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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/15/2013	.	
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Appropriations Subcommittee on Transportation, Tourism, and Economic Development (Gardiner) recommended the following:

Senate Amendment (with title amendment)

Delete lines 134 - 264
and insert:

Section 1. Economic Development Programs Evaluation.—The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.

(1) The Office of Economic and Demographic Research and



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13 OPPAGA shall coordinate the development of a work plan for
14 completing the Economic Development Programs Evaluation and
15 shall submit the work plan to the President of the Senate and
16 the Speaker of the House of Representatives by July 1, 2013.

17 (2) The Office of Economic and Demographic Research and
18 OPPAGA shall provide a detailed analysis of economic development
19 programs as provided in the following schedule:

20 (a) By January 1, 2014, and every 3 years thereafter, an
21 analysis of the following:

22 1. The capital investment tax credit established under s.
23 220.191, Florida Statutes.

24 2. The qualified target industry tax refund established
25 under s. 288.106, Florida Statutes.

26 3. The brownfield redevelopment bonus refund established
27 under s. 288.107, Florida Statutes.

28 4. High-impact business performance grants established
29 under s. 288.108, Florida Statutes.

30 5. The Quick Action Closing Fund established under s.
31 288.1088, Florida Statutes.

32 6. The Innovation Incentive Program established under s.
33 288.1089, Florida Statutes.

34 7. Enterprise Zone Program incentives established under ss.
35 212.08(5), 212.08(15), 212.096, 220.181, and 220.182, Florida
36 Statutes.

37 (b) By January 1, 2015, and every 3 years thereafter, an
38 analysis of the following:

39 1. The entertainment industry financial incentive program
40 established under s. 288.1254, Florida Statutes.

41 2. The entertainment industry sales tax exemption program



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42 established under s. 288.1258, Florida Statutes.

43 3. VISIT Florida and its programs established or funded
44 under ss. 288.122, 288.1226, 288.12265, and 288.124, Florida
45 Statutes.

46 4. The Florida Sports Foundation and related programs
47 established under ss. 288.1162, 288.11621, 288.1166, 288.1167,
48 288.1168, 288.1169, and 288.1171, Florida Statutes.

49 (c) By January 1, 2016, and every 3 years thereafter, an
50 analysis of the following:

51 1. The qualified defense contractor and space flight
52 business tax refund program established under s. 288.1045,
53 Florida Statutes.

54 2. The tax exemption for semiconductor, defense, or space
55 technology sales established under s. 212.08(5)(j), Florida
56 Statutes.

57 3. The Military Base Protection Program established under
58 s. 288.980, Florida Statutes.

59 4. The Manufacturing and Spaceport Investment Incentive
60 Program established under s. 288.1083, Florida Statutes.

61 5. The Quick Response Training Program established under s.
62 288.047, Florida Statutes.

63 6. The Incumbent Worker Training Program established under
64 s. 445.003, Florida Statutes.

65 7. International trade and business development programs
66 established or funded under s. 288.826, Florida Statutes.

67 (3) Pursuant to the schedule established in subsection (2),
68 the Office of Economic and Demographic Research shall evaluate
69 and determine the economic benefits, as defined in s. 288.005,
70 Florida Statutes, of each program over the previous 3 years. The



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71 analysis must also evaluate the number of jobs created, the
72 increase or decrease in personal income, and the impact on state
73 gross domestic product from the direct, indirect, and induced
74 effects of the state's investment in each program over the
75 previous 3 years.

76 (a) For the purpose of evaluating tax credits, tax refunds,
77 sales tax exemptions, cash grants, and similar programs, the
78 Office of Economic and Demographic Research shall evaluate data
79 only from those projects in which businesses received state
80 funds during the evaluation period. Such projects may be fully
81 completed, partially completed with future fund disbursal
82 possible pending performance measures, or partially completed
83 with no future fund disbursal possible as a result of a
84 business's inability to meet performance measures.

85 (b) The analysis must use the model developed by the Office
86 of Economic and Demographic Research, as required in s. 216.138,
87 Florida Statutes, to evaluate each program. The office shall
88 provide a written explanation of the key assumptions of the
89 model and how it is used. If the office finds that another
90 evaluation model is more appropriate to evaluate a program, it
91 may use another model, but it must provide an explanation as to
92 why the selected model was more appropriate.

93 (4) Pursuant to the schedule established in subsection (2),
94 OPPAGA shall evaluate each program over the previous 3 years for
95 its effectiveness and value to the taxpayers of this state and
96 include recommendations on each program for consideration by the
97 Legislature. The analysis may include relevant economic
98 development reports or analyses prepared by the Department of
99 Economic Opportunity, Enterprise Florida, Inc., or local or



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100 regional economic development organizations; interviews with the
101 parties involved; or any other relevant data.

102 (5) The Office of Economic and Demographic Research and
103 OPPAGA must be given access to all data necessary to complete
104 the Economic Development Programs Evaluation, including any
105 confidential data. The offices may collaborate on data
106 collection and analysis.

107 Section 2. Subsection (10) of section 20.60, Florida
108 Statutes, is amended to read:

109 20.60 Department of Economic Opportunity; creation; powers
110 and duties.—

111 (10) The department, with assistance from Enterprise
112 Florida, Inc., shall, by November 1 ~~January 1~~ of each year,
113 submit an annual report to the Governor, the President of the
114 Senate, and the Speaker of the House of Representatives on the
115 condition of the business climate and economic development in
116 the state.

117 (a) The report must ~~shall~~ include the identification of
118 problems and a prioritized list of recommendations.

119 (b) The report must incorporate annual reports of other
120 programs, including:

121 1. The displaced homemaker program established under s.
122 446.50.

123 2. Information provided by the Department of Revenue under
124 s. 290.014.

125 3. Information provided by enterprise zone development
126 agencies under s. 290.0056 and an analysis of the activities and
127 accomplishments of each enterprise zone.

128 4. The Economic Gardening Business Loan Pilot Program



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129 established under s. 288.1081 and the Economic Gardening
130 Technical Assistance Pilot Program established under s.
131 288.1082.

132 5. A detailed report of the performance of the Black
133 Business Loan Program and a cumulative summary of quarterly
134 report data required under s. 288.714.

135 6. The Rural Economic Development Initiative established
136 under s. 288.0656.

137 Section 3. Paragraph (bb) is added to subsection (8) of
138 section 213.053, Florida Statutes, to read:

139 213.053 Confidentiality and information sharing.—

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

142 (bb) Information to the director of the Office of Program
143 Policy Analysis and Government Accountability or his or her
144 authorized agent, and to the coordinator of the Office of
145 Economic and Demographic Research or his or her authorized
146 agent, for purposes of completing the Economic Development
147 Programs Evaluation. Information obtained from the department
148 pursuant to this paragraph may be shared by the director and the
149 coordinator, or the director's or coordinator's authorized
150 agent, for purposes of completing the Economic Development
151 Programs Evaluation.

152
153 Disclosure of information under this subsection shall be
154 pursuant to a written agreement between the executive director
155 and the agency. Such agencies, governmental or nongovernmental,
156 shall be bound by the same requirements of confidentiality as
157 the Department of Revenue. Breach of confidentiality is a



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158 misdemeanor of the first degree, punishable as provided by s.
159 775.082 or s. 775.083.

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161 ===== T I T L E A M E N D M E N T =====

162 And the title is amended as follows:

163 Delete line 26

164 and insert:

165 included; amending s. 213.053, F.S.; authorizing the
166 Department of Revenue to make certain information
167 available to the director of the Office of Program
168 Policy Analysis and Government Accountability and the
169 coordinator of the Office of Economic and Demographic
170 Research; authorizing the offices to share certain
171 information; amending s. 220.194, F.S.; requiring the