 or the appraised market value of  
 1300 municipal or county land conveyed or provided at a discount to  
 1301 that business. The amount of any tax refund for such business  
 1302 approved under this section must be reduced by the amount of any  
 1303 such tax abatement granted or the value of the land granted, and  
 1304 the limitations in subsection (3) and paragraph (4)(e) must be  
 1305 reduced by the amount of any such tax abatement or the value of  
 1306 the land granted. A report listing all sources of the local  
 1307 financial support shall be provided to the department ~~office~~  
 1308 when such support is paid to the account.

1309 (e) A prorated tax refund, less a 5 percent ~~5-percent~~  
 1310 penalty, shall be approved for a qualified target industry  
 1311 business if all other applicable requirements have been  
 1312 satisfied and the business proves to the satisfaction of the  
 1313 department ~~office~~ that:

- 1314 1. It has achieved at least 80 percent of its projected  
 1315 employment; and
- 1316 2. The average wage paid by the business is at least 90

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1317 percent of the average wage specified in the tax refund  
 1318 agreement, but in no case less than 115 percent of the average  
 1319 private sector wage in the area available at the time of  
 1320 certification, or 150 percent or 200 percent of the average  
 1321 private sector wage if the business requested the additional  
 1322 per-job tax refund authorized in paragraph (3) (b) for wages  
 1323 above those levels. The prorated tax refund shall be calculated  
 1324 by multiplying the tax refund amount for which the qualified  
 1325 target industry business would have been eligible, if all  
 1326 applicable requirements had been satisfied, by the percentage of  
 1327 the average employment specified in the tax refund agreement  
 1328 which was achieved, and by the percentage of the average wages  
 1329 specified in the tax refund agreement which was achieved.

1330 Section 37. Paragraph (a) of subsection (3) of section  
 1331 288.108, Florida Statutes, is amended to read:

1332 288.108 High-impact business.—

1333 (3) HIGH-IMPACT SECTOR PERFORMANCE GRANTS; ELIGIBLE  
 1334 AMOUNTS.—

1335 (a) Upon commencement of operations, a qualified high-  
 1336 impact business is eligible to receive a high-impact business  
 1337 performance grant in the amount as determined by the department  
 1338 ~~office~~ under subsection (5), consistent with eligible amounts as  
 1339 provided in paragraph (b), and specified in the qualified high-  
 1340 impact business agreement. The precise conditions that are  
 1341 considered commencement of operations must be specified in the  
 1342 qualified high-impact business agreement.

1343 Section 38. Subsection (3) of section 288.1083, Florida  
 1344 Statutes, is amended to read:



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1345           288.1083 Manufacturing and Spaceport Investment Incentive  
1346 Program.—

1347           (3) Beginning July 1, 2010, and ending June 30, 2011, and  
1348 beginning July 1, 2011, and ending June 30, 2012, sales and use  
1349 tax paid in this state on eligible equipment purchases may  
1350 qualify for a refund as provided in this section. The total  
1351 amount of refunds that may be allocated by the department ~~office~~  
1352 to all applicants during the period beginning July 1, 2010, and  
1353 ending June 30, 2011, is \$19 million. The total amount of tax  
1354 refunds that may be allocated to all applicants during the  
1355 period beginning July 1, 2011, and ending June 30, 2012, is \$24  
1356 million. An applicant may not be allocated more than \$50,000 in  
1357 refunds under this section for a single year. Preliminary refund  
1358 allocations that are revoked or voluntarily surrendered shall be  
1359 immediately available for reallocation.

1360           Section 39. Paragraph (1) of subsection (2) of section  
1361 288.1089, Florida Statutes, is amended to read:

1362           288.1089 Innovation Incentive Program.—

1363           (2) As used in this section, the term:

1364           (1) "Match" means funding from local sources, public or  
1365 private, which will be paid to the applicant and which is equal  
1366 to 100 percent of an award. Eligible match funding may include  
1367 any tax abatement granted to the applicant under s. 196.1995 or  
1368 the appraised market value of land, buildings, infrastructure,  
1369 or equipment conveyed or provided at a discount to the  
1370 applicant. Complete documentation of a match payment or other  
1371 conveyance must be presented to and verified by the department  
1372 ~~office~~ prior to transfer of state funds to an applicant. An

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1373 applicant may not provide, directly or indirectly, more than 5  
 1374 percent of match funding in any fiscal year. The sources of such  
 1375 funding may not include, directly or indirectly, state funds  
 1376 appropriated from the General Revenue Fund or any state trust  
 1377 fund, excluding tax revenues shared with local governments  
 1378 pursuant to law.

1379 Section 40. Subsection (2) of section 288.1097, Florida  
 1380 Statutes, is amended to read:

1381 288.1097 Qualified job training organizations;  
 1382 certification; duties.—

1383 (2) To be eligible for funding, an organization must be  
 1384 certified by the department ~~Office of Tourism, Trade, and~~  
 1385 ~~Economic Development~~ as meeting the criteria in subsection (1).  
 1386 After certification, the department ~~Office of Tourism, Trade,~~  
 1387 ~~and Economic Development~~ may release funds to the qualified job  
 1388 training organization pursuant to a contract with the  
 1389 organization. The contract must include the performance  
 1390 conditions that must be met in order to obtain the award or  
 1391 portions of the award, including, but not limited to, net new  
 1392 employment in the state, the methodology for validating  
 1393 performance, the schedule of payments, and sanctions for failure  
 1394 to meet the performance requirements including any provisions  
 1395 for repayment of awards. The contract must also require that  
 1396 salaries paid to officers and employees of the qualified job  
 1397 training organization comply with s. 4958 of the Internal  
 1398 Revenue Code of 1986, as amended.

1399 Section 41. Paragraph (c) of subsection (3) of section  
 1400 288.11621, Florida Statutes, is amended to read:

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1401 288.11621 Spring training baseball franchises.—

1402 (3) USE OF FUNDS.—

1403 (c) The Department of Revenue may not distribute funds to  
 1404 an applicant certified on or after July 1, 2010, until it  
 1405 receives notice from the department ~~office~~ that the certified  
 1406 applicant has encumbered funds under subparagraph (a)2.

1407 Section 42. Subsection (6) of section 288.1168, Florida  
 1408 Statutes, is amended to read:

1409 288.1168 Professional golf hall of fame facility.—

1410 (6) The department ~~Office of Tourism, Trade, and Economic~~  
 1411 ~~Development~~ must recertify every 10 years that the facility is  
 1412 open, continues to be the only professional golf hall of fame in  
 1413 the United States recognized by the PGA Tour, Inc., and is  
 1414 meeting the minimum projections for attendance or sales tax  
 1415 revenue as required at the time of original certification. If  
 1416 the facility is not certified as meeting the minimum  
 1417 projections, the PGA Tour, Inc., shall increase its required  
 1418 advertising contribution of \$2 million annually to \$2.5 million  
 1419 annually in lieu of reduction of any funds as provided by s.  
 1420 212.20. The additional \$500,000 must be allocated in its  
 1421 entirety for the use and promotion of generic Florida  
 1422 advertising as determined by the department ~~Office of Tourism,~~  
 1423 ~~Trade, and Economic Development~~. If the facility is not open to  
 1424 the public or is no longer in use as the only professional golf  
 1425 hall of fame in the United States recognized by the PGA Tour,  
 1426 Inc., the entire \$2.5 million for advertising must be used for  
 1427 generic Florida advertising as determined by the department  
 1428 ~~Office of Tourism, Trade, and Economic Development~~.

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1429 Section 43. Subsection (4) of section 288.1171, Florida  
 1430 Statutes, is amended to read:

1431 288.1171 Motorsports entertainment complex; definitions;  
 1432 certification; duties.—

1433 (4) Upon determining that an applicant meets the  
 1434 requirements of subsection (3), the department ~~office~~ shall  
 1435 notify the applicant and the executive director of the  
 1436 Department of Revenue of such certification by means of an  
 1437 official letter granting certification. If the applicant fails  
 1438 to meet the certification requirements of subsection (3), the  
 1439 department ~~office~~ shall notify the applicant not later than 10  
 1440 days following such determination.

1441 Section 44. Paragraph (a) of subsection (8) of section  
 1442 288.1254, Florida Statutes, is amended to read:

1443 288.1254 Entertainment industry financial incentive  
 1444 program.—

1445 (8) RULES, POLICIES, AND PROCEDURES.—

1446 (a) The department ~~Office of Tourism, Trade, and Economic~~  
 1447 ~~Development~~ may adopt rules pursuant to ss. 120.536(1) and  
 1448 120.54 and develop policies and procedures to implement and  
 1449 administer this section, including, but not limited to, rules  
 1450 specifying requirements for the application and approval  
 1451 process, records required for substantiation for tax credits,  
 1452 procedures for making the election in paragraph (4)(d), the  
 1453 manner and form of documentation required to claim tax credits  
 1454 awarded or transferred under this section, and marketing  
 1455 requirements for tax credit recipients.

1456 Section 45. Subsection (2) of section 288.714, Florida

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1457 Statutes, is amended to read:

1458 288.714 Quarterly and annual reports.—

1459 (2) The department must compile a summary of all quarterly  
 1460 reports ~~and provide a copy of the summary to the board~~ within 30  
 1461 days after the end of each calendar quarter which ~~that~~ includes  
 1462 a detailed summary of the recipient's performance of the duties  
 1463 imposed by s. 288.7102.

1464 Section 46. Subsection (7) of section 288.7102, Florida  
 1465 Statutes, is amended to read:

1466 288.7102 Black Business Loan Program.—

1467 (7) The department, ~~in consultation with the board,~~ shall  
 1468 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement  
 1469 this section.

1470 Section 47. Subsections (5) and (7) of section 288.987,  
 1471 Florida Statutes, are amended to read:

1472 288.987 Florida Defense Support Task Force.—

1473 (5) The executive director of the Department of Economic  
 1474 Opportunity Office of Tourism, Trade, and Economic Development  
 1475 ~~within the Executive Office of the Governor,~~ or his or her  
 1476 designee, shall serve as the ex officio, nonvoting executive  
 1477 director of the task force.

1478 (7) The department ~~Office of Tourism, Trade, and Economic~~  
 1479 ~~Development~~ shall contract with the task force for expenditure  
 1480 of appropriated funds, which may be used by the task force for  
 1481 economic and product research and development, joint planning  
 1482 with host communities to accommodate military missions and  
 1483 prevent base encroachment, advocacy on the state's behalf with  
 1484 federal civilian and military officials, assistance to school

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1485 districts in providing a smooth transition for large numbers of  
 1486 additional military-related students, job training and placement  
 1487 for military spouses in communities with high proportions of  
 1488 active duty military personnel, and promotion of the state to  
 1489 military and related contractors and employers. The task force  
 1490 may annually spend up to \$200,000 of funds appropriated to the  
 1491 department ~~Executive Office of the Governor, Office of Tourism,~~  
 1492 ~~Trade, and Economic Development,~~ for the task force for staffing  
 1493 and administrative expenses of the task force, including travel  
 1494 and per diem costs incurred by task force members who are not  
 1495 otherwise eligible for state reimbursement.

1496 Section 48. Paragraph (d) of subsection (6) of section  
 1497 290.0055, Florida Statutes, is amended to read:

1498 290.0055 Local nominating procedure.—

1499 (6)

1500 (d)1. The governing body of a jurisdiction which has  
 1501 nominated an application for an enterprise zone that is no  
 1502 larger than 12 square miles and includes a portion of the state  
 1503 designated as a rural area of critical economic concern under s.  
 1504 288.0656(7) may apply to the department ~~Office of Tourism,~~  
 1505 ~~Trade, and Economic Development~~ to expand the boundary of the  
 1506 enterprise zone by not more than 3 square miles. An application  
 1507 to expand the boundary of an enterprise zone under this  
 1508 paragraph must be submitted by December 31, 2012.

1509 2. Notwithstanding the area limitations specified in  
 1510 subsection (4), the department ~~Office of Tourism, Trade, and~~  
 1511 ~~Economic Development~~ may approve the request for a boundary  
 1512 amendment if the area continues to satisfy the remaining

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1513 requirements of this section.

1514 3. The department ~~Office of Tourism, Trade, and Economic~~  
 1515 ~~Development~~ shall establish the initial effective date of an  
 1516 enterprise zone designated under this paragraph.

1517 Section 49. Paragraph (a) of subsection (4) of section  
 1518 290.0065, Florida Statutes, is amended to read:

1519 290.0065 State designation of enterprise zones.—

1520 (4) (a) Notwithstanding s. 290.0055, the department may  
 1521 redesignate any state enterprise zone having an effective date  
 1522 on or before January 1, 2005, as a state enterprise zone upon  
 1523 completion and submittal to the department ~~office~~ by the  
 1524 governing body for an enterprise zone of the following:

1525 1. An updated zone profile for the enterprise zone based  
 1526 on the most recent census data that complies with s. 290.0055,  
 1527 except that pervasive poverty criteria may be set aside for  
 1528 rural enterprise zones.

1529 2. A resolution passed by the governing body for that  
 1530 enterprise zone requesting redesignation and explaining the  
 1531 reasons the conditions of the zone merit redesignation.

1532 3. Measurable goals for the enterprise zone developed by  
 1533 the enterprise zone development agency, which may be the goals  
 1534 established in the enterprise zone's strategic plan.

1535  
 1536 The governing body may also submit a request for a boundary  
 1537 change in an enterprise zone in the same application to the  
 1538 department as long as the new area complies with the  
 1539 requirements of s. 290.0055, except that pervasive poverty  
 1540 criteria may be set aside for rural enterprise zones.

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1541           Section 50. Section 290.00726, Florida Statutes, is  
 1542 amended to read:  
 1543           290.00726 Enterprise zone designation for Martin County.—  
 1544 Martin County may apply to the department ~~Office of Tourism,~~  
 1545 ~~Trade, and Economic Development~~ for designation of one  
 1546 enterprise zone for an area within Martin County, which zone  
 1547 shall encompass an area of up to 10 square miles consisting of  
 1548 land within the primary urban services boundary and focusing on  
 1549 Indiantown, but excluding property owned by Florida Power and  
 1550 Light to the west, two areas to the north designated as estate  
 1551 residential, and the county-owned Timer Powers Recreational  
 1552 Area. Within the designated enterprise zone, Martin County shall  
 1553 exempt residential condominiums from benefiting from state  
 1554 enterprise zone incentives, unless prohibited by law. The  
 1555 application must have been submitted by December 31, 2011, and  
 1556 must comply with the requirements of s. 290.0055.  
 1557 Notwithstanding s. 290.0065 limiting the total number of  
 1558 enterprise zones designated and the number of enterprise zones  
 1559 within a population category, the department ~~Office of Tourism,~~  
 1560 ~~Trade, and Economic Development~~ may designate one enterprise  
 1561 zone under this section. The department ~~Office of Tourism,~~  
 1562 ~~Trade, and Economic Development~~ shall establish the initial  
 1563 effective date of the enterprise zone designated under this  
 1564 section.

1565           Section 51. Section 290.00727, Florida Statutes, is  
 1566 amended to read:  
 1567           290.00727 Enterprise zone designation for the City of Palm  
 1568 Bay.—The City of Palm Bay may apply to the department ~~Office of~~



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1569 ~~Tourism, Trade, and Economic Development~~ for designation of one  
 1570 enterprise zone for an area within the northeast portion of the  
 1571 city, which zone shall encompass an area of up to 5 square  
 1572 miles. The application must have been submitted by December 31,  
 1573 2011, and must comply with the requirements of s. 290.0055.  
 1574 Notwithstanding s. 290.0065 limiting the total number of  
 1575 enterprise zones designated and the number of enterprise zones  
 1576 within a population category, the department ~~Office of Tourism,~~  
 1577 ~~Trade, and Economic Development~~ may designate one enterprise  
 1578 zone under this section. The department ~~Office of Tourism,~~  
 1579 ~~Trade, and Economic Development~~ shall establish the initial  
 1580 effective date of the enterprise zone designated under this  
 1581 section.

1582 Section 52. Section 290.00728, Florida Statutes, is  
 1583 amended to read:

1584 290.00728 Enterprise zone designation for Lake County.—  
 1585 Lake County may apply to the department ~~Office of Tourism,~~  
 1586 ~~Trade, and Economic Development~~ for designation of one  
 1587 enterprise zone, which zone shall encompass an area of up to 10  
 1588 square miles within Lake County. The application must have been  
 1589 submitted by December 31, 2011, and must comply with the  
 1590 requirements of s. 290.0055. Notwithstanding s. 290.0065  
 1591 limiting the total number of enterprise zones designated and the  
 1592 number of enterprise zones within a population category, the  
 1593 department ~~Office of Tourism, Trade, and Economic Development~~  
 1594 may designate one enterprise zone under this section. The  
 1595 department ~~Office of Tourism, Trade, and Economic Development~~  
 1596 shall establish the initial effective date of the enterprise

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1597 zone designated under this section.

1598 Section 53. Subsections (1) and (6) of section 311.09,  
1599 Florida Statutes, are amended to read:

1600 311.09 Florida Seaport Transportation and Economic  
1601 Development Council.—

1602 (1) The Florida Seaport Transportation and Economic  
1603 Development Council is created within the Department of  
1604 Transportation. The council consists of the following 17 ~~18~~  
1605 members: the port director, or the port director's designee, of  
1606 each of the ports of Jacksonville, Port Canaveral, Port Citrus,  
1607 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,  
1608 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key  
1609 West, and Fernandina; the secretary of the Department of  
1610 Transportation or his or her designee; and the director of the  
1611 Department of Economic Opportunity or his or her designee.

1612 (6) The Department of Economic Opportunity ~~Community~~  
1613 ~~Affairs~~ shall review the list of projects approved by the  
1614 council to determine consistency with approved local government  
1615 comprehensive plans of the units of local government in which  
1616 the port is located and consistency with the port master plan.  
1617 The Department of Economic Opportunity ~~Community Affairs~~ shall  
1618 identify and notify the council of those projects that ~~which~~ are  
1619 not consistent, to the maximum extent feasible, with such  
1620 comprehensive plans and port master plans.

1621 Section 54. Paragraph (b) of subsection (9), paragraph (a)  
1622 of subsection (35), and paragraph (b) of subsection (62) of  
1623 section 320.08058, Florida Statutes, are amended to read:

1624 320.08058 Specialty license plates.—

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1625 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—  
 1626 (b) The license plate annual use fees are to be annually  
 1627 distributed as follows:  
 1628 1. Fifty-five percent of the proceeds from the Florida  
 1629 Professional Sports Team plate must be deposited into the  
 1630 Professional Sports Development Trust Fund within the Department  
 1631 of Economic Opportunity. These funds must be used solely to  
 1632 attract and support major sports events in this state. As used  
 1633 in this subparagraph, the term "major sports events" means, but  
 1634 is not limited to, championship or all-star contests of Major  
 1635 League Baseball, the National Basketball Association, the  
 1636 National Football League, the National Hockey League, the men's  
 1637 and women's National Collegiate Athletic Association Final Four  
 1638 basketball championship, or a horseracing or dogracing Breeders'  
 1639 Cup. All funds must be used to support and promote major  
 1640 sporting events, and the uses must be approved by the Department  
 1641 of Economic Opportunity ~~Florida Sports Foundation~~.  
 1642 2. The remaining proceeds of the Florida Professional  
 1643 Sports Team license plate must be allocated to Enterprise  
 1644 Florida, Inc. These funds must be deposited into the  
 1645 Professional Sports Development Trust Fund within the Department  
 1646 of Economic Opportunity. These funds must be used by Enterprise  
 1647 Florida, Inc., to promote the economic development of the sports  
 1648 industry; to distribute licensing and royalty fees to  
 1649 participating professional sports teams; to promote education  
 1650 programs in Florida schools that provide an awareness of the  
 1651 benefits of physical activity and nutrition standards; to  
 1652 partner with the Department of Education and the Department of

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1653 Health to develop a program that recognizes schools whose  
 1654 students demonstrate excellent physical fitness or fitness  
 1655 improvement; to institute a grant program for communities  
 1656 bidding on minor sporting events that create an economic impact  
 1657 for the state; to distribute funds to Florida-based charities  
 1658 designated by Enterprise Florida, Inc., and the participating  
 1659 professional sports teams; and to fulfill the sports promotion  
 1660 responsibilities of the Department of Economic Opportunity.

1661 3. Enterprise Florida, Inc., shall provide an annual  
 1662 financial audit in accordance with s. 215.981 of its financial  
 1663 accounts and records by an independent certified public  
 1664 accountant pursuant to the contract established by the  
 1665 Department of Economic Opportunity. The auditor shall submit the  
 1666 audit report to the Department of Economic Opportunity for  
 1667 review and approval. If the audit report is approved, the  
 1668 Department of Economic Opportunity shall certify the audit  
 1669 report to the Auditor General for review.

1670 4. Notwithstanding the provisions of subparagraphs 1. and  
 1671 2., proceeds from the Professional Sports Development Trust Fund  
 1672 may also be used for operational expenses of Enterprise Florida,  
 1673 Inc., and financial support of the Sunshine State Games.

1674 (35) FLORIDA GOLF LICENSE PLATES.—

1675 (a) The Department of Highway Safety and Motor Vehicles  
 1676 shall develop a Florida Golf license plate as provided in this  
 1677 section. The word "Florida" must appear at the bottom of the  
 1678 plate. The Dade Amateur Golf Association, following consultation  
 1679 with the PGA TOUR, Enterprise Florida, Inc., ~~the Florida Sports~~  
 1680 ~~Foundation~~, the LPGA, and the PGA of America may submit a

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1681 revised sample plate for consideration by the department.  
 1682 (62) PROTECT FLORIDA SPRINGS LICENSE PLATES.—  
 1683 (b) The annual use fees shall be distributed to the  
 1684 Wildlife Foundation of Florida, Inc., a citizen support  
 1685 organization created pursuant to s. 379.223, which shall  
 1686 administer the fees as follows:  
 1687 1. Wildlife Foundation of Florida, Inc., shall retain the  
 1688 first \$60,000 of the annual use fees as direct reimbursement for  
 1689 administrative costs, startup costs, and costs incurred in the  
 1690 development and approval process.  
 1691 2. Thereafter, a maximum of 10 percent of the fees may be  
 1692 used for administrative costs directly associated with education  
 1693 programs, conservation, springs research, and grant  
 1694 administration of the foundation. A maximum of 15 percent of the  
 1695 fees may be used for continuing promotion and marketing of the  
 1696 license plate.  
 1697 3. At least 55 percent of the fees shall be available for  
 1698 competitive grants for targeted community-based springs research  
 1699 not currently available for state funding. The remaining 20  
 1700 percent shall be directed toward community outreach programs  
 1701 aimed at implementing such research findings. The competitive  
 1702 grants shall be administered and approved by the board of  
 1703 directors of the Wildlife Foundation of Florida. The granting  
 1704 advisory committee shall be composed of nine members, including  
 1705 one representative from the Fish and Wildlife Conservation  
 1706 Commission, one representative from the Department of  
 1707 Environmental Protection, one representative from the Department  
 1708 of Health, one representative from the Department of Economic

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1709 Opportunity ~~Community Affairs~~, three citizen representatives,  
 1710 and two representatives from nonprofit stakeholder groups.

1711 4. The remaining funds shall be distributed with the  
 1712 approval of and accountability to the board of directors of the  
 1713 Wildlife Foundation of Florida, and shall be used to support  
 1714 activities contributing to education, outreach, and springs  
 1715 conservation.

1716 Section 55. Paragraph (b) of subsection (5) of section  
 1717 339.135, Florida Statutes, is amended to read:

1718 339.135 Work program; legislative budget request;  
 1719 definitions; preparation, adoption, execution, and amendment.—

1720 (5) ADOPTION OF THE WORK PROGRAM.—

1721 (b) Notwithstanding paragraph (a), and for the 2011-2012  
 1722 fiscal year only, the Department of Transportation shall  
 1723 transfer funds to the Department of Economic Opportunity ~~Office~~  
 1724 ~~of Tourism, Trade, and Economic Development~~ in an amount equal  
 1725 to \$15 million for the purpose of funding transportation-related  
 1726 needs of economic development projects. This transfer does ~~shall~~  
 1727 not reduce, delete, or defer any existing projects funded, as of  
 1728 July 1, 2011, in the Department of Transportation's 5-year work  
 1729 program. This paragraph expires July 1, 2012.

1730 Section 56. Subsection (1) of section 342.201, Florida  
 1731 Statutes, is amended to read:

1732 342.201 Waterfronts Florida Program.—

1733 (1) There is established within the Department of Economic  
 1734 Opportunity ~~Environmental Protection~~ the Waterfronts Florida  
 1735 Program to provide technical assistance and support to  
 1736 communities in revitalizing waterfront areas in this state.

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1737 Section 57. Paragraph (f) of subsection (5) of section  
 1738 373.461, Florida Statutes, is amended to read:

1739 373.461 Lake Apopka improvement and management.—

1740 (5) PURCHASE OF AGRICULTURAL LANDS.—

1741 (f)1. Tangible personal property acquired by the district  
 1742 as part of related facilities pursuant to this section, and  
 1743 classified as surplus by the district, shall be sold by the  
 1744 Department of Management Services. The Department of Management  
 1745 Services shall deposit the proceeds of such sale in the Economic  
 1746 Development Trust Fund in the Department of Economic Opportunity  
 1747 ~~Executive Office of the Governor~~. The proceeds shall be used for  
 1748 the purpose of providing economic and infrastructure development  
 1749 in portions of northwestern Orange County and east central Lake  
 1750 County which will be adversely affected economically due to the  
 1751 acquisition of lands pursuant to this subsection.

1752 2. The Department Office of ~~Tourism, Trade, and Economic~~  
 1753 Opportunity Development shall, upon presentation of the  
 1754 appropriate documentation justifying expenditure of the funds  
 1755 deposited pursuant to this paragraph, pay any obligation for  
 1756 which it has sufficient funds from the proceeds of the sale of  
 1757 tangible personal property and which meets the limitations  
 1758 specified in paragraph (g). The authority of the Department  
 1759 ~~Office of Tourism, Trade, and Economic Opportunity Development~~  
 1760 to expend such funds shall expire 5 years from the effective  
 1761 date of this paragraph. Such expenditures may occur without  
 1762 future appropriation from the Legislature.

1763 3. Funds deposited under this paragraph may not be used  
 1764 for any purpose other than those enumerated in paragraph (g).

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1765 Section 58. Paragraph (h) of subsection (2) of section  
 1766 377.703, Florida Statutes, is amended to read:

1767 377.703 Additional functions of the Department of  
 1768 Agriculture and Consumer Services.—

1769 (2) DUTIES.—The department shall perform the following  
 1770 functions, unless as otherwise provided, consistent with the  
 1771 development of a state energy policy:

1772 (h) The department shall promote the development and use  
 1773 of renewable energy resources, in conformance with ~~the~~  
 1774 ~~provisions of~~ chapter 187 and s. 377.601, by:

1775 1. Establishing goals and strategies for increasing the  
 1776 use of solar energy in this state.

1777 2. Aiding and promoting the commercialization of solar  
 1778 energy technology, in cooperation with the Florida Solar Energy  
 1779 Center, Enterprise Florida, Inc., and any other federal, state,  
 1780 or local governmental agency which may seek to promote research,  
 1781 development, and demonstration of solar energy equipment and  
 1782 technology.

1783 3. Identifying barriers to greater use of solar energy  
 1784 systems in this state, and developing specific recommendations  
 1785 for overcoming identified barriers, with findings and  
 1786 recommendations to be submitted annually in the report to the  
 1787 Governor and Legislature required under paragraph (f).

1788 4. In cooperation with the Department of Environmental  
 1789 Protection, the Department of Transportation, the Department of  
 1790 Economic Opportunity ~~Community Affairs~~, Enterprise Florida,  
 1791 Inc., the Florida Solar Energy Center, and the Florida Solar  
 1792 Energy Industries Association, investigating opportunities,



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1793 | pursuant to the National Energy Policy Act of 1992, the Housing  
 1794 | and Community Development Act of 1992, and any subsequent  
 1795 | federal legislation, for solar electric vehicles and other solar  
 1796 | energy manufacturing, distribution, installation, and financing  
 1797 | efforts which will enhance this state's position as the leader  
 1798 | in solar energy research, development, and use.

1799 |         5. Undertaking other initiatives to advance the  
 1800 | development and use of renewable energy resources in this state.

1801 |  
 1802 | In the exercise of its responsibilities under this paragraph,  
 1803 | the department shall seek the assistance of the solar energy  
 1804 | industry in this state and other interested parties and is  
 1805 | authorized to enter into contracts, retain professional  
 1806 | consulting services, and expend funds appropriated by the  
 1807 | Legislature for such purposes.

1808 |         Section 59. Paragraphs (c) and (d) of subsection (4) of  
 1809 | section 377.809, Florida Statutes, are amended to read:

1810 |         377.809 Energy Economic Zone Pilot Program.—

1811 |         (4)

1812 |         (c) Upon approving an incentive for an eligible business,  
 1813 | the governing body that has jurisdiction over the energy  
 1814 | economic zone shall provide the taxpayer with a certificate  
 1815 | indicating the name and federal identification number of the  
 1816 | eligible business, the date the incentive is provided, the name  
 1817 | of the energy economic zone, the incentive type, and the  
 1818 | incentive amount. The local governing body shall certify to the  
 1819 | Department of Revenue or the Department of Economic Opportunity  
 1820 | ~~Office of Tourism, Trade, and Economic Development~~, whichever is

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1821 applicable, which businesses or properties are eligible to  
 1822 receive any or all of the state incentives according to their  
 1823 statutory requirements. The governing body that has jurisdiction  
 1824 over the energy economic zone shall provide a copy of the  
 1825 certificate to the Department of Revenue and the Department of  
 1826 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~  
 1827 ~~Development~~ as notification that such incentives were approved  
 1828 for the specific eligible business or property. For incentives  
 1829 to be claimed against the sales and use tax under chapter 212,  
 1830 the Department of Revenue shall send, within 14 days after  
 1831 receipt, written instructions to an eligible business on how to  
 1832 claim the credit on a sales and use tax return initiated through  
 1833 an electronic data interchange. Any credit against the sales and  
 1834 use tax shall be deducted from any sales and use tax remitted by  
 1835 the dealer to the Department of Revenue by electronic funds  
 1836 transfer and may be deducted only on a sales and use tax return  
 1837 initiated through an electronic data interchange. The dealer  
 1838 shall separately state the credit on the electronic return. The  
 1839 net amount of tax due and payable must be remitted by electronic  
 1840 funds transfer. If the credit exceeds the amount owed on the  
 1841 sales and use tax return, such excess amount may be carried  
 1842 forward for a period not to exceed 12 months after the date that  
 1843 the credit is initially claimed.

1844 (d) If all conditions are deemed met, the Department of  
 1845 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~  
 1846 ~~Development~~ and the Department of Revenue may adopt emergency  
 1847 rules pursuant to ss. 120.536(1) and 120.54 to administer ~~the~~  
 1848 ~~provisions~~ of this subsection. The emergency rules shall remain

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1849 in effect for 6 months after the rules are adopted, and the  
 1850 rules may be renewed while the procedures to adopt permanent  
 1851 rules addressing the subject of the emergency rules are pending.

1852 Section 60. Paragraph (b) of subsection (6), paragraph (b)  
 1853 of subsection (19), paragraphs (l) and (q) of subsection (24),  
 1854 and paragraphs (b) and (c) of subsection (29) of section 380.06,  
 1855 Florida Statutes, are amended to read:

1856 380.06 Developments of regional impact.—

1857 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT; CONCURRENT  
 1858 PLAN AMENDMENTS.—

1859 (b) Any local government comprehensive plan amendments  
 1860 related to a proposed development of regional impact, including  
 1861 any changes proposed under subsection (19), may be initiated by  
 1862 a local planning agency or the developer and must be considered  
 1863 by the local governing body at the same time as the application  
 1864 for development approval using the procedures provided for local  
 1865 plan amendment in s. 163.3187 and applicable local ordinances,  
 1866 without regard to local limits on the frequency of consideration  
 1867 of amendments to the local comprehensive plan. This paragraph  
 1868 does not require favorable consideration of a plan amendment  
 1869 solely because it is related to a development of regional  
 1870 impact. The procedure for processing such comprehensive plan  
 1871 amendments is as follows:

1872 1. If a developer seeks a comprehensive plan amendment  
 1873 related to a development of regional impact, the developer must  
 1874 so notify in writing the regional planning agency, the  
 1875 applicable local government, and the state land planning agency  
 1876 no later than the date of preapplication conference or the

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1877 submission of the proposed change under subsection (19).  
 1878         2. When filing the application for development approval or  
 1879 the proposed change, the developer must include a written  
 1880 request for comprehensive plan amendments that would be  
 1881 necessitated by the development-of-regional-impact approvals  
 1882 sought. That request must include data and analysis upon which  
 1883 the applicable local government can determine whether to  
 1884 transmit the comprehensive plan amendment pursuant to s.  
 1885 163.3184.  
 1886         3. The local government must advertise a public hearing on  
 1887 the transmittal within 30 days after filing the application for  
 1888 development approval or the proposed change and must make a  
 1889 determination on the transmittal within 60 days after the  
 1890 initial filing unless that time is extended by the developer.  
 1891         4. If the local government approves the transmittal,  
 1892 procedures set forth in s. 163.3184(3)(b) and (c)  
 1893 ~~163.3184(4)(b)–(d)~~ must be followed.  
 1894         5. Notwithstanding subsection (11) or subsection (19), the  
 1895 local government may not hold a public hearing on the  
 1896 application for development approval or the proposed change or  
 1897 on the comprehensive plan amendments sooner than 30 days after  
 1898 ~~from~~ receipt of the response from the state land planning agency  
 1899 pursuant to s. 163.3184(3)(c)1. ~~163.3184(4)(d).~~  
 1900         6. The local government must hear both the application for  
 1901 development approval or the proposed change and the  
 1902 comprehensive plan amendments at the same hearing. However, the  
 1903 local government must take action separately on the application  
 1904 for development approval or the proposed change and on the

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1905 comprehensive plan amendments.

1906 7. Thereafter, the appeal process for the local government  
 1907 development order must follow the provisions of s. 380.07, and  
 1908 the compliance process for the comprehensive plan amendments  
 1909 must follow the provisions of s. 163.3184.

1910 (19) SUBSTANTIAL DEVIATIONS.—

1911 (b) Any proposed change to a previously approved  
 1912 development of regional impact or development order condition  
 1913 which, either individually or cumulatively with other changes,  
 1914 exceeds any of the following criteria shall constitute a  
 1915 substantial deviation and shall cause the development to be  
 1916 subject to further development-of-regional-impact review without  
 1917 the necessity for a finding of same by the local government:

1918 1. An increase in the number of parking spaces at an  
 1919 attraction or recreational facility by 15 percent or 500 spaces,  
 1920 whichever is greater, or an increase in the number of spectators  
 1921 that may be accommodated at such a facility by 15 percent or  
 1922 1,500 spectators, whichever is greater.

1923 2. A new runway, a new terminal facility, a 25 percent ~~25-~~  
 1924 ~~percent~~ lengthening of an existing runway, or a 25 percent ~~25-~~  
 1925 ~~percent~~ increase in the number of gates of an existing terminal,  
 1926 but only if the increase adds at least three additional gates.

1927 3. An increase in land area for office development by 15  
 1928 percent or an increase of gross floor area of office development  
 1929 by 15 percent or 100,000 gross square feet, whichever is  
 1930 greater.

1931 4. An increase in the number of dwelling units by 10  
 1932 percent or 55 dwelling units, whichever is greater.

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1933           5. An increase in the number of dwelling units by 50  
 1934 percent or 200 units, whichever is greater, provided that 15  
 1935 percent of the proposed additional dwelling units are dedicated  
 1936 to affordable workforce housing, subject to a recorded land use  
 1937 restriction that shall be for a period of not less than 20 years  
 1938 and that includes resale provisions to ensure long-term  
 1939 affordability for income-eligible homeowners and renters and  
 1940 provisions for the workforce housing to be commenced prior to  
 1941 the completion of 50 percent of the market rate dwelling. For  
 1942 purposes of this subparagraph, the term "affordable workforce  
 1943 housing" means housing that is affordable to a person who earns  
 1944 less than 120 percent of the area median income, or less than  
 1945 140 percent of the area median income if located in a county in  
 1946 which the median purchase price for a single-family existing  
 1947 home exceeds the statewide median purchase price of a single-  
 1948 family existing home. For purposes of this subparagraph, the  
 1949 term "statewide median purchase price of a single-family  
 1950 existing home" means the statewide purchase price as determined  
 1951 in the Florida Sales Report, Single-Family Existing Homes,  
 1952 released each January by the Florida Association of Realtors and  
 1953 the University of Florida Real Estate Research Center.

1954           6. An increase in commercial development by 60,000 square  
 1955 feet of gross floor area or of parking spaces provided for  
 1956 customers for 425 cars or a 10 percent ~~10-percent~~ increase,  
 1957 whichever is greater.

1958           7. An increase in a recreational vehicle park area by 10  
 1959 percent or 110 vehicle spaces, whichever is less.

1960           8. A decrease in the area set aside for open space of 5

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1961 | percent or 20 acres, whichever is less.

1962 |       9. A proposed increase to an approved multiuse development  
 1963 | of regional impact where the sum of the increases of each land  
 1964 | use as a percentage of the applicable substantial deviation  
 1965 | criteria is equal to or exceeds 110 percent. The percentage of  
 1966 | any decrease in the amount of open space shall be treated as an  
 1967 | increase for purposes of determining when 110 percent has been  
 1968 | reached or exceeded.

1969 |       10. A 15 percent ~~15-percent~~ increase in the number of  
 1970 | external vehicle trips generated by the development above that  
 1971 | which was projected during the original development-of-regional-  
 1972 | impact review.

1973 |       11. Any change that ~~which~~ would result in development of  
 1974 | any area which was specifically set aside in the application for  
 1975 | development approval or in the development order for  
 1976 | preservation or special protection of endangered or threatened  
 1977 | plants or animals designated as endangered, threatened, or  
 1978 | species of special concern and their habitat, any species  
 1979 | protected by 16 U.S.C. ss. 668a-668d, primary dunes, or  
 1980 | archaeological and historical sites designated as significant by  
 1981 | the Division of Historical Resources of the Department of State.  
 1982 | The refinement of the boundaries and configuration of such areas  
 1983 | shall be considered under sub-subparagraph (e)2.j.

1984 |  
 1985 | The substantial deviation numerical standards in subparagraphs  
 1986 | 3., 6., and 9., excluding residential uses, and in subparagraph  
 1987 | 10., are increased by 100 percent for a project certified under  
 1988 | s. 403.973 which creates jobs and meets criteria established by

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1989 the Department of Economic Opportunity ~~Office of Tourism, Trade,~~  
 1990 ~~and Economic Development~~ as to its impact on an area's economy,  
 1991 employment, and prevailing wage and skill levels. The  
 1992 substantial deviation numerical standards in subparagraphs 3.,  
 1993 4., 5., 6., 9., and 10. are increased by 50 percent for a  
 1994 project located wholly within an urban infill and redevelopment  
 1995 area designated on the applicable adopted local comprehensive  
 1996 plan future land use map and not located within the coastal high  
 1997 hazard area.

(24) STATUTORY EXEMPTIONS.—

(1) Any proposed development within an urban service  
 boundary established under s. 163.3177(14), Florida Statutes  
(2010), which is not otherwise exempt pursuant to subsection  
 (29), is exempt from this section if the local government having  
 jurisdiction over the area where the development is proposed has  
 adopted the urban service boundary and has entered into a  
 binding agreement with jurisdictions that would be impacted and  
 with the Department of Transportation regarding the mitigation  
 of impacts on state and regional transportation facilities.

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

If a use is exempt from review as a development of regional  
 impact under paragraphs (a)-(u), but will be part of a larger  
 project that is subject to review as a development of regional  
 impact, the impact of the exempt use must be included in the



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2017 review of the larger project, unless such exempt use involves a  
 2018 development of regional impact that includes a landowner,  
 2019 tenant, or user that has entered into a funding agreement with  
 2020 the Department of Economic Opportunity under the Innovation  
 2021 Incentive Program and the agreement contemplates a state award  
 2022 of at least \$50 million.

2023 (29) EXEMPTIONS FOR DENSE URBAN LAND AREAS.—

2024 (b) If a municipality that does not qualify as a dense  
 2025 urban 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. Community redevelopment areas as defined in s. 163.340;
- 2031 3. Downtown revitalization areas as defined in s.  
 2032 163.3164;
- 2033 4. Urban infill and redevelopment under s. 163.2517; or
- 2034 5. Urban service areas as defined in s. 163.3164 or areas  
 2035 within a designated urban service boundary under s.  
 2036 163.3177(14).

2037 (c) If a county that does not qualify as a dense urban  
 2038 land area ~~pursuant to s. 163.3164~~ designates any of the  
 2039 following areas in its comprehensive plan, any proposed  
 2040 development within the designated area is exempt from the  
 2041 development-of-regional-impact process:

- 2042 1. Urban infill as defined in s. 163.3164;
- 2043 2. Urban infill and redevelopment under s. 163.2517; or
- 2044 3. Urban service areas as defined in s. 163.3164.

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2045 Section 61. Paragraph (a) of subsection (4) of section  
 2046 402.56, Florida Statutes, is amended to read:  
 2047 402.56 Children's cabinet; organization; responsibilities;  
 2048 annual report.—

2049 (4) MEMBERS.—The cabinet shall consist of 14 members  
 2050 including the Governor and the following persons:

- 2051 (a)1. The Secretary of Children and Family Services;
- 2052 2. The Secretary of Juvenile Justice;
- 2053 3. The director of the Agency for Persons with  
 2054 Disabilities;
- 2055 4. The director of the Office ~~Division~~ of Early Learning;
- 2056 5. The State Surgeon General;
- 2057 6. The Secretary of Health Care Administration;
- 2058 7. The Commissioner of Education;
- 2059 8. The director of the Statewide Guardian Ad Litem Office;
- 2060 9. The director of the Office of Child Abuse Prevention;
- 2061 and
- 2062 10. Five members representing children and youth advocacy  
 2063 organizations, who are not service providers and who are  
 2064 appointed by the Governor.

2065 Section 62. Subsection (6) of section 403.0891, Florida  
 2066 Statutes, is amended to read:

2067 403.0891 State, regional, and local stormwater management  
 2068 plans and programs.—The department, the water management  
 2069 districts, and local governments shall have the responsibility  
 2070 for the development of mutually compatible stormwater management  
 2071 programs.

2072 (6) The department and the Department of Economic

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2073 Opportunity ~~Community Affairs~~, in cooperation with local  
 2074 governments in the coastal zone, shall develop a model  
 2075 stormwater management program that could be adopted by local  
 2076 governments. The model program shall contain dedicated funding  
 2077 options, including a stormwater utility fee system based upon an  
 2078 equitable unit cost approach. Funding options shall be designed  
 2079 to generate capital to retrofit existing stormwater management  
 2080 systems, build new treatment systems, operate facilities, and  
 2081 maintain and service debt.

2082 Section 63. Subsection (8) of section 420.503, Florida  
 2083 Statutes, is amended to read:

2084 420.503 Definitions.—As used in this part, the term:

2085 (8) "Contract" means the contract between the executive  
 2086 director ~~secretary~~ of the department and the corporation for  
 2087 provision of housing services referenced in s. 420.0006.

2088 Section 64. Subsection (30) of section 420.507, Florida  
 2089 Statutes, is amended to read:

2090 420.507 Powers of the corporation.—The corporation shall  
 2091 have all the powers necessary or convenient to carry out and  
 2092 effectuate the purposes and provisions of this part, including  
 2093 the following powers which are in addition to all other powers  
 2094 granted by other provisions of this part:

2095 (30) To prepare and submit to the executive director  
 2096 ~~secretary~~ of the department a budget request for purposes of the  
 2097 corporation, which request shall, notwithstanding the provisions  
 2098 of chapter 216 and in accordance with s. 216.351, contain a  
 2099 request for operational expenditures and separate requests for  
 2100 other authorized corporation programs. The request need shall

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2101 not ~~be required to~~ contain information on the number of  
 2102 employees, salaries, or any classification thereof, and the  
 2103 approved operating budget therefor need not comply with s.  
 2104 216.181(8)-(10). The executive director may ~~secretary is~~  
 2105 ~~authorized to~~ include within the department's budget request the  
 2106 corporation's budget request in the form as authorized by this  
 2107 section.

2108 Section 65. Paragraph (d) of subsection (1) of section  
 2109 420.101, Florida Statutes, is amended to read:

2110 420.101 Housing Development Corporation of Florida;  
 2111 creation, membership, and purposes.—

2112 (1) Twenty-five or more persons, a majority of whom shall  
 2113 be residents of this state, who may desire to create a housing  
 2114 development corporation under the provisions of this part for  
 2115 the purpose of promoting and developing housing and advancing  
 2116 the prosperity and economic welfare of the state and, to that  
 2117 end, to exercise the powers and privileges hereinafter provided,  
 2118 may be incorporated by filing in the Department of State, as  
 2119 hereinafter provided, articles of incorporation. The articles of  
 2120 incorporation shall contain:

2121 (d) The names and post office addresses of the members of  
 2122 the first board of directors. The first board of directors shall  
 2123 be elected by and from the stockholders of the corporation and  
 2124 shall consist of 21 members. However, five of such members shall  
 2125 consist of the following persons, who shall be nonvoting  
 2126 members: the executive director ~~secretary~~ of the Department of  
 2127 Economic Opportunity or her or his designee; the head of the  
 2128 Department of Financial Services or her or his designee with

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2129 expertise in banking matters; a designee of the head of the  
 2130 Department of Financial Services with expertise in insurance  
 2131 matters; one state senator appointed by the President of the  
 2132 Senate; and one representative appointed by the Speaker of the  
 2133 House of Representatives.

2134 Section 66. Section 420.0005, Florida Statutes, is amended  
 2135 to read:

2136 420.0005 State Housing Trust Fund; State Housing Fund.—  
 2137 There is ~~hereby~~ established in the State Treasury a separate  
 2138 trust fund to be named the "State Housing Trust Fund." There  
 2139 shall be deposited in the fund all moneys appropriated by the  
 2140 Legislature, or moneys received from any other source, for the  
 2141 purpose of this chapter, and all proceeds derived from the use  
 2142 of such moneys. The fund shall be administered by the Florida  
 2143 Housing Finance Corporation on behalf of the department, as  
 2144 specified in this chapter. Money deposited to the fund and  
 2145 appropriated by the Legislature must, notwithstanding the  
 2146 provisions of chapter 216 or s. 420.504(3), be transferred  
 2147 quarterly in advance, to the extent available, or, if not so  
 2148 available, as soon as received into the State Housing Trust  
 2149 Fund, and subject to the provisions of s. 420.5092(6) (a) and (b)  
 2150 by the Chief Financial Officer to the corporation upon  
 2151 certification by the executive director of the Department of  
 2152 Economic Opportunity that the corporation is in compliance with  
 2153 the requirements of s. 420.0006. The certification made by the  
 2154 executive director ~~secretary~~ shall also include the split of  
 2155 funds among programs administered by the corporation and the  
 2156 department as specified in chapter 92-317, Laws of Florida, as

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2157 amended. Moneys advanced by the Chief Financial Officer must be  
2158 deposited by the corporation into a separate fund established  
2159 with a qualified public depository meeting the requirements of  
2160 chapter 280 to be named the "State Housing Fund" and used for  
2161 the purposes of this chapter. Administrative and personnel costs  
2162 incurred in implementing this chapter may be paid from the State  
2163 Housing Fund, but such costs may not exceed 5 percent of the  
2164 moneys deposited into such fund. To the State Housing Fund shall  
2165 be credited all loan repayments, penalties, and other fees and  
2166 charges accruing to such fund under this chapter. It is the  
2167 intent of this chapter that all loan repayments, penalties, and  
2168 other fees and charges collected be credited in full to the  
2169 program account from which the loan originated. Moneys in the  
2170 State Housing Fund which are not currently needed for the  
2171 purposes of this chapter shall be invested in such manner as is  
2172 provided for by statute. The interest received on any such  
2173 investment shall be credited to the State Housing Fund.

2174 Section 67. Section 420.0006, Florida Statutes, is amended  
2175 to read:

2176 420.0006 Authority to contract with corporation; contract  
2177 requirements; nonperformance.—The executive director ~~secretary~~  
2178 of the department shall contract, notwithstanding ~~the provisions~~  
2179 ~~of~~ part I of chapter 287, with the Florida Housing Finance  
2180 Corporation on a multiyear basis to stimulate, provide, and  
2181 foster affordable housing in the state. The contract must  
2182 incorporate the performance measures required by s. 420.511 and  
2183 must be consistent with the provisions of the corporation's  
2184 strategic plan prepared in accordance with s. 420.511. The

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2185 contract must provide that, in the event the corporation fails  
2186 to comply with any of the performance measures required by s.  
2187 420.511, the executive director ~~secretary~~ shall notify the  
2188 Governor and shall refer the nonperformance to the department's  
2189 inspector general for review and determination as to whether  
2190 such failure is due to forces beyond the corporation's control  
2191 or whether such failure is due to inadequate management of the  
2192 corporation's resources. Advances shall continue to be made  
2193 pursuant to s. 420.0005 during the pendency of the review by the  
2194 department's inspector general. If such failure is due to  
2195 outside forces, it shall not be deemed a violation of the  
2196 contract. If such failure is due to inadequate management, the  
2197 department's inspector general shall provide recommendations  
2198 regarding solutions. The Governor is authorized to resolve any  
2199 differences of opinion with respect to performance under the  
2200 contract and may request that advances continue in the event of  
2201 a failure under the contract due to inadequate management. The  
2202 Chief Financial Officer shall approve the request absent a  
2203 finding by the Chief Financial Officer that continuing such  
2204 advances would adversely impact the state; however, in any event  
2205 the Chief Financial Officer shall provide advances sufficient to  
2206 meet the debt service requirements of the corporation and  
2207 sufficient to fund contracts committing funds from the State  
2208 Housing Trust Fund so long as such contracts are in accordance  
2209 with the laws of this state.

2210 Section 68. Subsection (26) of section 443.036, Florida  
2211 Statutes, is amended to read:

2212 443.036 Definitions.—As used in this chapter, the term:

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2213 (26) "Initial skills review" means an online education or  
 2214 training program, such as that established under s. 1004.99,  
 2215 which that is approved by the Department of Economic Opportunity  
 2216 ~~Agency for Workforce Innovation~~ and designed to measure an  
 2217 individual's mastery level of workplace skills.

2218 Section 69. Paragraphs (c) and (d) of subsection (1) of  
 2219 section 443.091, Florida Statutes, are amended to read:

2220 443.091 Benefit eligibility conditions.—

2221 (1) An unemployed individual is eligible to receive  
 2222 benefits for any week only if the Department of Economic  
 2223 Opportunity finds that:

2224 (c) To make continued claims for benefits, she or he is  
 2225 reporting to the department in accordance with this paragraph  
 2226 and department ~~agency~~ rules, and participating in an initial  
 2227 skills review as directed by the department ~~agency~~. Department  
 2228 ~~Agency~~ rules may not conflict with s. 443.111(1)(b), which  
 2229 requires that each claimant continue to report regardless of any  
 2230 pending appeal relating to her or his eligibility or  
 2231 disqualification for benefits.

2232 1. For each week of unemployment claimed, each report  
 2233 must, at a minimum, include the name, address, and telephone  
 2234 number of each prospective employer contacted, or the date the  
 2235 claimant reported to a one-stop career center, pursuant to  
 2236 paragraph (d).

2237 2. The administrator or operator of the initial skills  
 2238 review shall notify the department ~~agency~~ when the individual  
 2239 completes the initial skills review and report the results of  
 2240 the review to the regional workforce board or the one-stop



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2241 career center as directed by the workforce board. The workforce  
 2242 board shall use the initial skills review to develop a plan for  
 2243 referring individuals to training and employment opportunities.  
 2244 The failure of the individual to comply with this requirement  
 2245 will result in the individual being determined ineligible for  
 2246 benefits for the week in which the noncompliance occurred and  
 2247 for any subsequent week of unemployment until the requirement is  
 2248 satisfied. However, this requirement does not apply if the  
 2249 individual is able to affirmatively attest to being unable to  
 2250 complete such review due to illiteracy or a language impediment.

2251 (d) She or he is able to work and is available for work.  
 2252 In order to assess eligibility for a claimed week of  
 2253 unemployment, the department shall develop criteria to determine  
 2254 a claimant's ability to work and availability for work. A  
 2255 claimant must be actively seeking work in order to be considered  
 2256 available for work. This means engaging in systematic and  
 2257 sustained efforts to find work, including contacting at least  
 2258 five prospective employers for each week of unemployment  
 2259 claimed. The department ~~agency~~ may require the claimant to  
 2260 provide proof of such efforts to the one-stop career center as  
 2261 part of reemployment services. The department ~~agency~~ shall  
 2262 conduct random reviews of work search information provided by  
 2263 claimants. As an alternative to contacting at least five  
 2264 prospective employers for any week of unemployment claimed, a  
 2265 claimant may, for that same week, report in person to a one-stop  
 2266 career center to meet with a representative of the center and  
 2267 access reemployment services of the center. The center shall  
 2268 keep a record of the services or information provided to the

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2269 claimant and shall provide the records to the department ~~agency~~  
 2270 upon request by the department ~~agency~~. However:

2271 1. Notwithstanding any other provision of this paragraph  
 2272 or paragraphs (b) and (e), an otherwise eligible individual may  
 2273 not be denied benefits for any week because she or he is in  
 2274 training with the approval of the department, or by reason of s.  
 2275 443.101(2) relating to failure to apply for, or refusal to  
 2276 accept, suitable work. Training may be approved by the  
 2277 department in accordance with criteria prescribed by rule. A  
 2278 claimant's eligibility during approved training is contingent  
 2279 upon satisfying eligibility conditions prescribed by rule.

2280 2. Notwithstanding any other provision of this chapter, an  
 2281 otherwise eligible individual who is in training approved under  
 2282 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be  
 2283 determined ineligible or disqualified for benefits due to  
 2284 enrollment in such training or because of leaving work that is  
 2285 not suitable employment to enter such training. As used in this  
 2286 subparagraph, the term "suitable employment" means work of a  
 2287 substantially equal or higher skill level than the worker's past  
 2288 adversely affected employment, as defined for purposes of the  
 2289 Trade Act of 1974, as amended, the wages for which are at least  
 2290 80 percent of the worker's average weekly wage as determined for  
 2291 purposes of the Trade Act of 1974, as amended.

2292 3. Notwithstanding any other provision of this section, an  
 2293 otherwise eligible individual may not be denied benefits for any  
 2294 week because she or he is before any state or federal court  
 2295 pursuant to a lawfully issued summons to appear for jury duty.

2296 Section 70. Paragraph (a) of subsection (5) of section

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2297 443.111, Florida Statutes, is amended to read:

2298 443.111 Payment of benefits.—

2299 (5) DURATION OF BENEFITS.—

2300 (a) As used in this section, the term "Florida average  
 2301 unemployment rate" means the average of the 3 months for the  
 2302 most recent third calendar year quarter of the seasonally  
 2303 adjusted statewide unemployment rates as published by the  
 2304 Department of Economic Opportunity ~~Agency for Workforce~~  
 2305 ~~Innovation~~.

2306 Section 71. Paragraph (b) of subsection (1) of section  
 2307 443.141, Florida Statutes, is amended to read:

2308 443.141 Collection of contributions and reimbursements.—

2309 (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT,  
 2310 ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

2311 (b) *Penalty for delinquent, erroneous, incomplete, or*  
 2312 *insufficient reports.*—

2313 1. An employing unit that fails to file any report  
 2314 required by the Department of Economic Opportunity or its tax  
 2315 collection service provider, in accordance with rules for  
 2316 administering this chapter, shall pay to the service provider  
 2317 for each delinquent report the sum of \$25 for each 30 days or  
 2318 fraction thereof that the employing unit is delinquent, unless  
 2319 the department ~~agency~~ or its service provider, whichever  
 2320 required the report, finds that the employing unit has good  
 2321 reason for failing to file the report. The department or its  
 2322 service provider may assess penalties only through the date of  
 2323 the issuance of the final assessment notice. However, additional  
 2324 penalties accrue if the delinquent report is subsequently filed.

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2325           2.a. An employing unit that files an erroneous,  
 2326 incomplete, or insufficient report with the department or its  
 2327 tax collection service provider shall pay a penalty. The amount  
 2328 of the penalty is \$50 or 10 percent of any tax due, whichever is  
 2329 greater, but no more than \$300 per report. The penalty shall be  
 2330 added to any tax, penalty, or interest otherwise due.

2331           b. The department or its tax collection service provider  
 2332 shall waive the penalty if the employing unit files an accurate,  
 2333 complete, and sufficient report within 30 days after a penalty  
 2334 notice is issued to the employing unit. The penalty may not be  
 2335 waived pursuant to this subparagraph more than one time during a  
 2336 12-month period.

2337           c. As used in this subsection, the term "erroneous,  
 2338 incomplete, or insufficient report" means a report so lacking in  
 2339 information, completeness, or arrangement that the report cannot  
 2340 be readily understood, verified, or reviewed. Such reports  
 2341 include, but are not limited to, reports having missing wage or  
 2342 employee information, missing or incorrect social security  
 2343 numbers, or illegible entries; reports submitted in a format  
 2344 that is not approved by the department or its tax collection  
 2345 service provider; and reports showing gross wages that do not  
 2346 equal the total of the wages of each employee. However, the term  
 2347 does not include a report that merely contains inaccurate data  
 2348 that was supplied to the employer by the employee, if the  
 2349 employer was unaware of the inaccuracy.

2350           3. Penalties imposed pursuant to this paragraph shall be  
 2351 deposited in the Special Employment Security Administration  
 2352 Trust Fund.

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2353 4. The penalty and interest for a delinquent, erroneous,  
 2354 incomplete, or insufficient report may be waived if the penalty  
 2355 or interest is inequitable. The provisions of s. 213.24(1) apply  
 2356 to any penalty or interest that is imposed under this section.

2357 Section 72. Paragraph (b) of subsection (2) of section  
 2358 443.1715, Florida Statutes, is amended to read:

2359 443.1715 Disclosure of information; confidentiality.—

2360 (2) DISCLOSURE OF INFORMATION.—

2361 (b) The employer or the employer's workers' compensation  
 2362 carrier against whom a claim for benefits under chapter 440 has  
 2363 been made, or a representative of either, may request from the  
 2364 department records of wages of the employee reported to the  
 2365 department by any employer for the quarter that includes the  
 2366 date of the accident that is the subject of such claim and for  
 2367 subsequent quarters.

2368 1. The request must be made with the authorization or  
 2369 consent of the employee or any employer who paid wages to the  
 2370 employee after the date of the accident.

2371 2. The employer or carrier shall make the request on a  
 2372 form prescribed by rule for such purpose by the department  
 2373 ~~agency~~. Such form shall contain a certification by the  
 2374 requesting party that it is a party entitled to the information  
 2375 requested.

2376 3. The department shall provide the most current  
 2377 information readily available within 15 days after receiving the  
 2378 request.

2379 Section 73. Subsections (1), (2), (4), (5), (6), and (7)  
 2380 of section 443.17161, Florida Statutes, are amended to read:

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2381 443.17161 Authorized electronic access to employer  
 2382 information.—

2383 (1) Notwithstanding any other provision of this chapter,  
 2384 the Department of Economic Opportunity ~~Agency for Workforce~~  
 2385 ~~Innovation~~ shall contract with one or more consumer reporting  
 2386 agencies to provide users with secured electronic access to  
 2387 employer-provided information relating to the quarterly wages  
 2388 report submitted in accordance with the state's unemployment  
 2389 compensation law. The access is limited to the wage reports for  
 2390 the appropriate amount of time for the purpose the information  
 2391 is requested.

2392 (2) Users must obtain consent in writing or by electronic  
 2393 signature from an applicant for credit, employment, or other  
 2394 permitted purposes. Any written or electronic signature consent  
 2395 from an applicant must be signed and must include the following:

2396 (a) Specific notice that information concerning the  
 2397 applicant's wage and employment history will be released to a  
 2398 consumer reporting agency;

2399 (b) Notice that the release is made for the sole purpose  
 2400 of reviewing the specific application for credit, employment, or  
 2401 other permitted purpose made by the applicant;

2402 (c) Notice that the files of the Department of Economic  
 2403 Opportunity ~~Agency for Workforce Innovation~~ or its tax  
 2404 collection service provider containing information concerning  
 2405 wage and employment history which is submitted by the applicant  
 2406 or his or her employers may be accessed; and

2407 (d) A listing of the parties authorized to receive the  
 2408 released information.

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2409 (4) If a consumer reporting agency or user violates this  
 2410 section, the Department of Economic Opportunity ~~Agency for~~  
 2411 ~~Workforce Innovation~~ shall, upon 30 days' written notice to the  
 2412 consumer reporting agency, terminate the contract established  
 2413 between the Department of Economic Opportunity ~~Agency for~~  
 2414 ~~Workforce Innovation~~ and the consumer reporting agency or  
 2415 require the consumer reporting agency to terminate the contract  
 2416 established between the consumer reporting agency and the user  
 2417 under this section.

2418 (5) The Department of Economic Opportunity ~~Agency for~~  
 2419 ~~Workforce Innovation~~ shall establish minimum audit, security,  
 2420 net worth, and liability insurance standards, technical  
 2421 requirements, and any other terms and conditions considered  
 2422 necessary in the discretion of the state agency to safeguard the  
 2423 confidentiality of the information released under this section  
 2424 and to otherwise serve the public interest. The Department of  
 2425 Economic Opportunity ~~Agency for Workforce Innovation~~ shall also  
 2426 include, in coordination with any necessary state agencies,  
 2427 necessary audit procedures to ensure that these rules are  
 2428 followed.

2429 (6) In contracting with one or more consumer reporting  
 2430 agencies under this section, any revenues generated by the  
 2431 contract must be used to pay the entire cost of providing access  
 2432 to the information. Further, in accordance with federal  
 2433 regulations, any additional revenues generated by the Department  
 2434 of Economic Opportunity ~~Agency for Workforce Innovation~~ or the  
 2435 state under this section must be paid into the Administrative  
 2436 Trust Fund of the Department of Economic Opportunity ~~Agency for~~

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2437 ~~Workforce Innovation~~ for the administration of the unemployment  
 2438 compensation system or be used as program income.

2439 (7) The Department of Economic Opportunity ~~Agency for~~  
 2440 ~~Workforce Innovation~~ may not provide wage and employment history  
 2441 information to any consumer reporting agency before the consumer  
 2442 reporting agency or agencies under contract with the Department  
 2443 of Economic Opportunity ~~Agency for Workforce Innovation~~ pay all  
 2444 development and other startup costs incurred by the state in  
 2445 connection with the design, installation, and administration of  
 2446 technological systems and procedures for the electronic access  
 2447 program.

2448 Section 74. Subsection (2) of section 446.50, Florida  
 2449 Statutes, is amended to read:

2450 446.50 Displaced homemakers; multiservice programs; report  
 2451 to the Legislature; Displaced Homemaker Trust Fund created.—

2452 (2) DEFINITION.—For the purposes of this section, the term  
 2453 "displaced homemaker" means an individual who:

2454 (a) Is 35 years of age or older;

2455 (b) Has worked in the home, providing unpaid household  
 2456 services for family members;

2457 (c) Is not adequately employed, as defined by rule of the  
 2458 department ~~agency~~;

2459 (d) Has had, or would have, difficulty in securing  
 2460 adequate employment; and

2461 (e) Has been dependent on the income of another family  
 2462 member but is no longer supported by such income, or has been  
 2463 dependent on federal assistance.

2464 Section 75. Section 450.261, Florida Statutes, is amended



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2465 to read:

2466 450.261 Interstate Migrant Labor Commission; Florida

2467 membership.—In selecting the Florida membership of the

2468 Interstate Migrant Labor Commission, the Governor may designate

2469 the executive director ~~secretary~~ of the Department of Economic

2470 Opportunity as his or her representative.

2471 Section 76. Paragraph (c) of subsection (7) of section

2472 509.032, Florida Statutes, is amended to read:

2473 509.032 Duties.—

2474 (7) PREEMPTION AUTHORITY.—

2475 (c) Paragraph (b) does not apply to any local law,

2476 ordinance, or regulation exclusively relating to property

2477 valuation as a criterion for vacation rental if the local law,

2478 ordinance, or regulation is required to be approved by the state

2479 land planning agency ~~Department of Community Affairs~~ pursuant to

2480 an area of critical state concern designation.

2481 Section 77. Subsection (3) of section 624.5105, Florida

2482 Statutes, is amended to read:

2483 624.5105 Community contribution tax credit; authorization;

2484 limitations; eligibility and application requirements;

2485 administration; definitions; expiration.—

2486 (3) APPLICATION REQUIREMENTS.—

2487 (a) Any eligible sponsor wishing to participate in this

2488 program must submit a proposal to the Department of Economic

2489 Opportunity ~~Office of Tourism, Trade, and Economic Development~~

2490 which sets forth the sponsor, the project, the area in which the

2491 project is located, and such supporting information as may be

2492 prescribed by rule. The proposal shall also contain a resolution

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2493 | from the local governmental unit in which the proposed project  
 2494 | is located certifying that the project is consistent with local  
 2495 | plans and regulations.

2496 |       (b)1. Any insurer wishing to participate in this program  
 2497 | must submit an application for tax credit to the Department of  
 2498 | Economic Opportunity ~~office~~ which sets forth the sponsor; the  
 2499 | project; and the type, value, and purpose of the contribution.  
 2500 | The sponsor must verify, in writing, the terms of the  
 2501 | application and indicate its willingness to receive the  
 2502 | contribution, which verification must accompany the application  
 2503 | for tax credit.

2504 |       2. The insurer must submit a separate application for tax  
 2505 | credit for each individual contribution which it proposes to  
 2506 | contribute to each individual project.

2507 |       Section 78. Subsection (4) of section 1002.75, Florida  
 2508 | Statutes, is amended to read:

2509 |       1002.75 Office of Early Learning; powers and duties;  
 2510 | operational requirements.—

2511 |       (4) The Office of Early Learning shall also adopt  
 2512 | procedures for the ~~agency's~~ distribution of funds to early  
 2513 | learning coalitions under s. 1002.71.

2514 |       Section 79. Subsection (2) of section 1002.79, Florida  
 2515 | Statutes, is amended to read:

2516 |       1002.79 Rulemaking authority.—

2517 |       (2) The Office of Early Learning shall adopt rules under  
 2518 | ss. 120.536(1) and 120.54 to administer the provisions of this  
 2519 | part conferring duties upon the office ~~agency~~.

2520 |       Section 80. Subsections (7) through (9) of section

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2521 163.3178, Florida Statutes, are renumbered as subsections (6)  
 2522 through (8), respectively, and paragraph (h) of subsection (2)  
 2523 and present subsection (6) of that section are amended to read:

2524 163.3178 Coastal management.—

2525 (2) Each coastal management element required by s.  
 2526 163.3177(6)(g) shall be based on studies, surveys, and data; be  
 2527 consistent with coastal resource plans prepared and adopted  
 2528 pursuant to general or special law; and contain:

2529 (h) Designation of coastal high-hazard areas and the  
 2530 criteria for mitigation for a comprehensive plan amendment in a  
 2531 coastal high-hazard area as defined in subsection (8) ~~(9)~~. The  
 2532 coastal high-hazard area is the area below the elevation of the  
 2533 category 1 storm surge line as established by a Sea, Lake, and  
 2534 Overland Surges from Hurricanes (SLOSH) computerized storm surge  
 2535 model. Application of mitigation and the application of  
 2536 development and redevelopment policies, pursuant to s.  
 2537 380.27(2), and any rules adopted thereunder, shall be at the  
 2538 discretion of local government.

2539 ~~(6) Local governments are encouraged to adopt countywide~~  
 2540 ~~marina siting plans to designate sites for existing and future~~  
 2541 ~~marinas. The Coastal Resources Interagency Management Committee,~~  
 2542 ~~at the direction of the Legislature, shall identify incentives~~  
 2543 ~~to encourage local governments to adopt such siting plans and~~  
 2544 ~~uniform criteria and standards to be used by local governments~~  
 2545 ~~to implement state goals, objectives, and policies relating to~~  
 2546 ~~marina siting. These criteria must ensure that priority is given~~  
 2547 ~~to water dependent land uses. Countywide marina siting plans~~  
 2548 ~~must be consistent with state and regional environmental~~

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2549 ~~planning policies and standards. Each local government in the~~  
 2550 ~~coastal area which participates in adoption of a countywide~~  
 2551 ~~marina siting plan shall incorporate the plan into the coastal~~  
 2552 ~~management element of its local comprehensive plan.~~

2553 Section 81. Paragraph (a) of subsection (1) of section  
 2554 259.035, Florida Statutes, is amended to read:

2555 259.035 Acquisition and Restoration Council.—

2556 (1) There is created the Acquisition and Restoration  
 2557 Council.

2558 (a) The council shall be composed of 10 ~~eleven~~ voting  
 2559 members, four of whom shall be appointed by the Governor. Of  
 2560 these four appointees, three shall be from scientific  
 2561 disciplines related to land, water, or environmental sciences  
 2562 and the fourth shall have at least 5 years of experience in  
 2563 managing lands for both active and passive types of recreation.  
 2564 They shall serve 4-year terms, except that, initially, to  
 2565 provide for staggered terms, two of the appointees shall serve  
 2566 2-year terms. All subsequent appointments shall be for 4-year  
 2567 terms. An ~~No~~ appointee may not ~~shall~~ serve more than 6 years.  
 2568 The Governor may at any time fill a vacancy for the unexpired  
 2569 term of a member appointed under this paragraph.

2570 Section 82. Subsection (2) of section 288.12265, Florida  
 2571 Statutes, is amended to read:

2572 288.12265 Welcome centers.—

2573 (2) Enterprise Florida, Inc., shall administer and operate  
 2574 the welcome centers. Pursuant to a contract with the Department  
 2575 of Transportation, Enterprise Florida, Inc., shall be  
 2576 responsible for routine repair, replacement, or improvement and

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2577 the day-to-day management of interior areas occupied by the  
 2578 welcome centers. All other repairs, replacements, or  
 2579 improvements to the welcome centers shall be the responsibility  
 2580 of the Department of Transportation. Enterprise Florida, Inc.,  
 2581 may contract with the Florida Tourism Industry Marketing  
 2582 Corporation for the management and operation of the welcome  
 2583 centers.

2584 Section 83. Paragraph (a) of subsection (5) of section  
 2585 288.901, Florida Statutes, is amended to read:

2586 288.901 Enterprise Florida, Inc.—

2587 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

2588 (a) In addition to the Governor or the Governor's  
 2589 designee, the board of directors shall consist of the following  
 2590 appointed members:

2591 1. The Commissioner of Education or the commissioner's  
 2592 designee.

2593 2. The Chief Financial Officer or his or her designee.

2594 3. The Attorney General or his or her designee.

2595 4. The Commissioner of Agriculture or his or her designee.

2596 ~~5.3.~~ The chairperson of the board of directors of  
 2597 Workforce Florida, Inc.

2598 ~~6.4.~~ The Secretary of State or the secretary's designee.

2599 ~~7.5.~~ Twelve members from the private sector, six of whom  
 2600 shall be appointed by the Governor, three of whom shall be  
 2601 appointed by the President of the Senate, and three of whom  
 2602 shall be appointed by the Speaker of the House of  
 2603 Representatives. Members appointed by the Governor ~~All~~  
 2604 ~~appointees~~ are subject to Senate confirmation.

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2605 Section 84. Paragraph (d) of subsection (2) and subsection  
 2606 (3) of section 288.980, Florida Statutes, are amended to read:  
 2607 288.980 Military base retention; legislative intent;  
 2608 grants program.—

2609 (2)

2610 (d) In making grant awards the department ~~office~~ shall  
 2611 consider, at a minimum, the following factors:

2612 1. The relative value of the particular military  
 2613 installation in terms of its importance to the local and state  
 2614 economy relative to other military installations vulnerable to  
 2615 closure.

2616 2. The potential job displacement within the local  
 2617 community should the military installation be closed.

2618 3. The potential adverse impact on industries and  
 2619 technologies which service the military installation.

2620 (3) The Florida Economic Reinvestment Initiative is  
 2621 established to respond to the need for this state and defense-  
 2622 dependent communities in this state to develop alternative  
 2623 economic diversification strategies to lessen reliance on  
 2624 national defense dollars in the wake of base closures and  
 2625 reduced federal defense expenditures and the need to formulate  
 2626 specific base reuse plans and identify any specific  
 2627 infrastructure needed to facilitate reuse. The initiative shall  
 2628 consist of the following three ~~two~~ distinct grant programs to be  
 2629 administered by the department:

2630 (a) The Florida Defense Planning Grant Program, through  
 2631 which funds shall be used to analyze the extent to which the  
 2632 state is dependent on defense dollars and defense infrastructure

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2633 and prepare alternative economic development strategies. The  
 2634 state shall work in conjunction with defense-dependent  
 2635 communities in developing strategies and approaches that will  
 2636 help communities make the transition from a defense economy to a  
 2637 nondefense economy. Grant awards may not exceed \$250,000 per  
 2638 applicant and shall be available on a competitive basis.

2639 (b) The Florida Defense Implementation Grant Program,  
 2640 through which funds shall be made available to defense-dependent  
 2641 communities to implement the diversification strategies  
 2642 developed pursuant to paragraph (a). Eligible applicants include  
 2643 defense-dependent counties and cities, and local economic  
 2644 development councils located within such communities. Grant  
 2645 awards may not exceed \$100,000 per applicant and shall be  
 2646 available on a competitive basis. Awards shall be matched on a  
 2647 one-to-one basis.

2648 (c) The Florida Military Installation Reuse Planning and  
 2649 Marketing Grant Program, through which funds shall be used to  
 2650 help counties, cities, and local economic development councils  
 2651 develop and implement plans for the reuse of closed or realigned  
 2652 military installations, including any necessary infrastructure  
 2653 improvements needed to facilitate reuse and related marketing  
 2654 activities.

2655  
 2656 Applications for grants under this subsection must include a  
 2657 coordinated program of work or plan of action delineating how  
 2658 the eligible project will be administered and accomplished,  
 2659 which must include a plan for ensuring close cooperation between  
 2660 civilian and military authorities in the conduct of the funded

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2661 activities and a plan for public involvement.

2662 Section 85. Section 331.3081, Florida Statutes, is amended  
 2663 to read:

2664 331.3081 Board of directors; ~~advisory board.~~—

2665 ~~(1)~~ Space Florida shall be governed by a 13-member ~~12-~~  
 2666 ~~member~~ independent board of directors that consists of the  
 2667 members appointed to the board of directors of Enterprise  
 2668 Florida, Inc., by the Governor, the President of the Senate, and  
 2669 the Speaker of the House of Representatives pursuant to s.  
 2670 288.901(5)(a)7. and the Governor, who shall serve ex officio, or  
 2671 who may appoint a designee to serve, as the chair and a voting  
 2672 member of the board ~~288.901(5)(a)5.~~

2673 ~~(2)~~ ~~Space Florida shall have a 15-member advisory council,~~  
 2674 ~~appointed by the Governor from a list of nominations submitted~~  
 2675 ~~by the board of directors. The advisory council shall be~~  
 2676 ~~composed of Florida residents with expertise in the space~~  
 2677 ~~industry, and each of the following areas of expertise or~~  
 2678 ~~experience must be represented by at least one advisory council~~  
 2679 ~~member: human space flight programs, commercial launches into~~  
 2680 ~~space, organized labor with experience working in the aerospace~~  
 2681 ~~industry, aerospace-related industries, a commercial company~~  
 2682 ~~working under Federal Government contracts to conduct space-~~  
 2683 ~~related business, an aerospace company whose primary client is~~  
 2684 ~~the United States Department of Defense, and an alternative~~  
 2685 ~~energy enterprise with potential for aerospace applications. The~~  
 2686 ~~advisory council shall elect a member to serve as the chair of~~  
 2687 ~~the council.~~

2688 ~~(3)~~ ~~The advisory council shall make recommendations to the~~



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2689 ~~board of directors of Enterprise Florida, Inc., on the operation~~  
 2690 ~~of Space Florida, including matters pertaining to ways to~~  
 2691 ~~improve or enhance Florida's efforts to expand its existing~~  
 2692 ~~space and aerospace industry, to improve management and use of~~  
 2693 ~~Florida's state-owned real property assets related to space and~~  
 2694 ~~aerospace, how best to retain and, if necessary, retrain~~  
 2695 ~~Florida's highly skilled space and aerospace workforce, and how~~  
 2696 ~~to strengthen bonds between this state, NASA, the Department of~~  
 2697 ~~Defense, and private space and aerospace industries.~~

2698 ~~(4) The term for an advisory council member is 4 years. A~~  
 2699 ~~member may not serve more than two consecutive terms. The~~  
 2700 ~~Governor may remove any member for cause and shall fill all~~  
 2701 ~~vacancies that occur.~~

2702 ~~(5) Advisory council members shall serve without~~  
 2703 ~~compensation but may be reimbursed for all reasonable,~~  
 2704 ~~necessary, and actual expenses as determined by the board of~~  
 2705 ~~directors of Enterprise Florida, Inc.~~

2706 Section 86. Sections 163.03 and 379.2353, Florida  
 2707 Statutes, are repealed.

2708 Section 87. This act shall take effect upon becoming a  
 2709 law.