

1 A bill to be entitled
 2 An act relating to the Economic Gardening Technical
 3 Assistance Program; amending s. 288.1082, F.S.;
 4 expanding the Economic Gardening Technical Assistance
 5 Pilot Program into a statewide program; requiring the
 6 Department of Economic Opportunity to contract with
 7 the Florida Economic Gardening Institute at the
 8 University of Central Florida to administer the
 9 program; revising and providing eligibility
 10 requirements for the program; providing definitions;
 11 amending s. 288.1081, F.S.; conforming references to
 12 the Economic Gardening Technical Assistance Pilot
 13 Program to changes made by the act; providing an
 14 effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Section 288.1082, Florida Statutes, is amended
 19 to read:

20 288.1082 Economic Gardening Technical Assistance ~~Pilot~~
 21 Program.—

22 (1) There is created within the department the Economic
 23 Gardening Technical Assistance ~~Pilot~~ Program. The purpose of the
 24 ~~pilot~~ program is to stimulate investment in Florida's economy by
 25 providing technical assistance for expanding businesses in the
 26 state.

27 (2) The department shall contract with the Florida
 28 Economic Gardening Institute at the University of Central

29 Florida ~~one or more entities~~ to administer the ~~pilot~~ program
30 under this section. ~~The department shall award each contract in~~
31 ~~accordance with the competitive bidding requirements in s.~~
32 ~~287.057 to an entity that demonstrates the ability to implement~~
33 ~~the pilot program on a statewide basis, has an outreach plan,~~
34 ~~and has the ability to provide counseling services, access to~~
35 ~~technology and information, marketing services and advice,~~
36 ~~business management support, and other similar services. In~~
37 ~~selecting these entities, the department also must consider~~
38 ~~whether the entities will qualify for matching funds to provide~~
39 ~~the technical assistance.~~

40 (3) The Florida Economic Gardening Institute ~~A contracted~~
41 ~~entity administering the pilot program~~ shall provide technical
42 assistance for eligible businesses which includes, but is not
43 limited to:

44 (a) Access to free or affordable information services and
45 consulting services, including information on markets,
46 customers, and competitors, such as business databases,
47 geographic information systems, and search engine marketing.

48 (b) Development of business connections, including
49 interaction and exchange among business owners and resource
50 providers, such as trade associations, think tanks, academic
51 institutions, business roundtables, peer-to-peer learning
52 sessions, and mentoring programs.

53 (4) (a) To be eligible for assistance under the ~~pilot~~
54 program, a business must:

55 1. Be a for-profit, privately held, investment-grade
56 business. ~~that~~

57 | 2. Have employed ~~employs~~ at least 10 persons but not more
 58 | than ~~99~~ 50 persons at the end of the preceding fiscal year., ~~has~~
 59 | ~~maintained its principal place of business in the state for at~~
 60 | ~~least the previous 2 years,~~

61 | 3. Have generated ~~generates~~ at least \$1 million but not
 62 | more than \$50 ~~\$25~~ million in annual revenue during the preceding
 63 | fiscal year., ~~qualifies for the tax refund program for qualified~~
 64 | ~~target industry businesses under s. 288.106, and,~~

65 | 4. During 2 ~~3~~ of the previous 6 ~~5~~ years, have ~~has~~
 66 | increased either ~~both~~ its number of full-time equivalent
 67 | employees in this state or ~~and~~ its gross revenues.

68 | 5. Generate a minimum of 51 percent of its revenue outside
 69 | the state, be located in a "rural community" as defined in s.
 70 | 288.0656, or be classified within a qualifying NAICS code.

71 | (b) As used in this section, the term:

72 | 1. "NAICS" means those classifications contained in the
 73 | North American Industry Classification System, as published in
 74 | 2012 by the Office of Management and Budget, Executive Office of
 75 | the President.

76 | 2. "Qualifying NAICS code" means any NAICS code within any
 77 | of the following NAICS sectors: 31-33, Manufacturing; 42,
 78 | Wholesale Trade; 51, Information; 52, Finance and Insurance; 54,
 79 | Professional, Scientific, and Technical Services; 55, Management
 80 | of Companies and Enterprises; or 56, Administrative and Support
 81 | and Waste Management and Remediation Services.

82 | (c) ~~(b)~~ The Florida Economic Gardening Institute ~~A~~
 83 | ~~contracted entity administering the pilot program, in selecting~~
 84 | ~~the eligible businesses to receive assistance, shall choose~~

85 | businesses in more than one industry cluster and, to the maximum
 86 | extent practicable, shall choose businesses that are
 87 | geographically distributed throughout Florida or are in
 88 | partnership with businesses that are geographically distributed
 89 | throughout Florida.

90 | (5) (a) A business receiving assistance under the ~~pilot~~
 91 | program must enter into an agreement with the Florida Economic
 92 | Gardening Institute ~~contracted entity administering the program~~
 93 | to establish the business's commitment to participate
 94 | ~~participation~~ in the ~~pilot~~ program. The agreement must require,
 95 | at a minimum, that the business:

96 | 1. Attend a minimum number of meetings between the
 97 | business and the Florida Economic Gardening Institute ~~contracted~~
 98 | ~~entity administering the pilot program~~.

99 | 2. Report job creation data in the manner prescribed by
 100 | the Florida Economic Gardening Institute ~~contracted entity~~
 101 | ~~administering the pilot program~~.

102 | 3. Provide financial data in the manner prescribed by the
 103 | Florida Economic Gardening Institute ~~contracted entity~~
 104 | ~~administering the program~~.

105 | (b) The Florida Economic Gardening Institute ~~department or~~
 106 | ~~the contracted entity administering the pilot program~~ may
 107 | prescribe in the agreement additional reporting requirements
 108 | that are necessary to track the progress of the business and
 109 | monitor the business's implementation of the assistance. The
 110 | institute ~~contracted entity~~ shall report the information to the
 111 | department on a quarterly basis.

112 | (6) The Florida Economic Gardening Institute ~~A contracted~~

113 ~~entity administering the pilot program~~ is authorized to promote
114 the general business interests or industrial interests of the
115 state.

116 (7) The department shall review the progress of the
117 Florida Economic Gardening Institute ~~contracted entity~~
118 ~~administering the pilot program~~ at least once each 6 months and
119 shall determine whether the institute ~~contracted entity~~ is
120 meeting its contractual obligations for administering the ~~pilot~~
121 program. The department may terminate and rebid a contract if
122 the institute ~~contracted entity~~ does not meet its contractual
123 obligations.

124 (8) On December 31 of each year, the department shall
125 submit a report to the Governor, the President of the Senate,
126 and the Speaker of the House of Representatives that ~~which~~
127 describes in detail the progress of the ~~pilot~~ program. The
128 report must include, at a minimum, the number of businesses
129 receiving assistance, the number of full-time equivalent jobs
130 created as a result of the assistance, if any, the amount of
131 wages paid to employees in the newly created jobs, and the
132 locations and types of economic activity undertaken by the
133 businesses.

134 (9) The department may adopt rules ~~under ss. 120.536(1)~~
135 ~~and 120.54~~ to administer this section.

136 Section 2. Paragraphs (a) and (b) of subsection (3) of
137 section 288.1081, Florida Statutes, are amended to read:

138 288.1081 Economic Gardening Business Loan Pilot Program.—

139 (3) (a) To be eligible for a loan under the pilot program,
140 an applicant must be a business eligible for assistance under

141 the Economic Gardening Technical Assistance ~~Pilot~~ Program as
 142 provided in s. 288.1082(4) (a).

143 (b) A loan applicant must submit a written application to
 144 the loan administrator in the format prescribed by the loan
 145 administrator. The application must include:

146 1. The applicant's federal employer identification number,
 147 reemployment assistance account number, and sales or other tax
 148 registration number.

149 2. The street address of the applicant's principal place
 150 of business in this state.

151 3. A description of the type of economic activity,
 152 product, or research and development undertaken by the
 153 applicant, including the six-digit North American Industry
 154 Classification System code for each type of economic activity
 155 conducted by the applicant.

156 4. The applicant's annual revenue, number of employees,
 157 number of full-time equivalent employees, and other information
 158 necessary to verify the applicant's eligibility for the ~~pilot~~
 159 program under s. 288.1082(4) (a).

160 5. The projected investment in the business, if any, which
 161 the applicant proposes in conjunction with the loan.

162 6. The total investment in the business from all sources,
 163 if any, which the applicant proposes in conjunction with the
 164 loan.

165 7. The number of net new full-time equivalent jobs that,
 166 as a result of the loan, the applicant proposes to create in
 167 this state as of December 31 of each year and the average annual
 168 wage of the proposed jobs.

169 8. The total number of full-time equivalent employees the
170 applicant currently employs in this state.

171 9. The date that the applicant anticipates it needs the
172 loan.

173 10. A detailed explanation of why the loan is needed to
174 assist the applicant in expanding jobs in the state.

175 11. A statement that all of the applicant's available
176 corporate assets are pledged as collateral for the amount of the
177 loan.

178 12. A statement that the applicant, upon receiving the
179 loan, agrees not to seek additional long-term debt without prior
180 approval of the loan administrator.

181 13. A statement that the loan is a joint obligation of the
182 business and of each person who owns at least 20 percent of the
183 business.

184 14. Any additional information requested by the department
185 or the loan administrator.

186 Section 3. This act shall take effect July 1, 2013.