

2013406er

1
2 An act relating to economic development; establishing
3 the Economic Development Programs Evaluation;
4 requiring the Office of Economic and Demographic
5 Research and the Office of Program Policy Analysis and
6 Government Accountability to present the evaluation;
7 requiring the offices to develop and submit a work
8 plan for completing the evaluation by a certain date;
9 requiring the offices to provide an analysis of
10 certain economic development programs and specifying a
11 schedule; requiring the Office of Economic and
12 Demographic Research to make certain evaluations in
13 its analysis; limiting the office's evaluation for the
14 purposes of tax credits, tax refunds, sales tax
15 exemptions, cash grants, and similar programs;
16 requiring the office to use a certain model to
17 evaluate each program; requiring the Office of Program
18 Policy Analysis and Government Accountability to make
19 certain evaluations in its analysis; providing the
20 offices access to all data necessary to complete the
21 evaluation; amending s. 20.60, F.S.; revising the date
22 on which the Department of Economic Opportunity and
23 Enterprise Florida, Inc., are required to report on
24 the business climate and economic development in the
25 state; specifying reports and information that must be
26 included; amending s. 210.20, F.S.; requiring the
27 Division of Alcoholic Beverages and Tobacco to certify
28 the amount derived from the cigarette tax until a
29 specified time; amending s. 212.08, F.S.; providing a

2013406er

30 tax exemption for a specific use of natural gas;
31 revising the definitions of a "housing project" and
32 "mixed-use project"; expanding the exemption for
33 repairs to rotary wing aircraft; clarifying the
34 application of certain amendments; amending s. 212.20,
35 F.S.; requiring the Department of Revenue to
36 distribute moneys to certified applicants for a
37 facility used by a spring training franchise; amending
38 s. 213.053, F.S.; authorizing the Department of
39 Revenue to make certain information available to the
40 director of the Office of Program Policy Analysis and
41 Government Accountability and the coordinator of the
42 Office of Economic and Demographic Research;
43 authorizing the offices to share certain information;
44 amending s. 220.182, F.S.; providing enterprise zone
45 credits for each eligible location; amending s.
46 220.194, F.S.; requiring the annual report for the
47 Florida Space Business Incentives Act to be included
48 in the annual incentives report; deleting certain
49 reporting requirements; amending s. 288.005, F.S.;
50 providing a definition; amending s. 288.012, F.S.;
51 requiring each State of Florida international office
52 to submit a report to Enterprise Florida, Inc., for
53 inclusion in its annual report; deleting a reporting
54 date; amending s. 288.061, F.S.; requiring the
55 Department of Economic Opportunity to analyze each
56 economic development incentive application;
57 prohibiting the executive director from approving an
58 economic development incentive application unless a

2013406er

59 specified written declaration is received; amending s.
60 288.0656, F.S.; requiring the Rural Economic
61 Development Initiative to submit a report to
62 supplement the Department of Economic Opportunity's
63 annual report; deleting certain reporting
64 requirements; creating s. 288.076, F.S.; providing
65 definitions; requiring the department to publish on a
66 website specified information concerning state
67 investment in economic development programs; requiring
68 the department to work with the Office of Economic and
69 Demographic Research to provide a description of
70 specified methodology and requiring the department to
71 publish this description on its website; providing
72 procedures and requirements for reviewing, updating,
73 and supplementing specified published information;
74 requiring the department to annually publish
75 information relating to the progress of Quick Action
76 Closing Fund projects; requiring the department to
77 publish certain confidential information pertaining to
78 participant businesses upon expiration of a specified
79 confidentiality period; requiring the department to
80 publish certain reports concerning businesses that
81 fail to complete tax refund agreements under the tax
82 refund program for qualified target industry
83 businesses; providing for construction and legislative
84 intent; authorizing the department to adopt rules;
85 repealing s. 288.095(3)(c), F.S., relating to the
86 annual report by Enterprise Florida, Inc., of programs
87 funded by the Economic Development Incentives Account;

2013406er

88 amending s. 288.1045, F.S.; deleting a provision that
89 prohibits a qualified applicant from receiving more
90 than a specified amount of money in tax refunds;
91 amending s. 288.106, F.S.; deleting a provision that
92 prohibits a qualified target industry business from
93 receiving more than a specified amount of money in tax
94 refunds for certain projects; deleting and adding
95 provisions relating to the application and approval
96 process of the tax refund program for qualified target
97 industry businesses; requiring the Department of
98 Economic Opportunity to include information on
99 qualified target industry businesses in the annual
100 incentives report; deleting certain reporting
101 requirements; amending s. 288.107, F.S.; revising
102 definitions; revising provisions to conform to changes
103 made by the act; revising the minimum criteria for
104 participation in the brownfield redevelopment bonus
105 refund; clarifying the application of certain
106 amendments; amending s. 288.1081, F.S.; requiring the
107 use of loan funds from the Economic Gardening Business
108 Loan Pilot Program to be included in the department's
109 annual report; deleting certain reporting
110 requirements; amending s. 288.1082, F.S.; requiring
111 the progress of the Economic Gardening Technical
112 Assistance Pilot Program to be included in the
113 department's annual report; deleting certain reporting
114 requirements; amending s. 288.1088, F.S.; requiring
115 the department to validate contractor performance for
116 the Quick Action Closing Fund and include the

2013406er

117 performance validation in the annual incentives
118 report; deleting certain reporting requirements;
119 amending s. 288.1089, F.S.; requiring that certain
120 projects in the Innovation Incentive Program provide a
121 cumulative break-even economic benefit; requiring the
122 department to report information relating to the
123 Innovation Incentive Program in the annual incentives
124 report; deleting certain reporting requirements;
125 deleting provisions that require the Office of Program
126 Policy Analysis and Government Accountability and the
127 Auditor General's Office to report on the Innovation
128 Incentive Program; creating s. 288.11631, F.S.;
129 providing definitions; providing a certification
130 process for an applicant to receive state funding for
131 a facility for a spring training franchise; providing
132 for the use of funds; requiring a certified applicant
133 to submit an annual report and requiring the
134 department to publish such information; providing for
135 decertification of a certified applicant; requiring
136 the department to adopt rules; authorizing the Auditor
137 General to conduct certain audits; amending s.
138 288.1253, F.S.; revising a reporting date; requiring
139 expenditures of the Office of Film and Entertainment
140 to be included in the annual entertainment industry
141 financial incentive program report; amending s.
142 288.1254, F.S.; revising a reporting date; requiring
143 the annual entertainment industry financial incentive
144 program report to include certain information;
145 amending s. 288.1258, F.S.; revising a reporting date;

2013406er

146 requiring the report detailing the relationship
147 between tax exemptions and incentives to industry
148 growth to be included in the annual entertainment
149 industry financial incentive program report; amending
150 s. 288.714, F.S.; requiring the Department of Economic
151 Opportunity's annual report to include a report on the
152 Black Business Loan Program; deleting certain
153 reporting requirements; amending s. 288.7771, F.S.;
154 requiring the Florida Export Finance Corporation to
155 submit a report to Enterprise Florida, Inc.; amending
156 s. 288.903, F.S.; requiring Enterprise Florida, Inc.,
157 with the Department of Economic Opportunity, to
158 prepare an annual incentives report; repealing s.
159 288.904(6), F.S., relating to Enterprise Florida,
160 Inc., which requires the department to report the
161 return on the public's investment; amending s.
162 288.906, F.S.; requiring certain reports to be
163 included in the Enterprise Florida, Inc., annual
164 report; amending s. 288.907, F.S.; requiring
165 Enterprise Florida, Inc., with the Department of
166 Economic Opportunity, to prepare the annual incentives
167 report; requiring the annual incentives report to
168 include certain information; deleting a provision
169 requiring the Division of Strategic Business
170 Development to assist Enterprise Florida, Inc., with
171 the report; amending s. 288.92, F.S.; requiring each
172 division of Enterprise Florida, Inc., to submit a
173 report; amending s. 288.95155, F.S.; requiring the
174 financial status of the Florida Small Business

2013406er

175 Technology Growth Program to be included in the annual
176 incentives report; amending s. 288.9914, F.S.;
177 prohibiting the department from approving certain
178 qualified investments; amending s. 290.0056, F.S.;
179 revising a reporting date; requiring the enterprise
180 zone development agency to submit certain information
181 for the Department of Economic Opportunity's annual
182 report; amending s. 290.014, F.S.; revising a
183 reporting date; requiring certain reports on
184 enterprise zones to be included in the Department of
185 Economic Opportunity's annual report; amending s.
186 331.3051, F.S.; revising a reporting date; requiring
187 Space Florida's annual report to include certain
188 information; amending s. 331.310, F.S.; requiring the
189 Board of Directors of Space Florida to supplement
190 Space Florida's annual report with operations
191 information; deleting certain reporting requirements;
192 amending s. 446.50, F.S.; requiring the Department of
193 Economic Opportunity's annual report to include a plan
194 for the displaced homemaker program; deleting certain
195 reporting requirements; prohibiting tax levied under
196 ch. 212, F.S., from being collected during a certain
197 time period for the sale of specified items; providing
198 an appropriation from the General Revenue Fund to the
199 Department of Revenue; providing an effective date.

200

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

202

203 Section 1. Economic Development Programs Evaluation.—The

2013406er

204 Office of Economic and Demographic Research and the Office of
205 Program Policy Analysis and Government Accountability (OPPAGA)
206 shall develop and present to the Governor, the President of the
207 Senate, the Speaker of the House of Representatives, and the
208 chairs of the legislative appropriations committees the Economic
209 Development Programs Evaluation.

210 (1) The Office of Economic and Demographic Research and
211 OPPAGA shall coordinate the development of a work plan for
212 completing the Economic Development Programs Evaluation and
213 shall submit the work plan to the President of the Senate and
214 the Speaker of the House of Representatives by July 1, 2013.

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

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

220 1. The capital investment tax credit established under s.
221 220.191, Florida Statutes.

222 2. The qualified target industry tax refund established
223 under s. 288.106, Florida Statutes.

224 3. The brownfield redevelopment bonus refund established
225 under s. 288.107, Florida Statutes.

226 4. High-impact business performance grants established
227 under s. 288.108, Florida Statutes.

228 5. The Quick Action Closing Fund established under s.
229 288.1088, Florida Statutes.

230 6. The Innovation Incentive Program established under s.
231 288.1089, Florida Statutes.

232 7. Enterprise Zone Program incentives established under ss.

2013406er

233 212.08(5), 212.08(15), 212.096, 220.181, and 220.182, Florida
234 Statutes.

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

237 1. The entertainment industry financial incentive program
238 established under s. 288.1254, Florida Statutes.

239 2. The entertainment industry sales tax exemption program
240 established under s. 288.1258, Florida Statutes.

241 3. VISIT Florida and its programs established or funded
242 under ss. 288.122, 288.1226, 288.12265, and 288.124, Florida
243 Statutes.

244 4. The Florida Sports Foundation and related programs
245 established under ss. 288.1162, 288.11621, 288.1166, 288.1167,
246 288.1168, 288.1169, and 288.1171, Florida Statutes.

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

249 1. The qualified defense contractor and space flight
250 business tax refund program established under s. 288.1045,
251 Florida Statutes.

252 2. The tax exemption for semiconductor, defense, or space
253 technology sales established under s. 212.08(5)(j), Florida
254 Statutes.

255 3. The Military Base Protection Program established under
256 s. 288.980, Florida Statutes.

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

259 5. The Quick Response Training Program established under s.
260 288.047, Florida Statutes.

261 6. The Incumbent Worker Training Program established under

2013406er

262 s. 445.003, Florida Statutes.

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

265 (3) Pursuant to the schedule established in subsection (2),
266 the Office of Economic and Demographic Research shall evaluate
267 and determine the economic benefits, as defined in s. 288.005,
268 Florida Statutes, of each program over the previous 3 years. The
269 analysis must also evaluate the number of jobs created, the
270 increase or decrease in personal income, and the impact on state
271 gross domestic product from the direct, indirect, and induced
272 effects of the state's investment in each program over the
273 previous 3 years.

274 (a) For the purpose of evaluating tax credits, tax refunds,
275 sales tax exemptions, cash grants, and similar programs, the
276 Office of Economic and Demographic Research shall evaluate data
277 only from those projects in which businesses received state
278 funds during the evaluation period. Such projects may be fully
279 completed, partially completed with future fund disbursement
280 possible pending performance measures, or partially completed
281 with no future fund disbursement possible as a result of a
282 business's inability to meet performance measures.

283 (b) The analysis must use the model developed by the Office
284 of Economic and Demographic Research, as required in s. 216.138,
285 Florida Statutes, to evaluate each program. The office shall
286 provide a written explanation of the key assumptions of the
287 model and how it is used. If the office finds that another
288 evaluation model is more appropriate to evaluate a program, it
289 may use another model, but it must provide an explanation as to
290 why the selected model was more appropriate.

2013406er

291 (4) Pursuant to the schedule established in subsection (2),
292 OPPAGA shall evaluate each program over the previous 3 years for
293 its effectiveness and value to the taxpayers of this state and
294 include recommendations on each program for consideration by the
295 Legislature. The analysis may include relevant economic
296 development reports or analyses prepared by the Department of
297 Economic Opportunity, Enterprise Florida, Inc., or local or
298 regional economic development organizations; interviews with the
299 parties involved; or any other relevant data.

300 (5) The Office of Economic and Demographic Research and
301 OPPAGA must be given access to all data necessary to complete
302 the Economic Development Programs Evaluation, including any
303 confidential data. The offices may collaborate on data
304 collection and analysis.

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

307 20.60 Department of Economic Opportunity; creation; powers
308 and duties.—

309 (10) The department, with assistance from Enterprise
310 Florida, Inc., shall, by November 1 ~~January 1~~ of each year,
311 submit an annual report to the Governor, the President of the
312 Senate, and the Speaker of the House of Representatives on the
313 condition of the business climate and economic development in
314 the state.

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

317 (b) The report must incorporate annual reports of other
318 programs, including:

319 1. The displaced homemaker program established under s.

2013406er

320 446.50.

321 2. Information provided by the Department of Revenue under
322 s. 290.014.

323 3. Information provided by enterprise zone development
324 agencies under s. 290.0056 and an analysis of the activities and
325 accomplishments of each enterprise zone.

326 4. The Economic Gardening Business Loan Pilot Program
327 established under s. 288.1081 and the Economic Gardening
328 Technical Assistance Pilot Program established under s.
329 288.1082.

330 5. A detailed report of the performance of the Black
331 Business Loan Program and a cumulative summary of quarterly
332 report data required under s. 288.714.

333 6. The Rural Economic Development Initiative established
334 under s. 288.0656.

335 Section 3. Effective July 1, 2013, paragraph (c) of
336 subsection (2) of section 210.20, Florida Statutes, is amended
337 to read:

338 210.20 Employees and assistants; distribution of funds.—

339 (2) As collections are received by the division from such
340 cigarette taxes, it shall pay the same into a trust fund in the
341 State Treasury designated "Cigarette Tax Collection Trust Fund"
342 which shall be paid and distributed as follows:

343 (c) Beginning July 1, 2013, and continuing through June 30,
344 2033 ~~2021~~, the division shall from month to month certify to the
345 Chief Financial Officer the amount derived from the cigarette
346 tax imposed by s. 210.02, less the service charges provided for
347 in s. 215.20 and less 0.9 percent of the amount derived from the
348 cigarette tax imposed by s. 210.02, which shall be deposited

2013406er

349 into the Alcoholic Beverage and Tobacco Trust Fund, specifying
350 an amount equal to 1 percent of the net collections, and that
351 amount shall be deposited into the Biomedical Research Trust
352 Fund in the Department of Health. These funds are appropriated
353 annually in an amount not to exceed \$3 million from the
354 Biomedical Research Trust Fund for the Department of Health and
355 the Sanford-Burnham Medical Research Institute to work in
356 conjunction for the purpose of establishing activities and grant
357 opportunities in relation to biomedical research.

358 Section 4. Paragraph (a) of subsection (4), paragraph (o)
359 of subsection (5), and paragraphs (ee) and (rr) of subsection
360 (7) of section 212.08, Florida Statutes, are amended to read:

361 212.08 Sales, rental, use, consumption, distribution, and
362 storage tax; specified exemptions.—The sale at retail, the
363 rental, the use, the consumption, the distribution, and the
364 storage to be used or consumed in this state of the following
365 are hereby specifically exempt from the tax imposed by this
366 chapter.

367 (4) EXEMPTIONS; ITEMS BEARING OTHER EXCISE TAXES, ETC.—

368 (a) Also exempt are:

369 1. Water delivered to the purchaser through pipes or
370 conduits or delivered for irrigation purposes. The sale of
371 drinking water in bottles, cans, or other containers, including
372 water that contains minerals or carbonation in its natural state
373 or water to which minerals have been added at a water treatment
374 facility regulated by the Department of Environmental Protection
375 or the Department of Health, is exempt. This exemption does not
376 apply to the sale of drinking water in bottles, cans, or other
377 containers if carbonation or flavorings, except those added at a

2013406er

378 water treatment facility, have been added. Water that has been
379 enhanced by the addition of minerals and that does not contain
380 any added carbonation or flavorings is also exempt.

381 2. All fuels used by a public or private utility, including
382 any municipal corporation or rural electric cooperative
383 association, in the generation of electric power or energy for
384 sale. Fuel other than motor fuel and diesel fuel is taxable as
385 provided in this chapter with the exception of fuel expressly
386 exempt herein. Effective July 1, 2013, natural gas used to
387 generate electricity in a non-combustion fuel cell used in
388 stationary equipment is exempt from the tax imposed by this
389 chapter. Motor fuels and diesel fuels are taxable as provided in
390 chapter 206, with the exception of those motor fuels and diesel
391 fuels used by railroad locomotives or vessels to transport
392 persons or property in interstate or foreign commerce, which are
393 taxable under this chapter only to the extent provided herein.
394 The basis of the tax shall be the ratio of intrastate mileage to
395 interstate or foreign mileage traveled by the carrier's railroad
396 locomotives or vessels that were used in interstate or foreign
397 commerce and that had at least some Florida mileage during the
398 previous fiscal year of the carrier, such ratio to be determined
399 at the close of the fiscal year of the carrier. However, during
400 the fiscal year in which the carrier begins its initial
401 operations in this state, the carrier's mileage apportionment
402 factor may be determined on the basis of an estimated ratio of
403 anticipated miles in this state to anticipated total miles for
404 that year, and subsequently, additional tax shall be paid on the
405 motor fuel and diesel fuels, or a refund may be applied for, on
406 the basis of the actual ratio of the carrier's railroad

2013406er

407 locomotives' or vessels' miles in this state to its total miles
408 for that year. This ratio shall be applied each month to the
409 total Florida purchases made in this state of motor and diesel
410 fuels to establish that portion of the total used and consumed
411 in intrastate movement and subject to tax under this chapter.
412 The basis for imposition of any discretionary surtax shall be
413 set forth in s. 212.054. Fuels used exclusively in intrastate
414 commerce do not qualify for the proration of tax.

415 3. The transmission or wheeling of electricity.

416 (5) EXEMPTIONS; ACCOUNT OF USE.—

417 (o) *Building materials in redevelopment projects.*—

418 1. As used in this paragraph, the term:

419 a. "Building materials" means tangible personal property
420 that becomes a component part of a housing project or a mixed-
421 use project.

422 b. "Housing project" means the conversion of an existing
423 manufacturing or industrial building to a housing unit which is
424 ~~units~~ in an urban high-crime area, an enterprise zone, an
425 empowerment zone, a Front Porch Community, a designated
426 brownfield site for which a rehabilitation agreement with the
427 Department of Environmental Protection or a local government
428 delegated by the Department of Environmental Protection has been
429 executed under s. 376.80 and any abutting real property parcel
430 within a brownfield area, or an urban infill area; and in which
431 the developer agrees to set aside at least 20 percent of the
432 housing units in the project for low-income and moderate-income
433 persons or the construction in a designated brownfield area of
434 affordable housing for persons described in s. 420.0004(9),
435 (11), (12), or (17) or in s. 159.603(7).

2013406er

436 c. "Mixed-use project" means the conversion of an existing
437 manufacturing or industrial building to mixed-use units that
438 include artists' studios, art and entertainment services, or
439 other compatible uses. A mixed-use project must be located in an
440 urban high-crime area, an enterprise zone, an empowerment zone,
441 a Front Porch Community, a designated brownfield site for which
442 a rehabilitation agreement with the Department of Environmental
443 Protection or a local government delegated by the Department of
444 Environmental Protection has been executed under s. 376.80 and
445 any abutting real property parcel within a brownfield area, or
446 an urban infill area;~~7~~ and the developer must agree to set aside
447 at least 20 percent of the square footage of the project for
448 low-income and moderate-income housing.

449 d. "Substantially completed" has the same meaning as
450 provided in s. 192.042(1).

451 2. Building materials used in the construction of a housing
452 project or mixed-use project are exempt from the tax imposed by
453 this chapter upon an affirmative showing to the satisfaction of
454 the department that the requirements of this paragraph have been
455 met. This exemption inures to the owner through a refund of
456 previously paid taxes. To receive this refund, the owner must
457 file an application under oath with the department which
458 includes:

459 a. The name and address of the owner.

460 b. The address and assessment roll parcel number of the
461 project for which a refund is sought.

462 c. A copy of the building permit issued for the project.

463 d. A certification by the local building code inspector
464 that the project is substantially completed.

2013406er

465 e. A sworn statement, under penalty of perjury, from the
466 general contractor licensed in this state with whom the owner
467 contracted to construct the project, which statement lists the
468 building materials used in the construction of the project and
469 the actual cost thereof, and the amount of sales tax paid on
470 these materials. If a general contractor was not used, the owner
471 shall provide this information in a sworn statement, under
472 penalty of perjury. Copies of invoices evidencing payment of
473 sales tax must be attached to the sworn statement.

474 3. An application for a refund under this paragraph must be
475 submitted to the department within 6 months after the date the
476 project is deemed to be substantially completed by the local
477 building code inspector. Within 30 working days after receipt of
478 the application, the department shall determine if it meets the
479 requirements of this paragraph. A refund approved pursuant to
480 this paragraph shall be made within 30 days after formal
481 approval of the application by the department.

482 4. The department shall establish by rule an application
483 form and criteria for establishing eligibility for exemption
484 under this paragraph.

485 5. The exemption shall apply to purchases of materials on
486 or after July 1, 2000.

487 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
488 entity by this chapter do not inure to any transaction that is
489 otherwise taxable under this chapter when payment is made by a
490 representative or employee of the entity by any means,
491 including, but not limited to, cash, check, or credit card, even
492 when that representative or employee is subsequently reimbursed
493 by the entity. In addition, exemptions provided to any entity by

2013406er

494 this subsection do not inure to any transaction that is
495 otherwise taxable under this chapter unless the entity has
496 obtained a sales tax exemption certificate from the department
497 or the entity obtains or provides other documentation as
498 required by the department. Eligible purchases or leases made
499 with such a certificate must be in strict compliance with this
500 subsection and departmental rules, and any person who makes an
501 exempt purchase with a certificate that is not in strict
502 compliance with this subsection and the rules is liable for and
503 shall pay the tax. The department may adopt rules to administer
504 this subsection.

505 (ee) *Aircraft repair and maintenance labor charges.*—~~There~~
506 ~~shall be exempt from the tax imposed by this chapter~~ All labor
507 charges for the repair and maintenance of qualified aircraft
508 and aircraft of more than 2,000 pounds maximum certified
509 takeoff weight, including and rotary wing aircraft, are exempt
510 from the tax imposed under this chapter of more than 10,000
511 ~~pounds maximum certified takeoff weight.~~ Except as otherwise
512 provided in this chapter, charges for parts and equipment
513 furnished in connection with such labor charges are taxable.

514 (rr) *Equipment used in aircraft repair and maintenance.*—
515 ~~There shall be exempt from the tax imposed by this chapter~~
516 Replacement engines, parts, and equipment used in the repair or
517 maintenance of qualified aircraft and aircraft of more than
518 2,000 pounds maximum certified takeoff weight, including and
519 rotary wing aircraft, are exempt from the tax imposed under this
520 chapter if of more than 10,300 pounds maximum certified takeoff
521 ~~weight, when~~ such parts or equipment are installed on such
522 aircraft that is being repaired or maintained in this state.

2013406er

523 Section 5. The amendments to section 212.08, Florida
524 Statutes, made by this act do not apply to any housing project
525 or mixed-use project where site development or construction work
526 was initiated prior to the effective date of this act.

527 Section 6. Effective July 1, 2013, paragraph (d) of
528 subsection (6) of section 212.20, Florida Statutes, is amended
529 to read:

530 212.20 Funds collected, disposition; additional powers of
531 department; operational expense; refund of taxes adjudicated
532 unconstitutionally collected.—

533 (6) Distribution of all proceeds under this chapter and s.
534 202.18(1)(b) and (2)(b) shall be as follows:

535 (d) The proceeds of all other taxes and fees imposed
536 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
537 and (2)(b) shall be distributed as follows:

538 1. In any fiscal year, the greater of \$500 million, minus
539 an amount equal to 4.6 percent of the proceeds of the taxes
540 collected pursuant to chapter 201, or 5.2 percent of all other
541 taxes and fees imposed pursuant to this chapter or remitted
542 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
543 monthly installments into the General Revenue Fund.

544 2. After the distribution under subparagraph 1., 8.814
545 percent of the amount remitted by a sales tax dealer located
546 within a participating county pursuant to s. 218.61 shall be
547 transferred into the Local Government Half-cent Sales Tax
548 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
549 transferred shall be reduced by 0.1 percent, and the department
550 shall distribute this amount to the Public Employees Relations
551 Commission Trust Fund less \$5,000 each month, which shall be

2013406er

552 added to the amount calculated in subparagraph 3. and
553 distributed accordingly.

554 3. After the distribution under subparagraphs 1. and 2.,
555 0.095 percent shall be transferred to the Local Government Half-
556 cent Sales Tax Clearing Trust Fund and distributed pursuant to
557 s. 218.65.

558 4. After the distributions under subparagraphs 1., 2., and
559 3., 2.0440 percent of the available proceeds shall be
560 transferred monthly to the Revenue Sharing Trust Fund for
561 Counties pursuant to s. 218.215.

562 5. After the distributions under subparagraphs 1., 2., and
563 3., 1.3409 percent of the available proceeds shall be
564 transferred monthly to the Revenue Sharing Trust Fund for
565 Municipalities pursuant to s. 218.215. If the total revenue to
566 be distributed pursuant to this subparagraph is at least as
567 great as the amount due from the Revenue Sharing Trust Fund for
568 Municipalities and the former Municipal Financial Assistance
569 Trust Fund in state fiscal year 1999-2000, no municipality shall
570 receive less than the amount due from the Revenue Sharing Trust
571 Fund for Municipalities and the former Municipal Financial
572 Assistance Trust Fund in state fiscal year 1999-2000. If the
573 total proceeds to be distributed are less than the amount
574 received in combination from the Revenue Sharing Trust Fund for
575 Municipalities and the former Municipal Financial Assistance
576 Trust Fund in state fiscal year 1999-2000, each municipality
577 shall receive an amount proportionate to the amount it was due
578 in state fiscal year 1999-2000.

579 6. Of the remaining proceeds:

580 a. In each fiscal year, the sum of \$29,915,500 shall be

2013406er

581 divided into as many equal parts as there are counties in the
582 state, and one part shall be distributed to each county. The
583 distribution among the several counties must begin each fiscal
584 year on or before January 5th and continue monthly for a total
585 of 4 months. If a local or special law required that any moneys
586 accruing to a county in fiscal year 1999-2000 under the then-
587 existing provisions of s. 550.135 be paid directly to the
588 district school board, special district, or a municipal
589 government, such payment must continue until the local or
590 special law is amended or repealed. The state covenants with
591 holders of bonds or other instruments of indebtedness issued by
592 local governments, special districts, or district school boards
593 before July 1, 2000, that it is not the intent of this
594 subparagraph to adversely affect the rights of those holders or
595 relieve local governments, special districts, or district school
596 boards of the duty to meet their obligations as a result of
597 previous pledges or assignments or trusts entered into which
598 obligated funds received from the distribution to county
599 governments under then-existing s. 550.135. This distribution
600 specifically is in lieu of funds distributed under s. 550.135
601 before July 1, 2000.

602 b. The department shall distribute \$166,667 monthly
603 pursuant to s. 288.1162 to each applicant certified as a
604 facility for a new or retained professional sports franchise
605 pursuant to s. 288.1162. Up to \$41,667 shall be distributed
606 monthly by the department to each certified applicant as defined
607 in s. 288.11621 for a facility for a spring training franchise.
608 However, not more than \$416,670 may be distributed monthly in
609 the aggregate to all certified applicants for facilities for

2013406er

610 spring training franchises. Distributions begin 60 days after
611 such certification and continue for not more than 30 years,
612 except as otherwise provided in s. 288.11621. A certified
613 applicant identified in this sub-subparagraph may not receive
614 more in distributions than expended by the applicant for the
615 public purposes provided for in s. 288.1162(5) or s.
616 288.11621(3).

617 c. Beginning 30 days after notice by the Department of
618 Economic Opportunity to the Department of Revenue that an
619 applicant has been certified as the professional golf hall of
620 fame pursuant to s. 288.1168 and is open to the public, \$166,667
621 shall be distributed monthly, for up to 300 months, to the
622 applicant.

623 d. Beginning 30 days after notice by the Department of
624 Economic Opportunity to the Department of Revenue that the
625 applicant has been certified as the International Game Fish
626 Association World Center facility pursuant to s. 288.1169, and
627 the facility is open to the public, \$83,333 shall be distributed
628 monthly, for up to 168 months, to the applicant. This
629 distribution is subject to reduction pursuant to s. 288.1169. A
630 lump sum payment of \$999,996 shall be made, after certification
631 and before July 1, 2000.

632 e. The department shall distribute up to \$55,555 monthly to
633 each certified applicant as defined in s. 288.11631 for a
634 facility used by a single spring training franchise, or up to
635 \$111,110 monthly to each certified applicant as defined in s.
636 288.11631 for a facility used by more than one spring training
637 franchise. Monthly distributions begin 60 days after such
638 certification or July 1, 2016, whichever is later, and continue

2013406er

639 for not more than 30 years, except as otherwise provided in s.
640 288.11631. A certified applicant identified in this sub-
641 subparagraph may not receive more in distributions than expended
642 by the applicant for the public purposes provided in s.
643 288.11631(3).

644 7. All other proceeds must remain in the General Revenue
645 Fund.

646 Section 7. Paragraph (bb) is added to subsection (8) of
647 section 213.053, Florida Statutes, to read:

648 213.053 Confidentiality and information sharing.—

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

651 (bb) Information to the director of the Office of Program
652 Policy Analysis and Government Accountability or his or her
653 authorized agent, and to the coordinator of the Office of
654 Economic and Demographic Research or his or her authorized
655 agent, for purposes of completing the Economic Development
656 Programs Evaluation. Information obtained from the department
657 pursuant to this paragraph may be shared by the director and the
658 coordinator, or the director's or coordinator's authorized
659 agent, for purposes of completing the Economic Development
660 Programs Evaluation.

661
662 Disclosure of information under this subsection shall be
663 pursuant to a written agreement between the executive director
664 and the agency. Such agencies, governmental or nongovernmental,
665 shall be bound by the same requirements of confidentiality as
666 the Department of Revenue. Breach of confidentiality is a
667 misdemeanor of the first degree, punishable as provided by s.

2013406er

668 775.082 or s. 775.083.

669 Section 8. Paragraph (b) of subsection (1) and subsection
670 (2) of section 220.182, Florida Statutes, is amended to read:

671 220.182 Enterprise zone property tax credit.—

672 (1)

673 (b) If the credit granted pursuant to this section is not
674 fully used in any one year, the unused amount may be carried
675 forward for a period not to exceed 5 years. The carryover credit
676 may be used in a subsequent year when the tax imposed by this
677 chapter for such year exceeds the credit for such year under
678 this section after applying the other credits and unused credit
679 carryovers in the order provided in s. 220.02(8). The amount of
680 credit taken under this section in any one year, however, shall
681 not exceed \$25,000 for each eligible location, or, if no less
682 than 20 percent of the employees of the business at that
683 location are residents of an enterprise zone, excluding
684 temporary employees, the amount shall not exceed \$50,000 for
685 each eligible location.

686 (2) To be eligible to receive an expanded enterprise zone
687 property tax credit of up to \$50,000 for each eligible location,
688 the business must provide a statement, under oath, on the form
689 prescribed by the department for claiming the credit authorized
690 by this section, that no less than 20 percent of its employees
691 at that location, excluding temporary and part-time employees,
692 are residents of an enterprise zone. It shall be a condition
693 precedent to the granting of each annual tax credit that such
694 employment requirements be fulfilled throughout each year during
695 the 5-year period of the credit. The statement shall set forth
696 the name and place of residence of each permanent employee on

2013406er

697 the last day of business of the tax year for which the credit is
698 claimed or, if the employee is no longer employed or eligible
699 for the credit on that date, the last calendar day of the last
700 full calendar month the employee was employed or eligible for
701 the credit at the relevant site.

702 Section 9. Subsection (9) of section 220.194, Florida
703 Statutes, is amended to read:

704 220.194 Corporate income tax credits for spaceflight
705 projects.—

706 (9) ANNUAL REPORT.—Beginning in 2014, the Department of
707 Economic Opportunity, in cooperation with Space Florida and the
708 department, shall include in the ~~submit an~~ annual incentives
709 report required under s. 288.907 a summary of ~~summarizing~~
710 activities relating to the Florida Space Business Incentives Act
711 established under this section ~~to the Governor, the President of~~
712 ~~the Senate, and the Speaker of the House of Representatives by~~
713 ~~each November 30.~~

714 Section 10. Subsection (4) is added to section 288.005,
715 Florida Statutes, to read:

716 288.005 Definitions.—As used in this chapter, the term:

717 (4) "Jobs" means full-time equivalent positions, including,
718 but not limited to, positions obtained from a temporary
719 employment agency or employee leasing company or through a union
720 agreement or coemployment under a professional employer
721 organization agreement, which result directly from a project in
722 this state. This number does not include temporary construction
723 jobs involved with the construction of facilities for the
724 project.

725 Section 11. Subsection (3) of section 288.012, Florida

2013406er

726 Statutes, is amended to read:

727 288.012 State of Florida international offices; state
728 protocol officer; protocol manual.—The Legislature finds that
729 the expansion of international trade and tourism is vital to the
730 overall health and growth of the economy of this state. This
731 expansion is hampered by the lack of technical and business
732 assistance, financial assistance, and information services for
733 businesses in this state. The Legislature finds that these
734 businesses could be assisted by providing these services at
735 State of Florida international offices. The Legislature further
736 finds that the accessibility and provision of services at these
737 offices can be enhanced through cooperative agreements or
738 strategic alliances between private businesses and state, local,
739 and international governmental entities.

740 (3) ~~By October 1 of each year,~~ Each international office
741 shall annually submit to Enterprise Florida, Inc., the
742 ~~department~~ a complete and detailed report on its activities and
743 accomplishments during the previous preceding fiscal year for
744 inclusion in the annual report required under s. 288.906. In the
745 ~~a~~ format and by the annual date prescribed ~~provided~~ by
746 Enterprise Florida, Inc., the report must set forth information
747 on:

748 (a) The number of Florida companies assisted.

749 (b) The number of inquiries received about investment
750 opportunities in this state.

751 (c) The number of trade leads generated.

752 (d) The number of investment projects announced.

753 (e) The estimated U.S. dollar value of sales confirmations.

754 (f) The number of representation agreements.

2013406er

755 (g) The number of company consultations.

756 (h) Barriers or other issues affecting the effective
757 operation of the office.

758 (i) Changes in office operations which are planned for the
759 current fiscal year.

760 (j) Marketing activities conducted.

761 (k) Strategic alliances formed with organizations in the
762 country in which the office is located.

763 (l) Activities conducted with Florida's other international
764 offices.

765 (m) Any other information that the office believes would
766 contribute to an understanding of its activities.

767 Section 12. Present subsections (2) and (3) of section
768 288.061, Florida Statutes, are renumbered as subsections (3) and
769 (4), respectively, and a new subsection (2) and subsection (5)
770 are added to that section, to read:

771 288.061 Economic development incentive application
772 process.—

773 (2) Beginning July 1, 2013, the department shall review and
774 evaluate each economic development incentive application for the
775 economic benefits of the proposed award of state incentives
776 proposed for the project. The term "economic benefits" has the
777 same meaning as in s. 288.005. The Office of Economic and
778 Demographic Research shall establish the methodology and model
779 used to calculate the economic benefits. For purposes of this
780 requirement, an amended definition of economic benefits may be
781 developed by the Office of Economic and Demographic Research.

782 (5) (a) The executive director may not approve an economic
783 development incentive application unless the application

2013406er

784 includes a signed written declaration by the applicant which
785 states that the applicant has read the information in the
786 application and that the information is true, correct, and
787 complete to the best of the applicant's knowledge and belief.

788 (b) After an economic development incentive application is
789 approved, the awardee shall provide, in each year that the
790 department is required to validate contractor performance, a
791 signed written declaration. The written declaration must state
792 that the awardee has reviewed the information and that the
793 information is true, correct, and complete to the best of the
794 awardee's knowledge and belief.

795 Section 13. Subsection (8) of section 288.0656, Florida
796 Statutes, is amended to read:

797 288.0656 Rural Economic Development Initiative.—

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

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

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

810 (c) ~~The report shall also include~~ Information as to the
811 economic impact of the projects coordinated by REDI. ~~and~~

812 (d) Recommendations based on the review and evaluation of

2013406er

813 statutes and rules having an adverse impact on rural
814 communities, and proposals to mitigate such adverse impacts.

815 Section 14. Effective October 1, 2013, section 288.076,
816 Florida Statutes, is created to read:

817 288.076 Return on investment reporting for economic
818 development programs.-

819 (1) As used in this section, the term:

820 (a) "Jobs" has the same meaning as provided in s.
821 288.106(2) (i).

822 (b) "Participant business" means an employing unit, as
823 defined in s. 443.036, that has entered into an agreement with
824 the department to receive a state investment.

825 (c) "Project" has the same meaning as provided in s.
826 288.106(2) (m).

827 (d) "Project award date" means the date a participant
828 business enters into an agreement with the department to receive
829 a state investment.

830 (e) "State investment" means any state grants, tax
831 exemptions, tax refunds, tax credits, or other state incentives
832 provided to a business under a program administered by the
833 department, including the capital investment tax credit under s.
834 220.191.

835 (2) The department shall maintain a website for the purpose
836 of publishing the information described in this section. The
837 information required to be published under this section must be
838 provided in a format accessible to the public which enables
839 users to search for and sort specific data and to easily view
840 and retrieve all data at once.

841 (3) Within 48 hours after expiration of the period of

2013406er

842 confidentiality for project information deemed confidential and
843 exempt pursuant to s. 288.075, the department shall publish the
844 following information pertaining to each project:

845 (a) Projected economic benefits.—The projected economic
846 benefits at the time of the initial project award date.

847 (b) Project information.—

848 1. The program or programs through which state investment
849 is being made.

850 2. The maximum potential cumulative state investment in the
851 project.

852 3. The target industry or industries, and any high impact
853 sectors implicated by the project.

854 4. The county or counties that will be impacted by the
855 project.

856 5. For a project that requires local commitment, the total
857 cumulative local financial commitment and in-kind support for
858 the project.

859 (c) Participant business information.—

860 1. The location of the headquarters of the participant
861 business or, if a subsidiary, the headquarters of the parent
862 company.

863 2. The firm size class of the participant business, or
864 where owned by a parent company the firm size class of the
865 participant business's parent company, using the firm size
866 classes established by the United States Department of Labor
867 Bureau of Labor Statistics, and whether the participant business
868 qualifies as a small business as defined in s. 288.703.

869 3. The date of the project award.

870 4. The expected duration of the contract.

2013406er

871 5. The anticipated dates when the participant business will
872 claim the last state investment.

873 (d) Project evaluation criteria.—Economic benefits
874 generated by the project.

875 (e) Project performance goals.—

876 1. The incremental direct jobs attributable to the project,
877 identifying the number of jobs generated and the number of jobs
878 retained.

879 2. The number of jobs generated and the number of jobs
880 retained by the project, and for projects commencing after
881 October 1, 2013, the average annual wage of persons holding such
882 jobs.

883 3. The incremental direct capital investment in the state
884 generated by the project.

885 (f) Total state investment to date.—The total amount of
886 state investment disbursed to the participant business to date
887 under the terms of the contract, itemized by incentive program.

888 (4) The department shall calculate and publish on its
889 website the economic benefits of each project within 48 hours
890 after the conclusion of the agreement between each participant
891 business and the department. The department shall work with the
892 Office of Economic and Demographic Research to provide a
893 description of the methodology used to calculate the economic
894 benefits of a project, and the department must publish the
895 information on its website.

896 (5) At least annually, from the project award date, the
897 department shall:

898 (a) Publish verified results to update the information
899 described in paragraphs (3) (b)-(f) to accurately reflect any

2013406er

900 changes in the published information since the project award
901 date.

902 (b) Publish on its website the date on which the
903 information collected and published for each project was last
904 updated.

905 (6) Annually, the department shall publish information
906 relating to the progress of Quick Action Closing Fund projects,
907 including the average number of days between the date the
908 department receives a completed application and the date on
909 which the application is approved.

910 (7) (a) Within 48 hours after expiration of the period of
911 confidentiality provided under s. 288.075, the department shall
912 publish the contract or agreement described in s. 288.061,
913 redacted to protect the participant business from disclosure of
914 information that remains confidential or exempt by law.

915 (b) Within 48 hours after submitting any report of findings
916 and recommendations made pursuant to s. 288.106(7) (d) concerning
917 a business's failure to complete a tax refund agreement pursuant
918 to the tax refund program for qualified target industry
919 businesses, the department shall publish such report.

920 (8) For projects completed before October 1, 2013, the
921 department shall compile and, by October 1, 2014, shall publish
922 the information described in subsections (3), (4), and (5), to
923 the extent such information is available and applicable.

924 (9) The provisions of this section that restrict the
925 department's publication of information are intended only to
926 limit the information that the department may publish on its
927 website and shall not be construed to create an exemption from
928 public records requirements under s. 119.07(1) or s. 24(a), Art.

2013406er

929 I of the State Constitution.

930 (10) The department may adopt rules to administer this
931 section.

932 Section 15. Paragraph (c) of subsection (3) of section
933 288.095, Florida Statutes, is repealed.

934 Section 16. Effective July 1, 2013, present paragraphs (d)
935 through (h) of subsection (2) of section 288.1045, Florida
936 Statutes, are redesignated as paragraphs (c) through (g),
937 respectively, and present paragraph (c) of that subsection is
938 amended to read:

939 288.1045 Qualified defense contractor and space flight
940 business tax refund program.—

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

942 ~~(c) A qualified applicant may not receive more than \$7~~
943 ~~million in tax refunds pursuant to this section in all fiscal~~
944 ~~years.~~

945 Section 17. Effective July 1, 2013, paragraph (c) of
946 subsection (3), paragraph (c) of subsection (4), and paragraph
947 (d) of subsection (7) of section 288.106, Florida Statutes, are
948 amended to read:

949 288.106 Tax refund program for qualified target industry
950 businesses.—

951 (3) TAX REFUND; ELIGIBLE AMOUNTS.—

952 (c) A qualified target industry business may not receive
953 refund payments of more than 25 percent of the total tax refunds
954 specified in the tax refund agreement under subparagraph
955 (5)(a)1. in any fiscal year. Further, a qualified target
956 industry business may not receive more than \$1.5 million in
957 refunds under this section in any single fiscal year, or more

2013406er

958 than \$2.5 million in any single fiscal year if the project is
959 located in an enterprise zone. ~~A qualified target industry~~
960 ~~business may not receive more than \$7 million in refund payments~~
961 ~~under this section in all fiscal years, or more than \$7.5~~
962 ~~million if the project is located in an enterprise zone.~~

963 (4) APPLICATION AND APPROVAL PROCESS.—

964 (c) Each application meeting the requirements of paragraph
965 (b) must be submitted to the department for determination of
966 eligibility. The department shall review and evaluate each
967 application based on, but not limited to, the following
968 criteria:

969 1. Expected contributions to the state's economy,
970 consistent with the state strategic economic development plan
971 prepared by the department.

972 2. The economic benefits of the proposed award of tax
973 refunds under this section ~~and the economic benefits of state~~
974 ~~incentives proposed for the project. The term "economic~~
975 ~~benefits" has the same meaning as in s. 288.005. The Office of~~
976 ~~Economic and Demographic Research shall review and evaluate the~~
977 ~~methodology and model used to calculate the economic benefits~~
978 ~~and shall report its findings by September 1 of every 3rd year,~~
979 ~~to the President of the Senate and the Speaker of the House of~~
980 ~~Representatives.~~

981 3. The amount of capital investment to be made by the
982 applicant in this state.

983 4. The local financial commitment and support for the
984 project.

985 5. The expected effect of the project on the unemployed and
986 underemployed ~~unemployment rate~~ in the county where the project

2013406er

987 will be located.

988 6. The expected effect of the award on the viability of the
989 project and the probability that the project would be undertaken
990 in this state if such tax refunds are granted to the applicant.

991 ~~7. The expected long term commitment of the applicant to~~
992 ~~economic growth and employment in this state resulting from the~~
993 ~~project.~~

994 ~~7.8.~~ A review of the business's past activities in this
995 state or other states, including whether the ~~such~~ business has
996 been subjected to criminal or civil fines and penalties. This
997 subparagraph does not require the disclosure of confidential
998 information.

999 (7) ADMINISTRATION.—

1000 (d) Beginning with tax refund agreements signed after July
1001 1, 2010, the department shall attempt to ascertain the causes
1002 for any business's failure to complete its agreement and ~~shall~~
1003 ~~report~~ its findings and recommendations must be included in the
1004 annual incentives report under s. 288.907 to the Governor, the
1005 ~~President of the Senate, and the Speaker of the House of~~
1006 ~~Representatives. The report shall be submitted by December 1 of~~
1007 ~~each year beginning in 2011.~~

1008 Section 18. Paragraphs (c) and (d) of subsection (1),
1009 subsections (2) and (3), and paragraphs (a), (b), and (f) of
1010 subsection (4) of section 288.107, Florida Statutes, are amended
1011 to read:

1012 288.107 Brownfield redevelopment bonus refunds.—

1013 (1) DEFINITIONS.—As used in this section:

1014 (c) "Brownfield area eligible for bonus refunds" means a
1015 brownfield site for which a rehabilitation agreement with the

2013406er

1016 Department of Environmental Protection or a local government
1017 delegated by the Department of Environmental Protection has been
1018 executed under s. 376.80 and any abutting real property parcel
1019 within a brownfield contiguous area of one or more brownfield
1020 sites, some of which may not be contaminated, and which has been
1021 designated by a local government by resolution under s. 376.80.
1022 ~~Such areas may include all or portions of community~~
1023 ~~redevelopment areas, enterprise zones, empowerment zones, other~~
1024 ~~such designated economically deprived communities and areas, and~~
1025 ~~Environmental Protection Agency-designated brownfield pilot~~
1026 ~~projects.~~

1027 (d) "Eligible business" means:

1028 1. A qualified target industry business as defined in s.
1029 288.106(2); or

1030 2. A business that can demonstrate a fixed capital
1031 investment of at least \$2 million in mixed-use business
1032 activities, including multiunit housing, commercial, retail, and
1033 industrial in brownfield areas eligible for bonus refunds, or at
1034 ~~least \$500,000 in brownfield areas that do not require site~~
1035 ~~cleanup,~~ and that provides benefits to its employees.

1036 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.—Bonus refunds
1037 shall be approved by the department as specified in the final
1038 order and allowed from the account as follows:

1039 (a) A bonus refund of \$2,500 shall be allowed to any
1040 qualified target industry business as defined in s. 288.106 for
1041 each new Florida job created in a brownfield area eligible for
1042 bonus refunds which ~~that~~ is claimed on the qualified target
1043 industry business's annual refund claim authorized in s.

1044 288.106(6).

2013406er

1045 (b) A bonus refund of up to \$2,500 shall be allowed to any
1046 other eligible business as defined in subparagraph (1)(d)2. for
1047 each new Florida job created in a brownfield area eligible for
1048 bonus refunds which ~~that~~ is claimed under an annual claim
1049 procedure similar to the annual refund claim authorized in s.
1050 288.106(6). The amount of the refund shall be equal to 20
1051 percent of the average annual wage for the jobs created.

1052 (3) CRITERIA.—The minimum criteria for participation in the
1053 brownfield redevelopment bonus refund are:

1054 (a) The creation of at least 10 new full-time permanent
1055 jobs. Such jobs shall not include construction or site
1056 rehabilitation jobs associated with the implementation of a
1057 brownfield site agreement as described in s. 376.80(5).

1058 (b) The completion of a fixed capital investment of at
1059 least \$2 million in mixed-use business activities, including
1060 multiunit housing, commercial, retail, and industrial in
1061 brownfield areas eligible for bonus refunds, ~~or at least~~
1062 ~~\$500,000 in brownfield areas that do not require site cleanup,~~
1063 by an eligible business applying for a refund under paragraph
1064 (2)(b) which provides benefits to its employees.

1065 ~~(c) That the designation as a brownfield will diversify and~~
1066 ~~strengthen the economy of the area surrounding the site.~~

1067 ~~(d) That the designation as a brownfield will promote~~
1068 ~~capital investment in the area beyond that contemplated for the~~
1069 ~~rehabilitation of the site.~~

1070 ~~(e) A resolution adopted by the governing board of the~~
1071 ~~county or municipality in which the project will be located that~~
1072 ~~recommends that certain types of businesses be approved.~~

1073 (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

2013406er

1074 (a) To be eligible to receive a bonus refund for new
1075 Florida jobs created in a brownfield area eligible for bonus
1076 refunds, a business must have been certified as a qualified
1077 target industry business under s. 288.106 or eligible business
1078 as defined in paragraph (1) (d) and must have indicated on the
1079 qualified target industry business tax refund application form
1080 submitted in accordance with s. 288.106(4) or other similar
1081 agreement for other eligible business as defined in paragraph
1082 (1) (d) that the project for which the application is submitted
1083 is or will be located in a brownfield area eligible for bonus
1084 refunds and that the business is applying for certification as a
1085 qualified brownfield business under this section, and must have
1086 signed a qualified target industry business tax refund agreement
1087 with the department that indicates that the business has been
1088 certified as a qualified target industry business located in a
1089 brownfield area eligible for bonus refunds and specifies the
1090 schedule of brownfield redevelopment bonus refunds that the
1091 business may be eligible to receive in each fiscal year.

1092 (b) To be considered to receive an eligible brownfield
1093 redevelopment bonus refund payment, the business meeting the
1094 requirements of paragraph (a) must submit a claim once each
1095 fiscal year on a claim form approved by the department which
1096 indicates the location of the brownfield site for which a
1097 rehabilitation agreement with the Department of Environmental
1098 Protection or a local government delegated by the Department of
1099 Environmental Protection has been executed under s. 376.80, the
1100 address of the business facility's brownfield location, the name
1101 of the brownfield in which it is located, the number of jobs
1102 created, and the average wage of the jobs created by the

2013406er

1103 business within the brownfield as defined in s. 288.106 or other
1104 eligible business as defined in paragraph (1)(d) and the
1105 administrative rules and policies for that section.

1106 (f) Applications shall be reviewed and certified pursuant
1107 to s. 288.061. The department shall review all applications
1108 submitted under s. 288.106 or other similar application forms
1109 for other eligible businesses as defined in paragraph (1)(d)
1110 which indicate that the proposed project will be located in a
1111 brownfield area eligible for bonus refunds and determine, with
1112 the assistance of the Department of Environmental Protection,
1113 that the project location is within a brownfield area eligible
1114 for bonus refunds as provided in this act.

1115 Section 19. The amendments to section 288.107, Florida
1116 Statutes, made by this act do not apply to any party seeking a
1117 brownfield redevelopment bonus refund where, before the
1118 effective date of this act:

1119 (1) A resolution endorsing the refund was approved by the
1120 local government;

1121 (2) Any such party seeking the refund filed a notice of
1122 intent to seek a refund or filed an application for the refund
1123 with the Department of Economic Opportunity or Enterprise
1124 Florida, Inc.; or

1125 (3) Any such party seeking the refund executed an actual
1126 tax refund agreement with the Department of Economic
1127 Opportunity.

1128 Section 20. Subsection (8) of section 288.1081, Florida
1129 Statutes, is amended to read:

1130 288.1081 Economic Gardening Business Loan Pilot Program.—

1131 (8) The annual report required under s. 20.60 must describe

2013406er

1132 ~~On June 30 and December 31 of each year, the department shall~~
1133 ~~submit a report to the Governor, the President of the Senate,~~
1134 ~~and the Speaker of the House of Representatives which describes~~
1135 in detail the use of the loan funds. The report must include, at
1136 a minimum, the number of businesses receiving loans, the number
1137 of full-time equivalent jobs created as a result of the loans,
1138 the amount of wages paid to employees in the newly created jobs,
1139 the locations and types of economic activity undertaken by the
1140 borrowers, the amounts of loan repayments made to date, and the
1141 default rate of borrowers.

1142 Section 21. Subsection (8) of section 288.1082, Florida
1143 Statutes, is amended to read:

1144 288.1082 Economic Gardening Technical Assistance Pilot
1145 Program.—

1146 (8) The annual report required under s. 20.60 must describe
1147 ~~On December 31 of each year, the department shall submit a~~
1148 ~~report to the Governor, the President of the Senate, and the~~
1149 ~~Speaker of the House of Representatives which describes in~~
1150 detail the progress of the pilot program. The report must
1151 include, at a minimum, the number of businesses receiving
1152 assistance, the number of full-time equivalent jobs created as a
1153 result of the assistance, if any, the amount of wages paid to
1154 employees in the newly created jobs, and the locations and types
1155 of economic activity undertaken by the businesses.

1156 Section 22. Paragraph (e) of subsection (3) of section
1157 288.1088, Florida Statutes, is amended to read:

1158 288.1088 Quick Action Closing Fund.—

1159 (3)

1160 (e) The department ~~Enterprise Florida, Inc.,~~ shall validate

2013406er

1161 contractor performance and report. such validation ~~shall be~~
1162 ~~reported~~ in the annual incentives report required under s.
1163 288.907 ~~within 6 months after completion of the contract to the~~
1164 ~~Governor, President of the Senate, and the Speaker of the House~~
1165 ~~of Representatives.~~

1166 Section 23. Paragraphs (b) and (d) of subsection (4), and
1167 subsections (9) and (11) of section 288.1089, Florida Statutes,
1168 are amended to read:

1169 288.1089 Innovation Incentive Program.—

1170 (4) To qualify for review by the department, the applicant
1171 must, at a minimum, establish the following to the satisfaction
1172 of the department:

1173 (b) A research and development project must:

1174 1. Serve as a catalyst for an emerging or evolving
1175 technology cluster.

1176 2. Demonstrate a plan for significant higher education
1177 collaboration.

1178 3. Provide the state, at a minimum, a cumulative break-even
1179 economic benefit ~~return on investment~~ within a 20-year period.

1180 4. Be provided with a one-to-one match from the local
1181 community. The match requirement may be reduced or waived in
1182 rural areas of critical economic concern or reduced in rural
1183 areas, brownfield areas, and enterprise zones.

1184 (d) For an alternative and renewable energy project in this
1185 state, the project must:

1186 1. Demonstrate a plan for significant collaboration with an
1187 institution of higher education;

1188 2. Provide the state, at a minimum, a cumulative break-even
1189 economic benefit ~~return on investment~~ within a 20-year period;

2013406er

1190 3. Include matching funds provided by the applicant or
1191 other available sources. The match requirement may be reduced or
1192 waived in rural areas of critical economic concern or reduced in
1193 rural areas, brownfield areas, and enterprise zones;

1194 4. Be located in this state; and

1195 5. Provide at least 35 direct, new jobs that pay an
1196 estimated annual average wage that equals at least 130 percent
1197 of the average private sector wage.

1198 (9) The department shall validate the performance of an
1199 innovation business, a research and development facility, or an
1200 alternative and renewable energy business that has received an
1201 award. At the conclusion of the innovation incentive award
1202 agreement, or its earlier termination, the department shall
1203 include in the annual incentives report required under s.
1204 288.907 a detailed description of, ~~within 90 days, submit a~~
1205 ~~report to the Governor, the President of the Senate, and the~~
1206 ~~Speaker of the House of Representatives detailing~~ whether the
1207 recipient of the innovation incentive grant achieved its
1208 specified outcomes.

1209 (11) ~~(a)~~ The department shall include in ~~submit to the~~
1210 ~~Governor, the President of the Senate, and the Speaker of the~~
1211 ~~House of Representatives, as part of the annual~~ incentives
1212 report required under s. 288.907, a report summarizing the
1213 activities and accomplishments of the recipients of grants from
1214 the Innovation Incentive Program during the previous 12 months
1215 and an evaluation of whether the recipients are catalysts for
1216 additional direct and indirect economic development in Florida.

1217 ~~(b) Beginning March 1, 2010, and every third year~~
1218 ~~thereafter, the Office of Program Policy Analysis and Government~~

2013406er

1219 ~~Accountability, in consultation with the Auditor General's~~
1220 ~~Office, shall release a report evaluating the Innovation~~
1221 ~~Incentive Program's progress toward creating clusters of high-~~
1222 ~~wage, high skilled, complementary industries that serve as~~
1223 ~~catalysts for economic growth specifically in the regions in~~
1224 ~~which they are located, and generally for the state as a whole.~~
1225 ~~Such report should include critical analyses of quarterly and~~
1226 ~~annual reports, annual audits, and other documents prepared by~~
1227 ~~the Innovation Incentive Program awardees; relevant economic~~
1228 ~~development reports prepared by the department, Enterprise~~
1229 ~~Florida, Inc., and local or regional economic development~~
1230 ~~organizations; interviews with the parties involved; and any~~
1231 ~~other relevant data. Such report should also include legislative~~
1232 ~~recommendations, if necessary, on how to improve the Innovation~~
1233 ~~Incentive Program so that the program reaches its anticipated~~
1234 ~~potential as a catalyst for direct and indirect economic~~
1235 ~~development in this state.~~

1236 Section 24. Effective July 1, 2013, section 288.11631,
1237 Florida Statutes, is created to read:

1238 288.11631 Retention of Major League Baseball spring
1239 training baseball franchises.-

1240 (1) DEFINITIONS.-As used in this section, the term:

1241 (a) "Agreement" means a certified, signed lease between an
1242 applicant that applies for certification on or after July 1,
1243 2013, and a spring training franchise for the use of a facility.

1244 (b) "Applicant" means a unit of local government as defined
1245 in s. 218.369, including a local government located in the same
1246 county, which has partnered with a certified applicant before
1247 the effective date of this section or with an applicant for a

2013406er

1248 new certification, for purposes of sharing in the
1249 responsibilities of a facility.

1250 (c) "Certified applicant" means a facility for a spring
1251 training franchise or a unit of local government that is
1252 certified under this section.

1253 (d) "Facility" means a spring training stadium, playing
1254 fields, and appurtenances intended to support spring training
1255 activities.

1256 (e) "Local funds" and "local matching funds" mean funds
1257 provided by a county, municipality, or other local government.

1258 (2) CERTIFICATION PROCESS.-

1259 (a) Before certifying an applicant to receive state funding
1260 for a facility for a spring training franchise, the department
1261 must verify that:

1262 1. The applicant is responsible for the construction or
1263 renovation of the facility for a spring training franchise or
1264 holds title to the property on which the facility for a spring
1265 training franchise is located.

1266 2. The applicant has a certified copy of a signed agreement
1267 with a spring training franchise. The signed agreement with a
1268 spring training franchise for the use of a facility must, at a
1269 minimum, be equal to the length of the term of the bonds issued
1270 for the public purpose of constructing or renovating a facility
1271 for a spring training franchise. If no such bonds are issued for
1272 the public purpose of constructing or renovating a facility for
1273 a spring training franchise, the signed agreement with a spring
1274 training franchise for the use of a facility must be for at
1275 least 20 years. Any such agreement with a spring training
1276 franchise for the use of a facility cannot be signed more than 4

2013406er

1277 years before the expiration of any existing agreement with a
1278 spring training franchise for the use of a facility. The
1279 agreement must also require the franchise to reimburse the state
1280 for state funds expended by an applicant under this section if
1281 the franchise relocates before the agreement expires. The
1282 agreement may be contingent on an award of funds under this
1283 section and other conditions precedent.

1284 3. The applicant has made a financial commitment to provide
1285 50 percent or more of the funds required by an agreement for the
1286 construction or renovation of the facility for a spring training
1287 franchise. The commitment may be contingent upon an award of
1288 funds under this section and other conditions precedent.

1289 4. The applicant demonstrates that the facility for a
1290 spring training franchise will attract a paid attendance of at
1291 least 50,000 persons annually to the spring training games.

1292 5. The facility for a spring training franchise is located
1293 in a county that levies a tourist development tax under s.
1294 125.0104.

1295 (b) The department shall evaluate applications for state
1296 funding of the construction or renovation of the facility for a
1297 spring training franchise. The evaluation criteria must include
1298 the following items:

1299 1. The anticipated effect on the economy of the local
1300 community where the facility is to be constructed or renovated,
1301 including projections on paid attendance, local and state tax
1302 collections generated by spring training games, and direct and
1303 indirect job creation resulting from the spring training
1304 activities.

1305 2. The amount of the local matching funds committed to a

2013406er

1306 facility relative to the amount of state funding sought.

1307 3. The potential for the facility to be used as a multiple
1308 purpose, year-round facility.

1309 4. The intended use of the funds by the applicant.

1310 5. The length of time that a spring training franchise has
1311 been under an agreement to conduct spring training activities
1312 within an applicant's geographic location or jurisdiction.

1313 6. The length of time that an applicant's facility has been
1314 used by one or more spring training franchises, including
1315 continuous use as facilities for spring training.

1316 7. The term remaining on a lease between an applicant and a
1317 spring training franchise for a facility.

1318 8. The length of time that a spring training franchise
1319 agrees to use an applicant's facility if an application is
1320 granted under this section.

1321 9. The location of the facility in a brownfield, an
1322 enterprise zone, a community redevelopment area, or other area
1323 of targeted development or revitalization included in an urban
1324 infill redevelopment plan.

1325 (c) Each applicant certified on or after July 1, 2013,
1326 shall enter into an agreement with the department which:

1327 1. Specifies the amount of the state incentive funding to
1328 be distributed. The amount of state incentive funding per
1329 certified applicant may not exceed \$20 million. However, if a
1330 certified applicant's facility is used by more than one spring
1331 training franchise, the maximum amount may not exceed \$50
1332 million, and the Department of Revenue shall make distributions
1333 to the applicant pursuant to s. 212.20(6)(d)6.e. for not more
1334 than 37 years and 6 months.

2013406er

1335 2. States the criteria that the certified applicant must
1336 meet in order to remain certified. These criteria must include a
1337 provision stating that the spring training franchise must
1338 reimburse the state for any funds received if the franchise does
1339 not comply with the terms of the contract.

1340 3. States that the certified applicant is subject to
1341 decertification if the certified applicant fails to comply with
1342 this section or the agreement.

1343 4. States that the department may recover state incentive
1344 funds if the certified applicant is decertified.

1345 5. Specifies the information that the certified applicant
1346 must report to the department.

1347 6. Includes any provision deemed prudent by the department.

1348 (3) USE OF FUNDS.—

1349 (a) A certified applicant may use funds provided under s.
1350 212.20(6)(d)6.e. only to:

1351 1. Serve the public purpose of constructing or renovating a
1352 facility for a spring training franchise.

1353 2. Pay or pledge for the payment of debt service on, or to
1354 fund debt service reserve funds, arbitrage rebate obligations,
1355 or other amounts payable with respect thereto, bonds issued for
1356 the construction or renovation of such facility, or for the
1357 reimbursement of such costs or the refinancing of bonds issued
1358 for such purposes.

1359 (b) State funds awarded to a certified applicant for a
1360 facility for a spring training franchise may not be used to
1361 subsidize facilities that are privately owned by, maintained by,
1362 and used exclusively by a spring training franchise.

1363 (c) The Department of Revenue may not distribute funds

2013406er

1364 under s. 212.20(6)(d)6.e. until July 1, 2016. Further, the
1365 Department of Revenue may not distribute funds to an applicant
1366 certified on or after July 1, 2013, until it receives notice
1367 from the department that:

1368 1. The certified applicant has encumbered funds under
1369 either subparagraph (a)1. or 2.; and

1370 2. If applicable, any existing agreement with a spring
1371 training franchise for the use of a facility has expired.

1372 (d)1. All certified applicants shall place unexpended state
1373 funds received pursuant to s. 212.20(6)(d)6.e. in a trust fund
1374 or separate account for use only as authorized in this section.

1375 2. A certified applicant may request that the department
1376 notify the Department of Revenue to suspend further
1377 distributions of state funds made available under s.
1378 212.20(6)(d)6.e. for 12 months after expiration of an existing
1379 agreement with a spring training franchise to provide the
1380 certified applicant with an opportunity to enter into a new
1381 agreement with a spring training franchise, at which time the
1382 distributions shall resume.

1383 3. The expenditure of state funds distributed to an
1384 applicant certified after July 1, 2013, must begin within 48
1385 months after the initial receipt of the state funds. In
1386 addition, the construction or renovation of a spring training
1387 facility must be completed within 24 months after the project's
1388 commencement.

1389 (4) ANNUAL REPORTS.—

1390 (a) On or before September 1 of each year, a certified
1391 applicant shall submit to the department a report that includes,
1392 but is not limited to:

2013406er

1393 1. A detailed accounting of all local and state funds
1394 expended to date on the project financed under this section.

1395 2. A copy of the contract between the certified local
1396 governmental entity and the spring training franchise.

1397 3. A cost-benefit analysis of the team's impact on the
1398 community.

1399 4. Evidence that the certified applicant continues to meet
1400 the criteria in effect when the applicant was certified.

1401 (b) The department shall compile the information received
1402 from each certified applicant and publish the information
1403 annually by November 1.

1404 (5) DECERTIFICATION.—

1405 (a) The department shall decertify a certified applicant
1406 upon the request of the certified applicant.

1407 (b) The department shall decertify a certified applicant if
1408 the certified applicant does not:

1409 1. Have a valid agreement with a spring training franchise;
1410 or

1411 2. Satisfy its commitment to provide local matching funds
1412 to the facility.

1413
1414 However, decertification proceedings against a local government
1415 certified after July 1, 2013, shall be delayed until 12 months
1416 after the expiration of the local government's existing
1417 agreement with a spring training franchise, and without a new
1418 agreement being signed, if the certified local government can
1419 demonstrate to the department that it is in active negotiations
1420 with a major league spring training franchise, other than the
1421 franchise that was the basis for the original certification.

2013406er

1422 (c) A certified applicant has 60 days after it receives a
1423 notice of intent to decertify from the department to petition
1424 for review of the decertification. Within 45 days after receipt
1425 of the request for review, the department must notify a
1426 certified applicant of the outcome of the review.

1427 (d) The department shall notify the Department of Revenue
1428 that a certified applicant has been decertified within 10 days
1429 after the order of decertification becomes final. The Department
1430 of Revenue shall immediately stop the payment of any funds under
1431 this section which were not encumbered by the certified
1432 applicant under subparagraph (3) (a)2.

1433 (e) The department shall order a decertified applicant to
1434 repay all of the unencumbered state funds that the applicant
1435 received under this section and any interest that accrued on
1436 those funds. The repayment must be made within 60 days after the
1437 decertification order becomes final. These funds shall be
1438 deposited into the General Revenue Fund.

1439 (f) A local government as defined in s. 218.369 may not be
1440 decertified by the department if it has paid or pledged for the
1441 payment of debt service on, or to fund debt service reserve
1442 funds, arbitrage rebate obligations, or other amounts payable
1443 with respect thereto, bonds issued for the construction or
1444 renovation of the facility for which the local government was
1445 certified, or for the reimbursement of such costs or the
1446 refinancing of bonds issued for the construction or renovation
1447 of the facility for which the local government was certified, or
1448 for the reimbursement of such costs or the refinancing of bonds
1449 issued for such purpose. This subsection does not preclude or
1450 restrict the ability of a certified local government to

2013406er

1451 refinance, refund, or defease such bonds.

1452 (6) RULEMAKING.—The department shall adopt rules to
1453 implement the certification, decertification, and
1454 decertification review processes required by this section.

1455 (7) AUDITS.—The Auditor General may conduct audits as
1456 provided in s. 11.45 to verify that the distributions under this
1457 section are expended as required in this section. If the Auditor
1458 General determines that the distributions under this section are
1459 not expended as required by this section, the Auditor General
1460 shall notify the Department of Revenue, which may pursue
1461 recovery of the funds under the laws and rules governing the
1462 assessment of taxes.

1463 Section 25. Subsection (3) of section 288.1253, Florida
1464 Statutes, is amended to read:

1465 288.1253 Travel and entertainment expenses.—

1466 (3) The Office of Film and Entertainment ~~department~~ shall
1467 include in the annual report for the entertainment industry
1468 financial incentive program required under s. 288.1254(10) a
1469 ~~prepare an annual~~ report of the office's expenditures of the
1470 ~~Office of Film and Entertainment and provide such report to the~~
1471 ~~Legislature no later than December 30 of each year for the~~
1472 ~~expenditures of~~ the previous fiscal year. The report must ~~shall~~
1473 consist of a summary of all travel, entertainment, and
1474 incidental expenses incurred within the United States and all
1475 travel, entertainment, and incidental expenses incurred outside
1476 the United States, as well as a summary of all successful
1477 projects that developed from such travel.

1478 Section 26. Subsection (10) of section 288.1254, Florida
1479 Statutes, is amended to read:

2013406er

1480 288.1254 Entertainment industry financial incentive
1481 program.—

1482 (10) ANNUAL REPORT.—Each November 1 ~~October 1~~, the Office
1483 of Film and Entertainment shall submit ~~provide~~ an annual report
1484 for the previous fiscal year to the Governor, the President of
1485 the Senate, and the Speaker of the House of Representatives
1486 which outlines the incentive program's return on investment and
1487 economic benefits to the state. The report must ~~shall also~~
1488 include an estimate of the full-time equivalent positions
1489 created by each production that received tax credits under this
1490 section and information relating to the distribution of
1491 productions receiving credits by geographic region and type of
1492 production. The report must also include the expenditures report
1493 required under s. 288.1253(3) and the information describing the
1494 relationship between tax exemptions and incentives to industry
1495 growth required under s. 288.1258(5).

1496 Section 27. Subsection (5) of section 288.1258, Florida
1497 Statutes, is amended to read:

1498 288.1258 Entertainment industry qualified production
1499 companies; application procedure; categories; duties of the
1500 Department of Revenue; records and reports.—

1501 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO
1502 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The Office of Film
1503 and Entertainment shall keep annual records from the information
1504 provided on taxpayer applications for tax exemption certificates
1505 beginning January 1, 2001. These records also must ~~shall~~ reflect
1506 a ratio of the annual amount of sales and use tax exemptions
1507 under this section, plus the incentives awarded pursuant to s.
1508 288.1254 to the estimated amount of funds expended by certified

2013406er

1509 productions. In addition, the office shall maintain data showing
1510 annual growth in Florida-based entertainment industry companies
1511 and entertainment industry employment and wages. The employment
1512 information must ~~shall~~ include an estimate of the full-time
1513 equivalent positions created by each production that received
1514 tax credits pursuant to s. 288.1254. The Office of Film and
1515 Entertainment shall include ~~report~~ this information in the
1516 annual report for the entertainment industry financial incentive
1517 program required under s. 288.1254(10) to the Legislature no
1518 later than December 1 of each year.

1519 Section 28. Subsection (3) of section 288.714, Florida
1520 Statutes, is amended to read:

1521 288.714 Quarterly and annual reports.—

1522 (3) ~~By August 31 of each year,~~ The department shall include
1523 in its annual report required under s. 20.60 ~~provide to the~~
1524 ~~Governor, the President of the Senate, and the Speaker of the~~
1525 ~~House of Representatives~~ a detailed report of the performance of
1526 the Black Business Loan Program. The report must include a
1527 cumulative summary of the quarterly report data compiled
1528 pursuant to ~~required by~~ subsection (2) ~~(1)~~.

1529 Section 29. Section 288.7771, Florida Statutes, is amended
1530 to read:

1531 288.7771 Annual report of Florida Export Finance
1532 Corporation.—The corporation shall annually prepare and submit
1533 to Enterprise Florida, Inc., ~~the department~~ for inclusion in its
1534 annual report required under ~~by~~ s. 288.906, ~~s. 288.095~~ a
1535 complete and detailed report setting forth:

1536 (1) The report required in s. 288.776(3).

1537 (2) Its assets and liabilities at the end of its most

2013406er

1538 recent fiscal year.

1539 Section 30. Section 288.903, Florida Statutes, is amended
1540 to read:

1541 288.903 Duties of Enterprise Florida, Inc.—Enterprise
1542 Florida, Inc., shall have the following duties:

1543 (1) Responsibly and prudently manage all public and private
1544 funds received, and ensure that the use of such funds is in
1545 accordance with all applicable laws, bylaws, or contractual
1546 requirements.

1547 (2) Administer the entities or programs created pursuant to
1548 part IX of this chapter; ss. 288.9622–288.9624; ss. 288.95155
1549 and 288.9519; and chapter 95-429, Laws of Florida, line 1680Y.

1550 (3) Prepare an annual report pursuant to s. 288.906.

1551 (4) Prepare, in conjunction with the department, and an
1552 annual incentives report pursuant to s. 288.907.

1553 (5)~~(4)~~ Assist the department with the development of an
1554 annual and a long-range strategic business blueprint for
1555 economic development required in s. 20.60.

1556 (6)~~(5)~~ In coordination with Workforce Florida, Inc.,
1557 identify education and training programs that will ensure
1558 Florida businesses have access to a skilled and competent
1559 workforce necessary to compete successfully in the domestic and
1560 global marketplace.

1561 Section 31. Subsection (6) of section 288.904, Florida
1562 Statutes, is repealed.

1563 Section 32. Subsection (3) is added to section 288.906,
1564 Florida Statutes, to read:

1565 288.906 Annual report of Enterprise Florida, Inc., and its
1566 divisions; audits.—

2013406er

1567 (3) The following reports must be included as supplements
1568 to the detailed report required by this section:

1569 (a) The annual report of the Florida Export Finance
1570 Corporation required under s. 288.7771.

1571 (b) The report on international offices required under s.
1572 288.012.

1573 Section 33. Section 288.907, Florida Statutes, is amended
1574 to read:

1575 288.907 Annual incentives report.-

1576 ~~(1) By December 30 of each year, In addition to the annual~~
1577 ~~report required under s. 288.906, Enterprise Florida, Inc., in~~
1578 ~~conjunction with the department, by December 30 of each year,~~
1579 shall provide the Governor, the President of the Senate, and the
1580 Speaker of the House of Representatives a detailed incentives
1581 report quantifying the economic benefits for all of the economic
1582 development incentive programs marketed by Enterprise Florida,
1583 Inc.

1584 ~~(a)~~ The annual incentives report must include:

1585 (1) For each incentive program:

1586 (a)1. A brief description of the incentive program.

1587 (b)2. The amount of awards granted, by year, since
1588 inception and the annual amount actually transferred from the
1589 state treasury to businesses or for the benefit of businesses
1590 for each of the previous 3 years.

1591 ~~3. The economic benefits, as defined in s. 288.005, based~~
1592 ~~on the actual amount of private capital invested, actual number~~
1593 ~~of jobs created, and actual wages paid for incentive agreements~~
1594 ~~completed during the previous 3 years.~~

1595 (c)4. The report shall also include The actual amount of

2013406er

1596 private capital invested, actual number of jobs created, and
1597 actual wages paid for incentive agreements completed during the
1598 previous 3 years for each target industry sector.

1599 (2)~~(b)~~ For projects completed during the previous state
1600 fiscal year, ~~the report must include:~~

1601 (a)~~1.~~ The number of economic development incentive
1602 applications received.

1603 (b)~~2.~~ The number of recommendations made to the department
1604 by Enterprise Florida, Inc., including the number recommended
1605 for approval and the number recommended for denial.

1606 (c)~~3.~~ The number of final decisions issued by the
1607 department for approval and for denial.

1608 (d)~~4.~~ The projects for which a tax refund, tax credit, or
1609 cash grant agreement was executed, identifying for each project:

1610 1.a. The number of jobs committed to be created.

1611 2.b. The amount of capital investments committed to be
1612 made.

1613 3.e. The annual average wage committed to be paid.

1614 4.d. The amount of state economic development incentives
1615 committed to the project from each incentive program under the
1616 project's terms of agreement with the Department of Economic
1617 Opportunity.

1618 5.e. The amount and type of local matching funds committed
1619 to the project.

1620 (e) Tax refunds paid or other payments made funded out of
1621 the Economic Development Incentives Account for each project.

1622 (f) The types of projects supported.

1623 (3)~~(e)~~ For economic development projects that received tax
1624 refunds, tax credits, or cash grants under the terms of an

2013406er

- 1625 agreement for incentives, ~~the report must identify:~~
- 1626 (a)~~1.~~ The number of jobs actually created.
- 1627 (b)~~2.~~ The amount of capital investments actually made.
- 1628 (c)~~3.~~ The annual average wage paid.
- 1629 (4)~~(d)~~ For a project receiving economic development
1630 incentives approved by the department and receiving federal or
1631 local incentives, ~~the report must include~~ a description of the
1632 federal or local incentives, if available.
- 1633 (5)~~(e)~~ The ~~report must state~~ the number of withdrawn or
1634 terminated projects that did not fulfill the terms of their
1635 agreements with the department and, consequently, are not
1636 receiving incentives.
- 1637 (6) For any agreements signed after July 1, 2010, findings
1638 and recommendations on the efforts of the department to
1639 ascertain the causes of any business's inability to complete its
1640 agreement made under s. 288.106.
- 1641 (7)~~(f)~~ The amount ~~report must include an analysis of the~~
1642 ~~economic benefits, as defined in s. 288.005,~~ of tax refunds, tax
1643 credits, or other payments made to projects locating or
1644 expanding in state enterprise zones, rural communities,
1645 brownfield areas, or distressed urban communities. The report
1646 must include a separate analysis of the impact of such tax
1647 refunds on state enterprise zones designated under s. 290.0065,
1648 rural communities, brownfield areas, and distressed urban
1649 communities.
- 1650 (8) The name of and tax refund amount for each business
1651 that has received a tax refund under s. 288.1045 or s. 288.106
1652 during the preceding fiscal year.
- 1653 (9)~~(g)~~ An identification of ~~The report must identify~~ the

2013406er

1654 target industry businesses and high-impact businesses.

1655 (10)(h) A description of ~~The report must describe~~ the
1656 trends relating to business interest in, and usage of, the
1657 various incentives, and the number of minority-owned or woman-
1658 owned businesses receiving incentives.

1659 (11)(i) An identification of ~~The report must identify~~
1660 incentive programs not used and recommendations for program
1661 changes or program elimination utilized.

1662 (12) Information related to the validation of contractor
1663 performance required under s. 288.061.

1664 (13) Beginning in 2014, a summation of the activities
1665 related to the Florida Space Business Incentives Act.

1666 ~~(2) The Division of Strategic Business Development within~~
1667 ~~the department shall assist Enterprise Florida, Inc., in the~~
1668 ~~preparation of the annual incentives report.~~

1669 Section 34. Subsection (3) of section 288.92, Florida
1670 Statutes, is amended to read:

1671 288.92 Divisions of Enterprise Florida, Inc.—

1672 (3) ~~By October 15 each year,~~ Each division shall draft and
1673 submit an annual report for inclusion in the report required
1674 under s. 288.906 which details the division's activities during
1675 the previous ~~prior~~ fiscal year and includes ~~any~~ recommendations
1676 for improving current statutes related to the division's ~~related~~
1677 area of responsibility.

1678 Section 35. Subsection (5) of section 288.95155, Florida
1679 Statutes, is amended to read:

1680 288.95155 Florida Small Business Technology Growth
1681 Program.—

1682 (5) Enterprise Florida, Inc., shall prepare for inclusion

2013406er

1683 in the annual report ~~of the department~~ required under s. 288.907
1684 ~~by s. 288.095~~ a report on the financial status of the program.
1685 The report must specify the assets and liabilities of the
1686 program within the current fiscal year and must include a
1687 portfolio update that lists all of the businesses assisted, the
1688 private dollars leveraged by each business assisted, and the
1689 growth in sales and in employment of each business assisted.

1690 Section 36. Effective July 1, 2013, paragraph (c) of
1691 subsection (3) of section 288.9914, Florida Statutes, is amended
1692 to read:

1693 288.9914 Certification of qualified investments; investment
1694 issuance reporting.—

1695 (3) REVIEW.—

1696 (c) The department may not approve a cumulative amount of
1697 qualified investments that may result in the claim of more than
1698 \$178.8 ~~\$163.8~~ million in tax credits during the existence of the
1699 program or more than \$36.6 ~~\$33.6~~ million in tax credits in a
1700 single state fiscal year. However, the potential for a taxpayer
1701 to carry forward an unused tax credit may not be considered in
1702 calculating the annual limit.

1703 Section 37. Subsection (11) of section 290.0056, Florida
1704 Statutes, is amended to read:

1705 290.0056 Enterprise zone development agency.—

1706 (11) Before October 1 ~~December 1~~ of each year, the agency
1707 shall submit to the department for inclusion in the annual
1708 report required under s. 20.60 a complete and detailed written
1709 report setting forth:

1710 (a) Its operations and accomplishments during the fiscal
1711 year.

2013406er

1712 (b) The accomplishments and progress concerning the
1713 implementation of the strategic plan or measurable goals, and
1714 any updates to the strategic plan or measurable goals.

1715 (c) The number and type of businesses assisted by the
1716 agency during the fiscal year.

1717 (d) The number of jobs created within the enterprise zone
1718 during the fiscal year.

1719 (e) The usage and revenue impact of state and local
1720 incentives granted during the calendar year.

1721 (f) Any other information required by the department.

1722 Section 38. Section 290.014, Florida Statutes, is amended
1723 to read:

1724 290.014 Annual reports on enterprise zones.—

1725 (1) By October 1 ~~February 1~~ of each year, the Department of
1726 Revenue shall submit an annual report to the department
1727 detailing the usage and revenue impact by county of the state
1728 incentives listed in s. 290.007.

1729 (2) ~~By March 1 of each year, the department shall submit an~~
1730 ~~annual report to the Governor, the Speaker of the House of~~
1731 ~~Representatives, and the President of the Senate. The annual~~
1732 ~~report required under s. 20.60 shall include the information~~
1733 ~~provided by the Department of Revenue pursuant to subsection (1)~~
1734 ~~and the information provided by enterprise zone development~~
1735 ~~agencies pursuant to s. 290.0056. In addition, the report shall~~
1736 ~~include an analysis of the activities and accomplishments of~~
1737 ~~each enterprise zone.~~

1738 Section 39. Subsection (11) of section 331.3051, Florida
1739 Statutes, is amended to read:

1740 331.3051 Duties of Space Florida.—Space Florida shall:

2013406er

1741 (11) Annually report on its performance with respect to its
1742 business plan, to include finance, spaceport operations,
1743 research and development, workforce development, and education.
1744 Space Florida shall submit the report ~~shall be submitted~~ to the
1745 Governor, the President of the Senate, and the Speaker of the
1746 House of Representatives by November 30 ~~no later than September~~
1747 ~~1~~ for the previous ~~prior~~ fiscal year. The annual report must
1748 include operations information as required under s.
1749 331.310(2)(e).

1750 Section 40. Paragraph (e) of subsection (2) of section
1751 331.310, Florida Statutes, is amended to read:

1752 331.310 Powers and duties of the board of directors.—

1753 (2) The board of directors shall:

1754 (e) Prepare an annual report of operations as a supplement
1755 to the annual report required under s. 331.3051(11). The report
1756 must ~~shall~~ include, but not be limited to, a balance sheet, an
1757 income statement, a statement of changes in financial position,
1758 a reconciliation of changes in equity accounts, a summary of
1759 significant accounting principles, the auditor's report, a
1760 summary of the status of existing and proposed bonding projects,
1761 comments from management about the year's business, and
1762 prospects for the next year, ~~which shall be submitted each year~~
1763 ~~by November 30 to the Governor, the President of the Senate, the~~
1764 ~~Speaker of the House of Representatives, the minority leader of~~
1765 ~~the Senate, and the minority leader of the House of~~
1766 ~~Representatives.~~

1767 Section 41. Subsection (4) of section 446.50, Florida
1768 Statutes, is amended to read:

1769 446.50 Displaced homemakers; multiservice programs; report

2013406er

1770 to the Legislature; Displaced Homemaker Trust Fund created.—

1771 (4) DISPLACED HOMEMAKER PROGRAM STATE PLAN.—

1772 ~~(a)~~ The Department of Economic Opportunity shall include in
1773 its annual report required under s. 20.60 a develop a 3-year
1774 ~~state plan for the displaced homemaker program which shall be~~
1775 ~~updated annually.~~ The plan must address, at a minimum, the need
1776 for programs specifically designed to serve displaced
1777 homemakers, any necessary service components for such programs
1778 in addition to those described ~~enumerated~~ in this section, goals
1779 of the displaced homemaker program with an analysis of the
1780 extent to which those goals are being met, and recommendations
1781 for ways to address any unmet program goals. Any request for
1782 funds for program expansion must be based on the ~~state~~ plan.

1783 ~~(b)~~ The displaced homemaker program ~~Each annual update must~~
1784 ~~address any changes in the components of the 3-year state plan~~
1785 ~~and a report that~~ must include, but need not be limited to, the
1786 following:

1787 (a)1. The scope of the incidence of displaced homemakers;

1788 (b)2. A compilation and report, by program, of data
1789 submitted to the department pursuant to subparagraph (3) (b)3.
1790 ~~subparagraph 3.~~ by funded displaced homemaker service programs;

1791 (c)3. An identification and description of the programs in
1792 the state which receive funding from the department, including
1793 funding information; and

1794 (d)4. An assessment of the effectiveness of each displaced
1795 homemaker service program based on outcome criteria established
1796 by rule of the department.

1797 ~~(e)~~ ~~The 3-year state plan must be submitted to the~~
1798 ~~President of the Senate, the Speaker of the House of~~

2013406er

1799 ~~Representatives, and the Governor on or before January 1, 2001,~~
1800 ~~and annual updates of the plan must be submitted by January 1 of~~
1801 ~~each subsequent year.~~

1802 Section 42. (1) The tax levied under chapter 212, Florida
1803 Statutes, may not be collected during the period from 12:01 a.m.
1804 on August 2, 2013, through 11:59 p.m. on August 4, 2013, on the
1805 sale of:

1806 (a) Clothing, wallets, or bags, including handbags,
1807 backpacks, fanny packs, and diaper bags, but excluding
1808 briefcases, suitcases, and other garment bags, having a sales
1809 price of \$75 or less per item. As used in this paragraph, the
1810 term "clothing" means:

1811 1. Any article of wearing apparel intended to be worn on or
1812 about the human body, excluding watches, watchbands, jewelry,
1813 umbrellas, and handkerchiefs; and

1814 2. All footwear, excluding skis, swim fins, roller blades,
1815 and skates.

1816 (b) School supplies having a sales price of \$15 or less per
1817 item. As used in this paragraph, the term "school supplies"
1818 means pens, pencils, erasers, crayons, notebooks, notebook
1819 filler paper, legal pads, binders, lunch boxes, construction
1820 paper, markers, folders, poster board, composition books, poster
1821 paper, scissors, cellophane tape, glue or paste, rulers,
1822 computer disks, protractors, compasses, and calculators.

1823 (c) Personal computers and related accessories having a
1824 sales price of \$750 or less, purchased for noncommercial home or
1825 personal use. The term "personal computer" means an electronic
1826 device that accepts information in digital or similar form and
1827 manipulates such information for a result based on a sequence of

2013406er

1828 instructions. The term includes any electronic book reader,
1829 laptop, desktop, handheld, tablet, or tower computer but does
1830 not include cellular telephones, video game consoles, digital
1831 media receivers, or devices that are not primarily designed to
1832 process data. The term "related accessories" includes keyboards,
1833 mice, personal digital assistants, monitors, other peripheral
1834 devices, modems, routers, and nonrecreational software,
1835 regardless of whether the accessories are used in association
1836 with a personal computer base unit; however, the term does not
1837 include furniture or systems, devices, software, or peripherals
1838 that are designed or intended primarily for recreational use.
1839 The term "monitor" does not include a device that includes a
1840 television tuner.

1841 (2) The tax exemptions provided in this section do not
1842 apply to sales within a theme park or entertainment complex as
1843 defined in s. 509.013(9), Florida Statutes, within a public
1844 lodging establishment as defined in s. 509.013(4), Florida
1845 Statutes, or within an airport as defined in s. 330.27(2),
1846 Florida Statutes.

1847 (3) The Department of Revenue may, and all conditions are
1848 deemed met to, adopt emergency rules pursuant to ss. 120.536(1)
1849 and 120.54, Florida Statutes, to administer this section.

1850 (4) For the 2012-2013 fiscal year, the sum of \$235,695 in
1851 nonrecurring funds is appropriated from the General Revenue Fund
1852 to the Department of Revenue for the purpose of administrating
1853 this section. Funds remaining unexpended or unencumbered from
1854 this appropriation as of June 30, 2013, shall revert and be
1855 reappropriated for the same purpose in the 2013-2014 fiscal
1856 year.

2013406er

1857 Section 43. Except as otherwise expressly provided in this
1858 act, this act shall take effect upon becoming a law.