

By the Committee on Commerce and Tourism

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1 A bill to be entitled
2 An act relating to the Department of Economic
3 Opportunity; amending ss. 20.60, 288.906, and 288.907,
4 F.S.; revising requirements for various annual reports
5 submitted to the Governor and Legislature, including
6 the annual report of the Department of Economic
7 Opportunity, the annual report of Enterprise Florida,
8 Inc., and the annual incentives report; consolidating
9 the reporting requirements for various economic
10 development programs into these annual reports;
11 amending ss. 220.194, 288.012, 288.061, and 288.0656,
12 F.S.; conforming provisions to changes made by the
13 act; amending s. 288.095, F.S.; deleting requirements
14 for an annual report related to certain payments made
15 from the Economic Development Incentives Account of
16 the Economic Development Trust Fund; amending ss.
17 288.106, 288.1081, 288.1082, 288.1088, and 288.1089,
18 F.S.; conforming provisions to changes made by the
19 act; amending s. 288.1226, F.S.; revising membership
20 of the board of directors of the Florida Tourism
21 Industry Marketing Corporation; providing that the
22 Governor shall serve as a nonvoting member; amending
23 ss. 288.1253, 288.1254, and 288.1258, F.S.; revising
24 requirements for annual reports by the Office of Film
25 and Entertainment; amending ss. 288.714 and 288.7771,
26 F.S.; conforming provisions to changes made by the
27 act; amending s. 288.903, F.S.; revising the duties of
28 Enterprise Florida, Inc., with respect to preparation
29 of the annual incentives report; amending ss. 288.92,

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30 288.95155, 290.0056, and 290.014, F.S.; conforming
31 provisions to changes made by the act; amending ss.
32 290.0411 and 290.042, F.S.; revising legislative
33 intent and definitions applicable to the Florida Small
34 Cities Community Development Block Grant Program Act;
35 amending s. 290.044, F.S.; requiring the department to
36 adopt rules for the distribution of block grant funds
37 to eligible local governments; deleting authority for
38 block grant funds to be distributed as loan guarantees
39 to local governments; requiring that block grant funds
40 be distributed to achieve the department's community
41 development objectives; requiring such objectives to
42 be consistent with certain national objectives;
43 amending s. 290.0455, F.S.; providing for the state's
44 guarantee of certain federal loans to local
45 governments; requiring applicants for such loans to
46 pledge a specified amount of revenues to guarantee the
47 loans; revising requirements for the department to
48 submit recommendations to the Federal Government for
49 such loans; revising the maximum amount of the loan
50 guarantee commitment that a local government may
51 receive; providing for reduction of a local
52 government's future community development block grants
53 if the local government defaults on the federal loan;
54 providing procedures if a local government is granted
55 entitlement community status; amending s. 290.046,
56 F.S.; revising application requirements for community
57 development block grants and procedures for the
58 ranking of applications and the determination of

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59 project funding; amending s. 290.047, F.S.; revising
60 requirements for the establishment of grant ceilings
61 and maximum expenditures on administrative costs from
62 community development block grants; limiting an
63 eligible local government's authority to contract for
64 specified services in connection with community
65 development block grants; amending s. 290.0475, F.S.;
66 revising conditions under which grant applications are
67 ineligible for funding; 290.048, F.S.; revising the
68 department's duties to administer the Small Cities
69 Community Development Block Grant Loan Guarantee
70 Program; deleting provisions authorizing the
71 establishment of an advisory committee; amending ss.
72 331.3051 and 331.310, F.S.; revising requirements for
73 annual reports by Space Florida; amending s. 443.1113,
74 F.S., relating to the Reemployment Assistance Claims
75 and Benefits Information System; revising timeframe
76 for deployment of a certain Internet portal as part of
77 such system; amending s. 443.131, F.S.; revising
78 requirements for the estimate of interest due on
79 advances received from the Federal Government to the
80 Unemployment Compensation Trust Fund and the
81 calculation of additional assessments to contributing
82 employers to repay the interest; providing an
83 exemption from such additional assessments; amending
84 ss. 443.151 and 443.191, F.S.; requiring the
85 department to impose a penalty against a claimant who
86 is overpaid reemployment assistance benefits due to
87 fraud by the claimant and providing for deposit of

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88 moneys collected for such penalties in the
89 Unemployment Compensation Trust Fund; amending s.
90 443.1715, F.S.; prohibiting the unlawful disclosure of
91 certain confidential information relating to employing
92 units and individuals under the Reemployment
93 Assistance Program Law; providing criminal penalties;
94 amending s. 446.50, F.S.; conforming provisions to
95 changes made by the act; providing an effective date.
96

97 Be It Enacted by the Legislature of the State of Florida:
98

99 Section 1. Subsection (10) of section 20.60, Florida
100 Statutes, is amended to read:

101 20.60 Department of Economic Opportunity; creation; powers
102 and duties.—

103 (10) The department, with assistance from Enterprise
104 Florida, Inc., shall, by November 1 ~~January 1~~ of each year,
105 submit an annual report to the Governor, the President of the
106 Senate, and the Speaker of the House of Representatives on the
107 condition of the business climate and economic development in
108 the state. The report must ~~shall~~ include the identification of
109 problems and a prioritized list of recommendations. The report
110 must also include the following information from reports of
111 other programs, including:

112 (a) Information from the displaced homemaker program plan
113 required under s. 446.50.

114 (b) Information from the report on the usage and revenue
115 impact by county of state incentives required under s. 290.014,
116 and from the report of each enterprise zone development agency

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117 required under s. 290.0056. The report must include an analysis
118 of the activities and accomplishments of each enterprise zone.

119 (c) Information from the report on the use of loan funds
120 awarded pursuant to the Economic Gardening Business Loan Pilot
121 Program required under s. 288.1081(8) and from the report on the
122 progress of the Economic Gardening Technical Assistance Pilot
123 Program required under s. 288.1082(8).

124 (d) Information from the report of the performance of the
125 Black Business Loan Program and a cumulative summary of
126 quarterly report data required under s. 288.714.

127 (e) Information from the report of all Rural Economic
128 Development Initiative activities required under s. 288.0656.

129 Section 2. Subsection (3) is added to section 288.906,
130 Florida Statutes, to read:

131 288.906 Annual report of Enterprise Florida, Inc., and its
132 divisions; audits.—

133 (3) The following reports must be included as supplements
134 to the detailed report required by this section:

135 (a) The annual report of the Florida Export Finance
136 Corporation required under s. 288.7771.

137 (b) The report on the state's international offices
138 required under s. 288.012.

139 Section 3. Subsection (1) of section 288.907, Florida
140 Statutes, is amended to read:

141 288.907 Annual incentives report.—

142 ~~(1) In addition to the annual report required under s.~~
143 ~~288.906, Enterprise Florida, Inc., in conjunction with the~~
144 ~~department, shall, by December 30 of each year, submit an annual~~
145 ~~incentives report to shall provide~~ the Governor, the President

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146 of the Senate, and the Speaker of the House of Representatives
147 which details and quantifies ~~a detailed incentives report~~
148 ~~quantifying~~ the economic benefits for all of the economic
149 development incentive programs marketed by Enterprise Florida,
150 Inc.

151 (a) The annual incentives report must include for each
152 incentive program:

- 153 1. A brief description of the incentive program.
- 154 2. The amount of awards granted, by year, since inception.
- 155 3. The economic benefits, as defined in s. 288.005, based
156 on the actual amount of private capital invested, actual number
157 of jobs created, and actual wages paid for incentive agreements
158 completed during the previous 3 years.
- 159 4. ~~The report shall also include~~ The actual amount of
160 private capital invested, actual number of jobs created, and
161 actual wages paid for incentive agreements completed during the
162 previous 3 years for each target industry sector.

163 (b) For projects completed during the previous state fiscal
164 year, the report must include:

- 165 1. The number of economic development incentive
166 applications received.
- 167 2. The number of recommendations made to the department by
168 Enterprise Florida, Inc., including the number recommended for
169 approval and the number recommended for denial.
- 170 3. The number of final decisions issued by the department
171 for approval and for denial.
- 172 4. The projects for which a tax refund, tax credit, or cash
173 grant agreement was executed and, identifying for each project:
174 a. The number of jobs committed to be created.

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175 b. The amount of capital investments committed to be made.

176 c. The annual average wage committed to be paid.

177 d. The amount of state economic development incentives
178 committed to the project from each incentive program under the
179 project's terms of agreement with the Department of Economic
180 Opportunity.

181 e. The amount and type of local matching funds committed to
182 the project.

183 5. Tax refunds paid or other payments made funded out of
184 the Economic Development Incentives Account for each project.

185 6. The types of projects supported.

186 (c) For economic development projects that received tax
187 refunds, tax credits, or cash grants under the terms of an
188 agreement for incentives, the report must identify:

189 1. The number of jobs actually created.

190 2. The amount of capital investments actually made.

191 3. The annual average wage paid.

192 (d) For a project receiving economic development incentives
193 approved by the department and receiving federal or local
194 incentives, the report must include a description of the federal
195 or local incentives, if available.

196 (e) The report must state the number of withdrawn or
197 terminated projects that did not fulfill the terms of their
198 agreements with the department and consequently are not
199 receiving incentives.

200 (f) The report must include an analysis of the economic
201 benefits, as defined in s. 288.005, of tax refunds, tax credits,
202 or other payments made to projects locating or expanding in
203 state enterprise zones, rural communities, brownfield areas, or

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204 distressed urban communities.

205 (g) The report must also include a separate analysis of the
206 impact of tax refunds on rural communities, brownfield areas,
207 distressed urban communities, and state enterprise zones
208 designated pursuant to s. 290.0065.

209 (h) The report must list the name of each business that
210 received a tax refund during the previous fiscal year, and the
211 amount of the tax refund, pursuant to the qualified defense
212 contractor and space flight business tax refund program under s.
213 288.1045 or the tax refund program for qualified target industry
214 businesses under s. 288.106.

215 (i)~~(g)~~ The report must identify the target industry
216 businesses and high-impact businesses.

217 (j)~~(h)~~ The report must describe the trends relating to
218 business interest in, and usage of, the various incentives, and
219 the number of minority-owned or woman-owned businesses receiving
220 incentives.

221 (k)~~(i)~~ The report must identify incentive programs not used
222 and include recommendations for changes to such programs
223 utilized.

224 (l) The report must include information related to the
225 validation of contractor performance required under s. 288.061.

226 (m) Beginning in 2014, the report must summarize the
227 activities related to the Florida Space Business Incentives Act,
228 s. 220.194.

229 Section 4. Subsection (9) of section 220.194, Florida
230 Statutes, is amended to read:

231 220.194 Corporate income tax credits for spaceflight
232 projects.—

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233 (9) ANNUAL REPORT.—Beginning in 2014, the Department of
234 Economic Opportunity, in cooperation with Space Florida and the
235 department, shall include in the ~~submit an~~ annual incentives
236 report required under s. 288.907 a summary of ~~summarizing~~
237 activities relating to the Florida Space Business Incentives Act
238 established under this section ~~to the Governor, the President of~~
239 ~~the Senate, and the Speaker of the House of Representatives by~~
240 ~~each November 30.~~

241 Section 5. Subsection (3) of section 288.012, Florida
242 Statutes, is amended to read:

243 288.012 State of Florida international offices; state
244 protocol officer; protocol manual.—The Legislature finds that
245 the expansion of international trade and tourism is vital to the
246 overall health and growth of the economy of this state. This
247 expansion is hampered by the lack of technical and business
248 assistance, financial assistance, and information services for
249 businesses in this state. The Legislature finds that these
250 businesses could be assisted by providing these services at
251 State of Florida international offices. The Legislature further
252 finds that the accessibility and provision of services at these
253 offices can be enhanced through cooperative agreements or
254 strategic alliances between private businesses and state, local,
255 and international governmental entities.

256 (3) ~~By October 1 of each year,~~ Each international office
257 shall annually submit to Enterprise Florida, Inc., ~~the~~
258 ~~department~~ a complete and detailed report on its activities and
259 accomplishments during the previous ~~preceding~~ fiscal year for
260 inclusion in the annual report required under s. 288.906. In the
261 a format and by the annual date prescribed ~~provided~~ by

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262 Enterprise Florida, Inc., the report must set forth information
263 on:

- 264 (a) The number of Florida companies assisted.
265 (b) The number of inquiries received about investment
266 opportunities in this state.
267 (c) The number of trade leads generated.
268 (d) The number of investment projects announced.
269 (e) The estimated U.S. dollar value of sales confirmations.
270 (f) The number of representation agreements.
271 (g) The number of company consultations.
272 (h) Barriers or other issues affecting the effective
273 operation of the office.
274 (i) Changes in office operations which are planned for the
275 current fiscal year.
276 (j) Marketing activities conducted.
277 (k) Strategic alliances formed with organizations in the
278 country in which the office is located.
279 (l) Activities conducted with Florida's other international
280 offices.
281 (m) Any other information that the office believes would
282 contribute to an understanding of its activities.

283 Section 6. Subsection (3) of section 288.061, Florida
284 Statutes, is amended to read:

285 288.061 Economic development incentive application
286 process.—

287 (3) The department shall validate contractor performance
288 and report— such validation ~~shall be reported~~ in the annual
289 incentives incentive report required under s. 288.907.

290 Section 7. Subsection (8) of section 288.0656, Florida

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291 Statutes, is amended to read:

292 288.0656 Rural Economic Development Initiative.—

293 (8) REDI shall submit a report to the department ~~Governor,~~
294 ~~the President of the Senate, and the Speaker of the House of~~
295 ~~Representatives each year on or before September 1~~ on all REDI
296 activities for the previous ~~prior~~ fiscal year as a supplement to
297 the department's annual report required under s. 20.60. This
298 supplementary report must shall include:

299 (a) A status report on all projects currently being
300 coordinated through REDI, the number of preferential awards and
301 allowances made pursuant to this section, the dollar amount of
302 such awards, and the names of the recipients.

303 (b) ~~The report shall also include~~ A description of all
304 waivers of program requirements granted.

305 (c) ~~The report shall also include~~ Information as to the
306 economic impact of the projects coordinated by REDI, ~~and~~

307 (d) Recommendations based on the review and evaluation of
308 statutes and rules having an adverse impact on rural
309 communities, ~~and~~ proposals to mitigate such adverse impacts.

310 Section 8. Paragraphs (d) and (e) of subsection (3) of
311 section 288.095, Florida Statutes, are redesignated as
312 paragraphs (c) and (d), respectively, and present paragraph (c)
313 of that subsection is amended to read:

314 288.095 Economic Development Trust Fund.—

315 (3)

316 (c) ~~Pursuant to s. 288.907, Enterprise Florida, Inc., shall~~
317 ~~submit a complete and detailed annual report to the Governor,~~
318 ~~the President of the Senate, and the Speaker of the House of~~
319 ~~Representatives of all applications received, recommendations~~

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320 ~~made to the department, final decisions issued, tax refund~~
321 ~~agreements executed, and tax refunds paid or other payments made~~
322 ~~under all programs funded out of the Economic Development~~
323 ~~Incentives Account, including analyses of benefits and costs,~~
324 ~~types of projects supported, and employment and investment~~
325 ~~created. The department shall also include a separate analysis~~
326 ~~of the impact of such tax refunds on state enterprise zones~~
327 ~~designated pursuant to s. 290.0065, rural communities,~~
328 ~~brownfield areas, and distressed urban communities. The report~~
329 ~~must also discuss the efforts made by the department to amend~~
330 ~~tax refund agreements to require tax refund claims to be~~
331 ~~submitted by January 31 for the net new full-time equivalent~~
332 ~~jobs in this state as of December 31 of the preceding calendar~~
333 ~~year. The report must also list the name and tax refund amount~~
334 ~~for each business that has received a tax refund under s.~~
335 ~~288.1045 or s. 288.106 during the preceding fiscal year.~~

336 Section 9. Paragraph (d) of subsection (7) of section
337 288.106, Florida Statutes, is amended to read:

338 288.106 Tax refund program for qualified target industry
339 businesses.-

340 (7) ADMINISTRATION.-

341 (d) Beginning with tax refund agreements signed after July
342 1, 2010, the department shall attempt to ascertain the causes
343 for any business's failure to complete its agreement and shall
344 include report its findings and recommendations in the annual
345 incentives report required under s. 288.907 ~~to the Governor, the~~
346 ~~President of the Senate, and the Speaker of the House of~~
347 ~~Representatives. The report shall be submitted by December 1 of~~
348 ~~each year beginning in 2011.~~

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349 Section 10. Subsection (8) of section 288.1081, Florida
350 Statutes, is amended to read:

351 288.1081 Economic Gardening Business Loan Pilot Program.—

352 (8) ~~On June 30 and December 31 of each year,~~ The department
353 shall include in its annual ~~submit a report required under s.~~
354 20.60 a detailed description of ~~to the Governor, the President~~
355 ~~of the Senate, and the Speaker of the House of Representatives~~
356 ~~which describes in detail~~ the use of the loan funds. The report
357 must include, at a minimum, the number of businesses receiving
358 loans, the number of full-time equivalent jobs created as a
359 result of the loans, the amount of wages paid to employees in
360 the newly created jobs, the locations and types of economic
361 activity undertaken by the borrowers, the amounts of loan
362 repayments made to date, and the default rate of borrowers.

363 Section 11. Subsection (8) of section 288.1082, Florida
364 Statutes, is amended to read:

365 288.1082 Economic Gardening Technical Assistance Pilot
366 Program.—

367 (8) ~~On December 31 of each year,~~ The department shall
368 include in its annual ~~submit a report required under s. 20.60 a~~
369 detailed description of ~~to the Governor, the President of the~~
370 ~~Senate, and the Speaker of the House of Representatives which~~
371 ~~describes in detail~~ the progress of the pilot program. The
372 report must include, at a minimum, the number of businesses
373 receiving assistance, the number of full-time equivalent jobs
374 created as a result of the assistance, if any, the amount of
375 wages paid to employees in the newly created jobs, and the
376 locations and types of economic activity undertaken by the
377 businesses.

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378 Section 12. Paragraph (e) of subsection (3) of section
379 288.1088, Florida Statutes, is amended to read:

380 288.1088 Quick Action Closing Fund.—

381 (3)

382 (e) The department ~~Enterprise Florida, Inc.~~, shall validate
383 contractor performance and report. such validation in the annual
384 incentives report required under s. 288.907 ~~shall be reported~~
385 ~~within 6 months after completion of the contract to the~~
386 ~~Governor, President of the Senate, and the Speaker of the House~~
387 ~~of Representatives.~~

388 Section 13. Subsection (9) and paragraph (a) of subsection
389 (11) of section 288.1089, Florida Statutes, are amended to read:

390 288.1089 Innovation Incentive Program.—

391 (9) The department shall validate the performance of an
392 innovation business, a research and development facility, or an
393 alternative and renewable energy business that has received an
394 award. At the conclusion of the innovation incentive award
395 agreement, or its earlier termination, the department shall
396 include in the annual incentives report required under s.
397 288.907 a detailed description of, ~~within 90 days, submit a~~
398 ~~report to the Governor, the President of the Senate, and the~~
399 ~~Speaker of the House of Representatives detailing whether the~~
400 recipient of the innovation incentive grant achieved its
401 specified outcomes.

402 (11) (a) The department shall include in ~~submit to the~~
403 ~~Governor, the President of the Senate, and the Speaker of the~~
404 ~~House of Representatives, as part of the annual incentives~~
405 report required under s. 288.907, a report summarizing the
406 activities and accomplishments of the recipients of grants from

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407 the Innovation Incentive Program during the previous 12 months
408 and an evaluation of whether the recipients are catalysts for
409 additional direct and indirect economic development in Florida.

410 Section 14. Subsection (4) of section 288.1226, Florida
411 Statutes, is amended to read:

412 288.1226 Florida Tourism Industry Marketing Corporation;
413 use of property; board of directors; duties; audit.—

414 (4) BOARD OF DIRECTORS.—The board of directors of the
415 corporation shall be composed of the Governor and 31 tourism-
416 industry-related members, appointed by Enterprise Florida, Inc.,
417 in conjunction with the department.

418 (a) The Governor shall serve ex officio as a nonvoting
419 member of the board.

420 (b)~~(a)~~ The board shall consist of 16 members, appointed in
421 such a manner as to equitably represent all geographic areas of
422 the state, with no fewer than two members from any of the
423 following regions:

424 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,
425 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
426 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

427 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
428 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
429 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
430 Taylor, and Union Counties.

431 3. Region 3, composed of Brevard, Indian River, Lake,
432 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
433 Volusia Counties.

434 4. Region 4, composed of Citrus, Hernando, Hillsborough,
435 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

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436 5. Region 5, composed of Charlotte, Collier, DeSoto,
437 Glades, Hardee, Hendry, Highlands, and Lee Counties.

438 6. Region 6, composed of Broward, Martin, Miami-Dade,
439 Monroe, and Palm Beach Counties.

440 (c) ~~(b)~~ The 15 additional tourism-industry-related members
441 shall include 1 representative from the statewide rental car
442 industry; 7 representatives from tourist-related statewide
443 associations, including those that represent hotels,
444 campgrounds, county destination marketing organizations,
445 museums, restaurants, retail, and attractions; 3 representatives
446 from county destination marketing organizations; 1
447 representative from the cruise industry; 1 representative from
448 an automobile and travel services membership organization that
449 has at least 2.8 million members in Florida; 1 representative
450 from the airline industry; and 1 representative from the space
451 tourism industry, who will each serve for a term of 2 years.

452 Section 15. Subsection (3) of section 288.1253, Florida
453 Statutes, is amended to read:

454 288.1253 Travel and entertainment expenses.—

455 (3) The Office of Film and Entertainment ~~department~~ shall
456 include in the annual report for the entertainment industry
457 financial incentive program required under s. 288.1254(10) a
458 ~~prepare an annual report of the office's expenditures of the~~
459 ~~Office of Film and Entertainment and provide such report to the~~
460 ~~Legislature no later than December 30 of each year for the~~
461 ~~expenditures of the previous fiscal year. The report must ~~shall~~~~
462 consist of a summary of all travel, entertainment, and
463 incidental expenses incurred within the United States and all
464 travel, entertainment, and incidental expenses incurred outside

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465 the United States, as well as a summary of all successful
466 projects that developed from such travel.

467 Section 16. Subsection (10) of section 288.1254, Florida
468 Statutes, is amended to read:

469 288.1254 Entertainment industry financial incentive
470 program.—

471 (10) ANNUAL REPORT.—Each November 1 ~~October 1~~, the Office
472 of Film and Entertainment shall submit ~~provide~~ an annual report
473 for the previous fiscal year to the Governor, the President of
474 the Senate, and the Speaker of the House of Representatives
475 which outlines the incentive program's return on investment and
476 economic benefits to the state. The report must ~~shall~~ also
477 include an estimate of the full-time equivalent positions
478 created by each production that received tax credits under this
479 section and information relating to the distribution of
480 productions receiving credits by geographic region and type of
481 production. The report must also include the expenditures report
482 required under s. 288.1253(3) and the information describing the
483 relationship between tax exemptions and incentives to industry
484 growth required under s. 288.1258(5).

485 Section 17. Subsection (5) of section 288.1258, Florida
486 Statutes, is amended to read:

487 288.1258 Entertainment industry qualified production
488 companies; application procedure; categories; duties of the
489 Department of Revenue; records and reports.—

490 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO
491 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The Office of Film
492 and Entertainment shall keep annual records from the information
493 provided on taxpayer applications for tax exemption certificates

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494 beginning January 1, 2001. These records also must ~~shall~~ reflect
495 a ratio of the annual amount of sales and use tax exemptions
496 under this section, plus the incentives awarded pursuant to s.
497 288.1254 to the estimated amount of funds expended by certified
498 productions. In addition, the office shall maintain data showing
499 annual growth in Florida-based entertainment industry companies
500 and entertainment industry employment and wages. The employment
501 information must ~~shall~~ include an estimate of the full-time
502 equivalent positions created by each production that received
503 tax credits pursuant to s. 288.1254. The Office of Film and
504 Entertainment shall include ~~report~~ this information in the
505 annual report for the entertainment industry financial incentive
506 program required under s. 288.1254(10) to the Legislature no
507 later than December 1 of each year.

508 Section 18. Subsection (3) of section 288.714, Florida
509 Statutes, is amended to read:

510 288.714 Quarterly and annual reports.—

511 (3) ~~By August 31 of each year,~~ The department shall include
512 in its annual report required under s. 20.60 ~~provide to the~~
513 ~~Governor, the President of the Senate, and the Speaker of the~~
514 ~~House of Representatives~~ a detailed report of the performance of
515 the Black Business Loan Program. The report must include a
516 cumulative summary of the quarterly report data compiled
517 pursuant to ~~required by~~ subsection (2) ~~(1)~~.

518 Section 19. Section 288.7771, Florida Statutes, is amended
519 to read:

520 288.7771 Annual report of Florida Export Finance
521 Corporation.—The corporation shall annually prepare and submit
522 to Enterprise Florida, Inc., ~~the department~~ for inclusion in its

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523 annual report required under s. 288.906 ~~by s. 288.095~~ a complete
524 and detailed report setting forth:

525 (1) The report required in s. 288.776(3).

526 (2) Its assets and liabilities at the end of its most
527 recent fiscal year.

528 Section 20. Subsections (3), (4), and (5) of section
529 288.903, Florida Statutes, are amended to read:

530 288.903 Duties of Enterprise Florida, Inc.—Enterprise
531 Florida, Inc., shall have the following duties:

532 (3) Prepare an annual report pursuant to s. 288.906.

533 (4) Prepare, in conjunction with the department, and an
534 annual incentives report pursuant to s. 288.907.

535 (5)~~(4)~~ Assist the department with the development of an
536 annual and a long-range strategic business blueprint for
537 economic development required in s. 20.60.

538 (6)~~(5)~~ In coordination with Workforce Florida, Inc.,
539 identify education and training programs that will ensure
540 Florida businesses have access to a skilled and competent
541 workforce necessary to compete successfully in the domestic and
542 global marketplace.

543 Section 21. Subsection (3) of section 288.92, Florida
544 Statutes, is amended to read:

545 288.92 Divisions of Enterprise Florida, Inc.—

546 (3) ~~By October 15 each year,~~ Each division shall draft and
547 submit an annual report for inclusion in the report required
548 under 288.906 which details the division's activities during the
549 previous ~~prior~~ fiscal year and includes ~~any~~ recommendations for
550 improving current statutes related to the division's ~~related~~
551 area of responsibility.

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552 Section 22. Subsection (5) of section 288.95155, Florida
553 Statutes, is amended to read:

554 288.95155 Florida Small Business Technology Growth
555 Program.—

556 (5) Enterprise Florida, Inc., shall include in the annual
557 incentives report required under s. 288.907 ~~prepare for~~
558 ~~inclusion in the annual report of the department required by s.~~
559 ~~288.095~~ a report on the financial status of the program. The
560 report must specify the assets and liabilities of the program
561 within the current fiscal year and must include a portfolio
562 update that lists all of the businesses assisted, the private
563 dollars leveraged by each business assisted, and the growth in
564 sales and ~~in~~ employment of each business assisted.

565 Section 23. Subsection (11) of section 290.0056, Florida
566 Statutes, is amended to read:

567 290.0056 Enterprise zone development agency.—

568 (11) Before October 1 ~~December 1~~ of each year, the agency
569 shall submit to the department for inclusion in the department's
570 annual report required under s. 20.60 a complete and detailed
571 written report setting forth:

572 (a) Its operations and accomplishments during the fiscal
573 year.

574 (b) The accomplishments and progress concerning the
575 implementation of the strategic plan or measurable goals, and
576 any updates to the strategic plan or measurable goals.

577 (c) The number and type of businesses assisted by the
578 agency during the fiscal year.

579 (d) The number of jobs created within the enterprise zone
580 during the fiscal year.

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581 (e) The usage and revenue impact of state and local
582 incentives granted during the calendar year.

583 (f) Any other information required by the department.

584 Section 24. Section 290.014, Florida Statutes, is amended
585 to read:

586 290.014 Annual reports on enterprise zones.—

587 ~~(1) By October 1 February 1 of each year, the Department of~~
588 Revenue shall submit a an annual report to the department for
589 inclusion in the department's annual report required under s.
590 20.60 which details detailing the usage and revenue impact by
591 county of the state incentives listed in s. 290.007.

592 ~~(2) By March 1 of each year, the department shall submit an~~
593 ~~annual report to the Governor, the Speaker of the House of~~
594 ~~Representatives, and the President of the Senate. The report~~
595 must also shall include the information provided by the
596 ~~department of Revenue pursuant to subsection (1) and the~~
597 information provided by the enterprise zone development agencies
598 pursuant to s. 290.0056(11) ~~290.0056~~. In addition, the report
599 must shall include an analysis of the activities and
600 accomplishments of each enterprise zone.

601 Section 25. Section 290.0411, Florida Statutes, is amended
602 to read:

603 290.0411 Legislative intent and purpose of ss. 290.0401-
604 290.048.—It is the intent of the Legislature to provide the
605 necessary means to develop, preserve, redevelop, and revitalize
606 Florida communities exhibiting signs of decline, ~~or~~ distress, or
607 economic need by enabling local governments to undertake the
608 necessary community and economic development programs. The
609 overall objective is to create viable communities by eliminating

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610 slum and blight, fortifying communities in urgent need,
611 providing decent housing and suitable living environments, and
612 expanding economic opportunities, principally for persons of low
613 or moderate income. The purpose of ss. 290.0401-290.048 is to
614 assist local governments in carrying out effective community and
615 economic development and project planning and design activities
616 to arrest and reverse community decline and restore community
617 vitality. Community development and project planning activities
618 to maintain viable communities, revitalize existing communities,
619 expand economic development and employment opportunities, and
620 improve housing conditions and expand housing opportunities,
621 providing direct benefit to persons of low or moderate income,
622 are the primary purposes of ss. 290.0401-290.048. The
623 Legislature, therefore, declares that the development,
624 redevelopment, preservation, and revitalization of communities
625 in this state and all the purposes of ss. 290.0401-290.048 are
626 public purposes for which public money may be borrowed,
627 expended, loaned, pledged to guarantee loans, and granted.

628 Section 26. Subsections (1) and (6) of section 290.042,
629 Florida Statutes, are amended to read:

630 290.042 Definitions relating to Florida Small Cities
631 Community Development Block Grant Program Act.—As used in ss.
632 290.0401-290.048, the term:

633 (1) "Administrative closeout" means the notification of a
634 grantee by the department that all applicable administrative
635 actions and all required work of an existing ~~the~~ grant have been
636 completed with the exception of the final audit.

637 (6) "Person of low or moderate income" means any person who
638 meets the definition established by the department in accordance

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639 with the guidelines established in Title I of the Housing and
640 Community Development Act of 1974, as amended, and the
641 definition of the term "low- and moderate-income person" as
642 provided in 24 C.F.R. s. 570.3.

643 Section 27. Subsections (2), (3), and (4) of section
644 290.044, Florida Statutes, are amended to read:

645 290.044 Florida Small Cities Community Development Block
646 Grant Program Fund; administration; distribution.—

647 (2) The department shall adopt rules establishing
648 guidelines for the distribution of ~~distribute such funds as loan~~
649 ~~guarantees and grants to eligible local governments~~ through ~~on~~
650 ~~the basis of a competitive selection process.~~

651 (3) The department shall define ~~the~~ broad community
652 development objectives consistent with national objectives
653 established by 42 U.S.C. s. 5304 and 24 C.F.R. s. 570.483
654 ~~objective to be achieved~~ through the distribution of block grant
655 funds under this section. ~~by the activities in each of the~~
656 ~~following grant program categories, and require applicants for~~
657 ~~grants to compete against each other in these grant program~~
658 ~~categories:~~

- 659 ~~(a) Housing.~~
660 ~~(b) Economic development.~~
661 ~~(c) Neighborhood revitalization.~~
662 ~~(d) Commercial revitalization.~~
663 ~~(e) Project planning and design.~~

664 (4) The department may set aside an amount of up to 5
665 percent of the funds annually for use in any eligible local
666 government jurisdiction for which an emergency or natural
667 disaster has been declared by executive order. Such funds may

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668 only be provided to a local government to fund eligible
669 emergency-related activities but must not be provided unless ~~for~~
670 ~~which~~ no other source of federal, state, or local disaster funds
671 is available. The department may provide for such set-aside by
672 rule. In the last quarter of the state fiscal year, any funds
673 not allocated under the emergency-related set-aside must ~~shall~~
674 be distributed to unfunded applications from the most recent
675 funding cycle.

676 Section 28. Section 290.0455, Florida Statutes, is amended
677 to read:

678 290.0455 Small Cities Community Development Block Grant
679 Loan Guarantee Program; Section 108 loan guarantees.-

680 (1) The Small Cities Community Development Block Grant Loan
681 Guarantee Program is created. The department shall administer
682 the loan guarantee program pursuant to Section 108 ~~s. 108~~ of
683 Title I of the Housing and Community Development Act of 1974, as
684 amended, and as further amended by s. 910 of the Cranston-
685 Gonzalez National Affordable Housing Act. The purpose of the
686 Small Cities Community Development Block Grant Loan Guarantee
687 Program is to guarantee, or to make commitments to guarantee,
688 notes or other obligations issued by public entities for the
689 purposes of financing activities enumerated in 24 C.F.R. s.
690 570.703.

691 (2) Activities assisted under the loan guarantee program
692 must meet the requirements contained in 24 C.F.R. ss. 570.700-
693 570.710 and may not otherwise be financed in whole or in part
694 from the Florida Small Cities Community Development Block Grant
695 Program.

696 (3) The department may pledge existing revenues on deposit

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697 or future revenues projected to be available for deposit in the
698 Florida Small Cities Community Development Block Grant Program
699 in order to guarantee, ~~in whole or in part,~~ the payment of
700 principal and interest on a Section 108 loan ~~made under the loan~~
701 ~~guarantee program.~~

702 (4) An applicant approved by the United States Department
703 of Housing and Urban Development to receive a Section 108 loan
704 shall enter into an agreement with the Department of Economic
705 Opportunity which requires the applicant to pledge half of the
706 amount necessary to guarantee the loan in the event of default.

707 (5) The department shall review all Section 108 loan
708 applications that it receives from local governments. The
709 department shall review the applications ~~must submit all~~
710 ~~applications it receives to the United States Department of~~
711 ~~Housing and Urban Development for loan approval,~~ in the order
712 received, subject to a determination by the department
713 ~~determining~~ that each ~~the~~ application meets all eligibility
714 requirements contained in 24 C.F.R. ss. 570.700-570.710, and has
715 been deemed financially feasible by a loan underwriter approved
716 by the department. If the statewide maximum available for loan
717 guarantee commitments established in subsection (6) has not been
718 committed, the department may submit the Section 108 loan
719 application to the United States Department of Housing and Urban
720 Development with a recommendation that the loan be approved,
721 with or without conditions, or be denied ~~provided that the~~
722 ~~applicant has submitted the proposed activity to a loan~~
723 ~~underwriter to document its financial feasibility.~~

724 (6) ~~(5)~~ The maximum amount of an individual loan guarantee
725 commitment that an ~~commitments that any~~ eligible local

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726 government may receive is ~~may be~~ limited to \$5 ~~\$7~~ million
727 ~~pursuant to 24 C.F.R. s. 570.705,~~ and the maximum amount of loan
728 guarantee commitments statewide may not exceed an amount equal
729 to two ~~five~~ times the amount of the most recent grant received
730 by the department under the Florida Small Cities Community
731 Development Block Grant Program.

732 (7) ~~(6)~~ Section 108 loans guaranteed by the Small Cities
733 Community Development Block Grant Program ~~loan-guarantee program~~
734 must be repaid within 20 years.

735 (8) ~~(7)~~ Section 108 loan applicants must demonstrate
736 ~~guarantees may be used for an activity only if the local~~
737 ~~government provides evidence to the department that the~~
738 applicant investigated alternative financing services ~~were~~
739 ~~investigated~~ and the services were unavailable or insufficient
740 to meet the financing needs of the proposed activity.

741 (9) If a local government defaults on a Section 108 loan
742 received from the United States Department of Housing and Urban
743 Development and guaranteed through the Florida Small Cities
744 Community Development Block Grant Program, thereby requiring the
745 department to reduce its annual grant award in order to pay the
746 annual debt service on the loan, any future community
747 development block grants that the local government receives must
748 be reduced in an amount equal to the amount of the state's grant
749 award used in payment of debt service on the loan.

750 (10) If a local government receives a Section 108 loan
751 guaranteed through the Florida Small Cities Community
752 Development Block Grant Program and is granted entitlement
753 community status as defined in subpart D of 24 C.F.R. part 570
754 by the United States Department of Housing and Urban Development

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755 before paying the loan in full, the local government must pledge
756 its community development block grant entitlement allocation as
757 a guarantee of its previous loan and request that the United
758 States Department of Housing and Urban Development release the
759 department as guarantor of the loan.

760 ~~(8) The department must, before approving an application~~
761 ~~for a loan, evaluate the applicant's prior administration of~~
762 ~~block grant funds for community development. The evaluation of~~
763 ~~past performance must take into account the procedural aspects~~
764 ~~of previous grants or loans as well as substantive results. If~~
765 ~~the department finds that any applicant has failed to~~
766 ~~substantially accomplish the results proposed in the applicant's~~
767 ~~last previously funded application, the department may prohibit~~
768 ~~the applicant from receiving a loan or may penalize the~~
769 ~~applicant in the rating of the current application.~~

770 Section 29. Section 290.046, Florida Statutes, is amended
771 to read:

772 (Substantial rewording of section. See
773 s. 290.046, F.S., for present text.)

774 290.046 Applications for grants; procedures; requirements.-

775 (1) The department shall adopt rules establishing
776 application procedures.

777 (2) (a) Except for economic development projects, each local
778 government that is eligible by rule to apply for a grant during
779 an application cycle may submit one application for a
780 noneconomic development project during the application cycle. A
781 local government that is eligible by rule to apply for an
782 economic development grant may apply up to three times each
783 funding cycle for an economic development grant and may have

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784 more than one open economic development grant.

785 (b) The department shall establish minimum criteria
786 pertaining to the number of jobs created for persons of low or
787 moderate income, the degree of private sector financial
788 commitment, the economic feasibility of the proposed project,
789 and any other criteria the department deems appropriate.

790 (c) The department may not award a grant until the
791 department has completed a site visit to verify the information
792 contained in the application.

793 (3) (a) The department shall adopt rules establishing
794 criteria for evaluating applications received during each
795 application cycle and the department must rank each application
796 in accordance with those rules. Such rules must allow the
797 department to consider relevant factors, including, but not
798 limited to, community need, unemployment, poverty levels, low
799 and moderate income populations, health and safety, and the
800 condition of physical structures. The department shall
801 incorporate into its ranking system a procedure intended to
802 eliminate or reduce any existing population-related bias that
803 places exceptionally small communities at a disadvantage in the
804 competition for funds.

805 (b) Project funding must be determined by the rankings
806 established in each application cycle. If economic development
807 funding remains available after the application cycle closes,
808 funding will be awarded to eligible projects on a first-come,
809 first-served basis until funding for this category is fully
810 obligated.

811 (4) In order to provide the public with information
812 concerning an applicant's proposed program before an application

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813 is submitted to the department, the applicant shall, for each
814 funding cycle:

815 (a) Conduct an initial public hearing to inform the public
816 of funding opportunities available to meet community needs and
817 eligible activities and to solicit public input on community
818 needs.

819 (b) Publish a summary of the proposed application which
820 affords the public an opportunity to examine the contents of the
821 application and submit comments.

822 (c) Conduct a second public hearing to obtain public
823 comments on the proposed application and make appropriate
824 modifications to the application.

825 Section 30. Section 290.047, Florida Statutes, is amended
826 to read:

827 (Substantial rewording of section. See
828 s. 290.047, F.S., for present text.)

829 290.047 Establishment of grant ceilings and maximum
830 administrative cost percentages.-

831 (1) The department shall adopt rules to establish:

832 (a) Grant ceilings.

833 (b) The maximum percentage of block grant funds that may be
834 spent on administrative costs by an eligible local government.

835 (c) Grant administration procurement procedures for
836 eligible local governments.

837 (2) An eligible local government may not contract with the
838 same individual or business entity for more than one service to
839 be performed in connection with a community development block
840 grant, including, but not limited to, application preparation
841 services, administrative services, architectural and engineering

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842 services, and construction services, unless it can be
843 demonstrated by the eligible local government that the
844 individual or business entity is the sole source of the service
845 or is the responsive proposer whose proposal is determined in
846 writing from a competitive process to be the most advantageous
847 to the local government.

848 (3) The maximum amount of block grant funds that may be
849 spent on architectural and engineering costs by an eligible
850 local government must be determined by a methodology adopted by
851 the department by rule.

852 Section 31. Section 290.0475, Florida Statutes, is amended
853 to read:

854 290.0475 Rejection of grant applications; penalties for
855 failure to meet application conditions.—Applications received
856 for funding are ineligible if under all program categories shall
857 be rejected without scoring only in the event that any of the
858 following circumstances arise:

859 (1) The application is not received by the department by
860 the application deadline.

861 (2) The proposed project does not meet one of the three
862 national objectives as described ~~contained~~ in s. 290.044(3)
863 ~~federal and state legislation.~~

864 (3) The proposed project is not an eligible activity as
865 contained in the federal legislation.

866 (4) The application is not consistent with the local
867 government's comprehensive plan adopted pursuant to s. 163.3184.

868 (5) The applicant has an open community development block
869 grant, except as provided in s. 290.046(2)(a) and department
870 rule s. 290.046(2)(c).

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871 (6) The local government is not in compliance with the
872 citizen participation requirements prescribed in ss. 104(a)(1)
873 and (2) and 106(d)(5)(c) of Title I of the Housing and Community
874 Development Act of 1984, s. 290.046(4), and department rule
875 rules.

876 ~~(7) Any information provided in the application that~~
877 ~~affects eligibility or scoring is found to have been~~
878 ~~misrepresented, and the information is not a mathematical error~~
879 ~~which may be discovered and corrected by readily computing~~
880 ~~available numbers or formulas provided in the application.~~

881 Section 32. Subsections (5), (6), and (7) of section
882 290.048, Florida Statutes, are amended to read:

883 290.048 General powers of department under ss. 290.0401-
884 290.048.—The department has all the powers necessary or
885 appropriate to carry out the purposes and provisions of the
886 program, including the power to:

887 ~~(5) Adopt and enforce strict requirements concerning an~~
888 ~~applicant's written description of a service area. Each such~~
889 ~~description shall contain maps which illustrate the location of~~
890 ~~the proposed service area. All such maps must be clearly legible~~
891 ~~and must:~~

892 ~~(a) Contain a scale which is clearly marked on the map.~~

893 ~~(b) Show the boundaries of the locality.~~

894 ~~(c) Show the boundaries of the service area where the~~
895 ~~activities will be concentrated.~~

896 ~~(d) Display the location of all proposed area activities.~~

897 ~~(e) Include the names of streets, route numbers, or easily~~
898 ~~identifiable landmarks where all service activities are located.~~

899 (5)~~(6)~~ Pledge community development block grant revenues

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900 from the Federal Government in order to guarantee notes or other
901 obligations of a public entity which are approved pursuant to s.
902 290.0455.

903 ~~(7) Establish an advisory committee of no more than 13~~
904 ~~members to solicit participation in designing, administering,~~
905 ~~and evaluating the program and in linking the program with other~~
906 ~~housing and community development resources.~~

907 Section 33. Subsection (11) of section 331.3051, Florida
908 Statutes, is amended to read:

909 331.3051 Duties of Space Florida.—Space Florida shall:

910 (11) Annually report on its performance with respect to its
911 business plan, to include finance, spaceport operations,
912 research and development, workforce development, and education.
913 Space Florida shall submit the report ~~shall be submitted~~ to the
914 Governor, the President of the Senate, and the Speaker of the
915 House of Representatives by November 30 ~~no later than September~~
916 ~~1~~ for the previous prior fiscal year. The annual report must
917 include operations information as required under s.
918 331.310(2)(e).

919 Section 34. Paragraph (e) of subsection (2) of section
920 331.310, Florida Statutes, is amended to read:

921 331.310 Powers and duties of the board of directors.—

922 (2) The board of directors shall:

923 (e) Prepare an annual report of operations as a supplement
924 to the annual report required under s. 331.3051(11). The report
925 must ~~shall~~ include, but not be limited to, a balance sheet, an
926 income statement, a statement of changes in financial position,
927 a reconciliation of changes in equity accounts, a summary of
928 significant accounting principles, the auditor's report, a

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929 summary of the status of existing and proposed bonding projects,
 930 comments from management about the year's business, and
 931 prospects for the next year, ~~which shall be submitted each year~~
 932 ~~by November 30 to the Governor, the President of the Senate, the~~
 933 ~~Speaker of the House of Representatives, the minority leader of~~
 934 ~~the Senate, and the minority leader of the House of~~
 935 Representatives.

936 Section 35. Paragraph (b) of subsection (4) of section
 937 443.1113, Florida Statutes, is amended to read:

938 443.1113 Reemployment Assistance Claims and Benefits
 939 Information System.—

940 (4) The project to implement the Reemployment Assistance
 941 Claims and Benefits Information System is ~~shall be~~ comprised of
 942 the following phases and corresponding implementation
 943 timeframes:

944 (b) The Reemployment Assistance Claims and Benefits
 945 Internet portal that replaces the Florida Unemployment Internet
 946 Direct and the Florida Continued Claims Internet Directory
 947 systems, the Call Center Interactive Voice Response System, the
 948 Benefit Overpayment Screening System, the Internet and Intranet
 949 Appeals System, and the Claims and Benefits Mainframe System
 950 shall be deployed to full operational status no later than the
 951 end of fiscal year 2013-2014 ~~2012-2013~~.

952 Section 36. Subsection (5) of section 443.131, Florida
 953 Statutes, is amended to read:

954 443.131 Contributions.—

955 (5) ADDITIONAL RATE FOR INTEREST ON FEDERAL ADVANCES.—

956 (a) When the Unemployment Compensation Trust Fund has
 957 received advances from the Federal Government under the

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958 provisions of 42 U.S.C. s. 1321, each contributing employer
959 shall be assessed an additional rate solely for the purpose of
960 paying interest due on such federal advances. The additional
961 rate shall be assessed no later than February 1 in each calendar
962 year in which an interest payment is due.

963 (b) The Revenue Estimating Conference shall estimate the
964 amount of ~~such~~ interest due on federal advances by no later than
965 December 1 of the calendar year before ~~preceding~~ the calendar
966 year in which an interest payment is due. The Revenue Estimating
967 Conference shall, at a minimum, consider the following as the
968 basis for the estimate:

- 969 1. The amounts actually advanced to the trust fund.
- 970 2. Amounts expected to be advanced to the trust fund based
971 on current and projected unemployment patterns and employer
972 contributions.
- 973 3. The interest payment due date.
- 974 4. The interest rate that will be applied by the Federal
975 Government to any accrued outstanding balances.

976 (c) ~~(b)~~ The tax collection service provider shall calculate
977 the additional rate to be assessed against contributing
978 employers. The additional rate assessed for a calendar year is
979 ~~shall be~~ determined by dividing the estimated amount of interest
980 to be paid in that year by 95 percent of the taxable wages as
981 described in s. 443.1217 paid by all employers for the year
982 ending June 30 of the previous ~~immediately preceding~~ calendar
983 year. The amount to be paid by each employer is ~~shall be~~ the
984 product obtained by multiplying such employer's taxable wages as
985 described in s. 443.1217 for the year ending June 30 of the
986 previous ~~immediately preceding~~ calendar year by the rate as

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987 determined by this subsection. An assessment may not be made if
988 the amount of assessments on deposit from previous years, plus
989 any earned interest, is at least 80 percent of the estimated
990 amount of interest.

991 (d) The tax collection service provider shall make a
992 separate collection of such assessment, which may be collected
993 at the time of employer contributions and subject to the same
994 penalties for failure to file a report, imposition of the
995 standard rate pursuant to paragraph (3)(h), and interest if the
996 assessment is not received on or before June 30. Section
997 443.141(1)(d) and (e) does not apply to this separately
998 collected assessment. The tax collection service provider shall
999 maintain those funds in the tax collection service provider's
1000 Audit and Warrant Clearing Trust Fund until the provider is
1001 directed by the Governor or the Governor's designee to make the
1002 interest payment to the Federal Government. Assessments on
1003 deposit must be available to pay the interest on advances
1004 received from the Federal Government under 42 U.S.C. s. 1321.
1005 Assessments on deposit may be invested and any interest earned
1006 shall be part of the balance available to pay the interest on
1007 advances received from the Federal Government under 42 U.S.C. s.
1008 1321.

1009 (e) Four months after ~~In the calendar year that~~ all
1010 advances from the Federal Government under 42 U.S.C. s. 1321 and
1011 associated interest are repaid, ~~if there are assessment funds in~~
1012 ~~excess of the amount required to meet the final interest~~
1013 ~~payment,~~ any ~~such~~ excess assessed funds in the Audit and Warrant
1014 Clearing Trust Fund, including associated interest, shall be
1015 transferred to ~~credited to employer accounts in the Unemployment~~

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1016 Compensation Trust Fund. Any assessment amounts subsequently
1017 collected shall also be transferred to the Unemployment
1018 Compensation Trust Fund in an amount equal to the employer's
1019 contribution to the assessment for that year divided by the
1020 total amount of the assessment for that year, the result of
1021 which is multiplied by the amount of excess assessed funds.

1022 (f) If However, if the state is permitted to defer interest
1023 payments due during a calendar year under 42 U.S.C. s. 1322,
1024 payment of the interest assessment is shall not be due. If a
1025 deferral of interest expires or is subsequently disallowed by
1026 the Federal Government, either prospectively or retroactively,
1027 the interest assessment shall be immediately due and payable.
1028 Notwithstanding any other provision of this section, if interest
1029 due during a calendar year on federal advances is forgiven or
1030 postponed under federal law and is no longer due during that
1031 calendar year, no interest assessment shall be assessed against
1032 an employer for that calendar year, and any assessment already
1033 assessed and collected against an employer before the
1034 forgiveness or postponement of the interest for that calendar
1035 year shall be credited to such employer's account in the
1036 Unemployment Compensation Trust Fund. However, such funds may be
1037 used only to pay benefits or refunds of erroneous contributions.

1038 (g) This subsection expires July 1, 2014.

1039 Section 37. Paragraph (a) of subsection (6) of section
1040 443.151, Florida Statutes, is amended to read:

1041 443.151 Procedure concerning claims.—

1042 (6) RECOVERY AND RECOUPMENT.—

1043 (a) Any person who, by reason of her or his fraud, receives
1044 benefits under this chapter to which she or he is not entitled

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1045 is liable for repaying those benefits to the Department of
1046 Economic Opportunity on behalf of the trust fund or, in the
1047 discretion of the department, to have those benefits deducted
1048 from future benefits payable to her or him under this chapter.
1049 In addition, the department shall impose upon the claimant a
1050 penalty equal to 15 percent of the amount overpaid. To enforce
1051 this paragraph, the department must find the existence of fraud
1052 through a redetermination or decision under this section within
1053 2 years after the fraud was committed. Any recovery or
1054 recoupment of benefits must be commenced within 7 years after
1055 the redetermination or decision.

1056 Section 38. Subsection (1) of section 443.191, Florida
1057 Statutes, is amended to read:

1058 443.191 Unemployment Compensation Trust Fund; establishment
1059 and control.—

1060 (1) There is established, as a separate trust fund apart
1061 from all other public funds of this state, an Unemployment
1062 Compensation Trust Fund, which shall be administered by the
1063 Department of Economic Opportunity exclusively for the purposes
1064 of this chapter. The fund must ~~shall~~ consist of:

1065 (a) All contributions and reimbursements collected under
1066 this chapter;

1067 (b) Interest earned on any moneys in the fund;

1068 (c) Any property or securities acquired through the use of
1069 moneys belonging to the fund;

1070 (d) All earnings of these properties or securities;

1071 (e) All money credited to this state's account in the
1072 federal Unemployment Compensation Trust Fund under 42 U.S.C. s.
1073 1103; ~~and~~

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1074 (f) All money collected for penalties imposed pursuant to
1075 s. 443.151(6) (a); and

1076 (g) Advances on the amount in the federal Unemployment
1077 Compensation Trust Fund credited to the state under 42 U.S.C. s.
1078 1321, as requested by the Governor or the Governor's designee.

1079
1080 Except as otherwise provided in s. 443.1313(4), all moneys in
1081 the fund must ~~shall~~ be mingled and undivided.

1082 Section 39. Subsection (1) of section 443.1715, Florida
1083 Statutes, is amended to read:

1084 443.1715 Disclosure of information; confidentiality.—

1085 (1) RECORDS AND REPORTS.—Information revealing an employing
1086 unit's or individual's identity obtained from the employing unit
1087 or any individual under the administration of this chapter, and
1088 any determination revealing that information, is confidential
1089 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1090 Constitution. This confidential information may be released in
1091 accordance with the provisions in 20 C.F.R. part 603. A person
1092 receiving confidential information who violates this subsection
1093 commits a misdemeanor of the second degree, punishable as
1094 provided in s. 775.082 or s. 775.083. The Department of Economic
1095 Opportunity or its tax collection service provider may, however,
1096 furnish to any employer copies of any report submitted by that
1097 employer upon the request of the employer and may furnish to any
1098 claimant copies of any report submitted by that claimant upon
1099 the request of the claimant. The department or its tax
1100 collection service provider may charge a reasonable fee for
1101 copies of these reports as prescribed by rule, which may not
1102 exceed the actual reasonable cost of the preparation of the

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1103 copies. Fees received for copies under this subsection must be
1104 deposited in the Employment Security Administration Trust Fund.

1105 Section 40. Paragraph (b) of subsection (3) and subsection
1106 (4) of section 446.50, Florida Statutes, are amended to read:

1107 446.50 Displaced homemakers; multiservice programs; report
1108 to the Legislature; Displaced Homemaker Trust Fund created.—

1109 (3) POWERS AND DUTIES OF THE DEPARTMENT OF ECONOMIC
1110 OPPORTUNITY.—

1111 (b)1. The department shall enter into contracts with, and
1112 make grants to, public and nonprofit private entities for
1113 purposes of establishing multipurpose service programs for
1114 displaced homemakers under this section. Such grants and
1115 contracts must ~~shall~~ be awarded pursuant to chapter 287 and
1116 based on criteria established in the program state plan as
1117 provided in subsection (4) ~~developed pursuant to this section~~.
1118 The department shall designate catchment areas that together,
1119 must ~~shall~~ compose the entire state, and, to the extent possible
1120 from revenues in the Displaced Homemaker Trust Fund, the
1121 department shall contract with, and make grants to, entities
1122 that will serve entire catchment areas so that displaced
1123 homemaker service programs are available statewide. These
1124 catchment areas must ~~shall~~ be coterminous with the state's
1125 workforce development regions. The department may give priority
1126 to existing displaced homemaker programs when evaluating bid
1127 responses to the request for proposals.

1128 2. In order to receive funds under this section, and unless
1129 specifically prohibited by law from doing so, an entity that
1130 provides displaced homemaker service programs must receive at
1131 least 25 percent of its funding from one or more local,

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1132 municipal, or county sources or nonprofit private sources. In-
1133 kind contributions may be evaluated by the department and
1134 counted as part of the required local funding.

1135 3. The department shall require an entity that receives
1136 funds under this section to maintain appropriate data to be
1137 compiled in an annual report to the department. Such data must
1138 ~~shall~~ include, but is ~~shall~~ not be limited to, the number of
1139 clients served, the units of services provided, designated
1140 client-specific information including intake and outcome
1141 information specific to each client, costs associated with
1142 specific services and program administration, total program
1143 revenues by source and other appropriate financial data, and
1144 client followup information at specified intervals after the
1145 placement of a displaced homemaker in a job.

1146 (4) DISPLACED HOMEMAKER PROGRAM STATE PLAN.-

1147 ~~(a)~~ The Department of Economic Opportunity shall include in
1148 its annual report required under s. 20.60 a develop a 3-year
1149 ~~state plan for the displaced homemaker program which shall be~~
1150 ~~updated annually.~~ The plan must address, at a minimum, the need
1151 for programs specifically designed to serve displaced
1152 homemakers, any necessary service components for such programs
1153 in addition to those described ~~enumerated~~ in this section, goals
1154 of the displaced homemaker program with an analysis of the
1155 extent to which those goals are being met, and recommendations
1156 for ways to address any unmet program goals. Any request for
1157 funds for program expansion must be based on the ~~state~~ plan.

1158 ~~(b)~~ The displaced homemaker program ~~Each annual update must~~
1159 ~~address any changes in the components of the 3-year state plan~~
1160 ~~and a report that~~ must include, but need not be limited to, the

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1161 following:

1162 (a)1. The scope of the incidence of displaced homemakers;

1163 (b)2. A compilation and report, by program, of data
1164 submitted to the department pursuant to subparagraph (3) (b)3.
1165 ~~subparagraph 3.~~ by funded displaced homemaker service programs;

1166 (c)3. An identification and description of the programs in
1167 the state which receive funding from the department, including
1168 funding information; and

1169 (d)4. An assessment of the effectiveness of each displaced
1170 homemaker service program based on outcome criteria established
1171 by rule of the department.

1172 ~~(e) The 3-year state plan must be submitted to the~~
1173 ~~President of the Senate, the Speaker of the House of~~
1174 ~~Representatives, and the Governor on or before January 1, 2001,~~
1175 ~~and annual updates of the plan must be submitted by January 1 of~~
1176 ~~each subsequent year.~~

1177 Section 41. This act shall take effect July 1, 2013.