

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

29 | of the annual incentives report; amending ss. 288.92
 30 | and 288.95155, F.S.; conforming provisions to changes
 31 | made by the act; amending 290.0055, F.S.; providing
 32 | for the expansion of the boundaries of enterprise
 33 | zones that meet certain requirements; providing an
 34 | application deadline; amends ss. 290.0056 and 290.014,
 35 | F.S.; conforming provisions to changes made by the
 36 | act; amending ss. 290.0411 and 290.042, F.S.; revising
 37 | legislative intent and definitions applicable to the
 38 | Florida Small Cities Community Development Block Grant
 39 | Program Act; amending s. 290.044, F.S.; requiring the
 40 | department to adopt rules for the distribution of
 41 | block grant funds to eligible local governments;
 42 | deleting authority for block grant funds to be
 43 | distributed as loan guarantees to local governments;
 44 | requiring that block grant funds be distributed to
 45 | achieve the department's community development
 46 | objectives; requiring such objectives to be consistent
 47 | with certain national objectives; amending s.
 48 | 290.0455, F.S., relating to the Small Cities Community
 49 | Development Block Grant Loan Guarantee Program;
 50 | providing for the state's guarantee of certain federal
 51 | loans to local governments; requiring applicants for
 52 | such loans to pledge a specified amount of revenues to
 53 | guarantee the loans; revising requirements for the
 54 | department to submit recommendations to the Federal
 55 | Government for such loans; revising the maximum amount
 56 | of the loan guarantee commitment that a local

57 | government may receive; providing for reduction of a
58 | local government's future community development block
59 | grants if the local government defaults on the federal
60 | loan; amending s. 290.046, F.S.; revising application
61 | requirements for community development block grants
62 | and procedures for the ranking of applications and the
63 | determination of project funding; amending s. 290.047,
64 | F.S.; revising requirements for the establishment of
65 | grant ceilings and maximum expenditures on
66 | administrative costs from community development block
67 | grants; limiting an eligible local government's
68 | authority to contract for specified services in
69 | connection with community development block grants;
70 | amending s. 290.0475, F.S.; revising conditions under
71 | which grant applications are ineligible for funding;
72 | 290.048, F.S.; revising the department's duties to
73 | administer the Small Cities Community Development
74 | Block Grant Loan Guarantee Program; deleting
75 | provisions authorizing the establishment of an
76 | advisory committee; amending ss. 331.3051 and 331.10,
77 | F.S., revising requirements for annual reports by
78 | Space Florida; amending s. 443.1113, F.S., relating to
79 | the Reemployment Assistance Claims and Benefits
80 | Information System; revising timeframe for deployment
81 | of a certain Internet portal as part of such system;
82 | amending s. 443.131, F.S., revising requirements for
83 | the estimate of interest due on advances received from
84 | the Federal Government to the Unemployment

85 Compensation Trust Fund and the calculation of
 86 additional assessments to contributing employers to
 87 repay the interest; providing an exemption from such
 88 additional assessments; amending ss. 443.151 and
 89 443.191, F.S.; imposes penalty against claimant who is
 90 overpaid reemployment assistance benefits due to fraud
 91 by the claimant and provides for deposit of moneys
 92 collected for such penalties in the Unemployment
 93 Compensation Trust Fund; amending s. 443.1715, F.S.;
 94 prohibiting the unlawful disclosure of certain
 95 confidential information relating to employing units
 96 and individuals under the Reemployment Assistance
 97 Program Law; providing penalties; amending s. 446.50,
 98 F.S.; conforming provisions to changes made by the
 99 act; providing an effective date.

100
 101 Be It Enacted by the Legislature of the State of Florida:

102
 103 Section 1. Subsection (10) of section 20.60, Florida
 104 Statutes, is amended to read:

105 20.60 Department of Economic Opportunity; creation; powers
 106 and duties.—

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

113 | problems and a prioritized list of recommendations. The report
114 | shall also include the following information from reports of
115 | other programs, including:

116 | (a) Information from the displaced homemaker program plan
117 | required under s. 446.50.

118 | (b) Information from the report on the usage and revenue
119 | impact by county of state incentives required under s. 290.014,
120 | and from the report of each enterprise zone development agency
121 | required under s. 290.0056. The report shall include an analysis
122 | of the activities and accomplishments of each enterprise zone.

123 | (c) Information from the report on the use of loan funds
124 | awarded pursuant to the Economic Gardening Business Loan Pilot
125 | Program required under s. 288.1081(8) and from the report on the
126 | progress of the Economic Gardening Technical Assistance Pilot
127 | Program required under s. 288.1082(8).

128 | (d) Information from the report of the performance of the
129 | Black Business Loan Program and a cumulative summary of
130 | quarterly report data required under s. 288.714.

131 | (e) Information from the report of all Rural Economic
132 | Development Initiative activities required under s. 288.0656.

133 | Section 2. Subsection (9) of section 220.194, Florida
134 | Statutes, is amended to read:

135 | 220.194 Corporate income tax credits for spaceflight
136 | projects.—

137 | (9) ANNUAL REPORT.—Beginning in 2014, the Department of
138 | Economic Opportunity, in cooperation with Space Florida and the
139 | department, shall include in the ~~submit an~~ annual incentives
140 | report required under s. 288.907 a summary of ~~summarizing~~

141 activities relating to the Florida Space Business Incentives Act
 142 established under this section ~~to the Governor, the President of~~
 143 ~~the Senate, and the Speaker of the House of Representatives by~~
 144 ~~each November 30.~~

145 Section 3. Subsection (3) of section 288.012, Florida
 146 Statutes, is amended to read:

147 288.012 State of Florida international offices; state
 148 protocol officer; protocol manual.—The Legislature finds that
 149 the expansion of international trade and tourism is vital to the
 150 overall health and growth of the economy of this state. This
 151 expansion is hampered by the lack of technical and business
 152 assistance, financial assistance, and information services for
 153 businesses in this state. The Legislature finds that these
 154 businesses could be assisted by providing these services at
 155 State of Florida international offices. The Legislature further
 156 finds that the accessibility and provision of services at these
 157 offices can be enhanced through cooperative agreements or
 158 strategic alliances between private businesses and state, local,
 159 and international governmental entities.

160 (3) ~~By October 1 of each year,~~ Each international office
 161 shall annually submit to Enterprise Florida, Inc., ~~the~~
 162 ~~department~~ a complete and detailed report on its activities and
 163 accomplishments during the previous ~~preceding~~ fiscal year for
 164 inclusion in the annual report required under s. 288.906. In the
 165 a format and by the annual date prescribed ~~provided~~ by
 166 Enterprise Florida, Inc., the report must set forth information
 167 on:

168 (a) The number of Florida companies assisted.

- 169 (b) The number of inquiries received about investment
- 170 opportunities in this state.
- 171 (c) The number of trade leads generated.
- 172 (d) The number of investment projects announced.
- 173 (e) The estimated U.S. dollar value of sales
- 174 confirmations.
- 175 (f) The number of representation agreements.
- 176 (g) The number of company consultations.
- 177 (h) Barriers or other issues affecting the effective
- 178 operation of the office.
- 179 (i) Changes in office operations which are planned for the
- 180 current fiscal year.
- 181 (j) Marketing activities conducted.
- 182 (k) Strategic alliances formed with organizations in the
- 183 country in which the office is located.
- 184 (l) Activities conducted with Florida's other
- 185 international offices.
- 186 (m) Any other information that the office believes would
- 187 contribute to an understanding of its activities.

188 Section 4. Subsection (3) of section 288.061, Florida
 189 Statutes, is amended to read:

190 288.061 Economic development incentive application
 191 process.—

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

195 Section 5. Subsection (8) of section 288.0656, Florida
 196 Statutes, is amended to read:

197 | 288.0656 Rural Economic Development Initiative.—

198 | (8) REDI shall submit a report to the department ~~Governor,~~
 199 | ~~the President of the Senate,~~ and ~~the Speaker of the House of~~
 200 | ~~Representatives each year on or before September 1~~ on all REDI
 201 | activities for the previous ~~prior~~ fiscal year as a supplement to
 202 | the department's annual report required under s. 20.60. This
 203 | supplementary report shall include:

204 | (a) A status report on all projects currently being
 205 | coordinated through REDI, the number of preferential awards and
 206 | allowances made pursuant to this section, the dollar amount of
 207 | such awards, and the names of the recipients.

208 | (b) ~~The report shall also include~~ A description of all
 209 | waivers of program requirements granted.

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

212 | (d) Recommendations based on the review and evaluation of
 213 | statutes and rules having an adverse impact on rural
 214 | communities, ~~and proposals to mitigate such adverse impacts.~~

215 | Section 6. Paragraphs (d) and (e) of subsection (3) of
 216 | section 288.095, Florida Statutes, are redesignated as
 217 | paragraphs (c) and (d), respectively, and present paragraph (c)
 218 | of that subsection is amended to read:

219 | 288.095 Economic Development Trust Fund.—

220 | (3)

221 | ~~(c) Pursuant to s. 288.907, Enterprise Florida, Inc.,~~
 222 | ~~shall submit a complete and detailed annual report to the~~
 223 | ~~Governor, the President of the Senate, and the Speaker of the~~
 224 | ~~House of Representatives of all applications received,~~

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225 ~~recommendations made to the department, final decisions issued,~~
226 ~~tax refund agreements executed, and tax refunds paid or other~~
227 ~~payments made under all programs funded out of the Economic~~
228 ~~Development Incentives Account, including analyses of benefits~~
229 ~~and costs, types of projects supported, and employment and~~
230 ~~investment created. The department shall also include a separate~~
231 ~~analysis of the impact of such tax refunds on state enterprise~~
232 ~~zones designated pursuant to s. 290.0065, rural communities,~~
233 ~~brownfield areas, and distressed urban communities. The report~~
234 ~~must also discuss the efforts made by the department to amend~~
235 ~~tax refund agreements to require tax refund claims to be~~
236 ~~submitted by January 31 for the net new full-time equivalent~~
237 ~~jobs in this state as of December 31 of the preceding calendar~~
238 ~~year. The report must also list the name and tax refund amount~~
239 ~~for each business that has received a tax refund under s.~~
240 ~~288.1045 or s. 288.106 during the preceding fiscal year.~~

241 Section 7. Paragraph (d) of subsection (7) of section
242 288.106, Florida Statutes, is amended to read:

243 288.106 Tax refund program for qualified target industry
244 businesses.—

245 (7) ADMINISTRATION.—

246 (d) Beginning with tax refund agreements signed after July
247 1, 2010, the department shall attempt to ascertain the causes
248 for any business's failure to complete its agreement and shall
249 include report its findings and recommendations in the annual
250 incentives report required under s. 288.907 ~~to the Governor, the~~
251 ~~President of the Senate, and the Speaker of the House of~~
252 ~~Representatives. The report shall be submitted by December 1 of~~

253 | ~~each year beginning in 2011.~~

254 | Section 8. Subsection (8) of section 288.1081, Florida
255 | Statutes, is amended to read:

256 | 288.1081 Economic Gardening Business Loan Pilot Program.—

257 | (8) ~~On June 30 and December 31 of each year,~~ The
258 | department shall include in its annual ~~submit a report required~~
259 | under s. 20.60 a detailed description of ~~to the Governor, the~~
260 | ~~President of the Senate, and the Speaker of the House of~~
261 | ~~Representatives which describes in detail~~ the use of the loan
262 | funds. The report must include, at a minimum, the number of
263 | businesses receiving loans, the number of full-time equivalent
264 | jobs created as a result of the loans, the amount of wages paid
265 | to employees in the newly created jobs, the locations and types
266 | of economic activity undertaken by the borrowers, the amounts of
267 | loan repayments made to date, and the default rate of borrowers.

268 | Section 9. Subsection (8) of section 288.1082, Florida
269 | Statutes, is amended to read:

270 | 288.1082 Economic Gardening Technical Assistance Pilot
271 | Program.—

272 | (8) ~~On December 31 of each year,~~ The department shall
273 | include in its annual ~~submit a report required under s. 20.60 a~~
274 | detailed description of ~~to the Governor, the President of the~~
275 | ~~Senate, and the Speaker of the House of Representatives which~~
276 | ~~describes in detail~~ the progress of the pilot program. The
277 | report must include, at a minimum, the number of businesses
278 | receiving assistance, the number of full-time equivalent jobs
279 | created as a result of the assistance, if any, the amount of
280 | wages paid to employees in the newly created jobs, and the

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281 | locations and types of economic activity undertaken by the
282 | businesses.

283 | Section 10. Paragraph (e) of subsection (3) of section
284 | 288.1088, Florida Statutes, is amended to read:

285 | 288.1088 Quick Action Closing Fund.—

286 | (3)

287 | (e) The department ~~Enterprise Florida, Inc.,~~ shall
288 | validate contractor performance and report- such validation in
289 | the annual incentives report required under s. 288.907 ~~shall be~~
290 | ~~reported within 6 months after completion of the contract to the~~
291 | ~~Governor, President of the Senate, and the Speaker of the House~~
292 | ~~of Representatives.~~

293 | Section 11. Subsection (9) and paragraph (a) of subsection
294 | (11) of section 288.1089, Florida Statutes, are amended to read:

295 | 288.1089 Innovation Incentive Program.—

296 | (9) The department shall validate the performance of an
297 | innovation business, a research and development facility, or an
298 | alternative and renewable energy business that has received an
299 | award. At the conclusion of the innovation incentive award
300 | agreement, or its earlier termination, the department shall
301 | include in the annual incentives report required under s.
302 | 288.907 a detailed description of, ~~within 90 days, submit a~~
303 | ~~report to the Governor, the President of the Senate, and the~~
304 | ~~Speaker of the House of Representatives detailing whether the~~
305 | recipient of the innovation incentive grant achieved its
306 | specified outcomes.

307 | (11) (a) The department shall include in ~~submit to the~~
308 | ~~Governor, the President of the Senate, and the Speaker of the~~

309 ~~House of Representatives, as part of the annual incentives~~
310 ~~report required under s. 288.907~~, a report summarizing the
311 activities and accomplishments of the recipients of grants from
312 the Innovation Incentive Program during the previous 12 months
313 and an evaluation of whether the recipients are catalysts for
314 additional direct and indirect economic development in Florida.

315 Section 12. Subsection (4) of section 288.1226, Florida
316 Statutes, is amended to read:

317 288.1226 Florida Tourism Industry Marketing Corporation;
318 use of property; board of directors; duties; audit.—

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

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

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

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

332 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
333 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
334 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
335 Taylor, and Union Counties.

336 3. Region 3, composed of Brevard, Indian River, Lake,

337 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
 338 Volusia Counties.

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

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

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

345 (c) ~~(b)~~ The 15 additional tourism-industry-related members
 346 shall include 1 representative from the statewide rental car
 347 industry; 7 representatives from tourist-related statewide
 348 associations, including those that represent hotels,
 349 campgrounds, county destination marketing organizations,
 350 museums, restaurants, retail, and attractions; 3 representatives
 351 from county destination marketing organizations; 1
 352 representative from the cruise industry; 1 representative from
 353 an automobile and travel services membership organization that
 354 has at least 2.8 million members in Florida; 1 representative
 355 from the airline industry; and 1 representative from the space
 356 tourism industry, who will each serve for a term of 2 years.

357 Section 13. Subsection (3) of section 288.1253, Florida
 358 Statutes, is amended to read:

359 288.1253 Travel and entertainment expenses.—

360 (3) The Office of Film and Entertainment ~~department~~ shall
 361 include in the annual report for the entertainment industry
 362 financial incentive program required under s. 288.1254(10) a
 363 ~~prepare an annual report of the office's expenditures of the~~
 364 ~~Office of Film and Entertainment and provide such report to the~~

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365 | ~~Legislature no later than December 30 of each year for the~~
366 | ~~expenditures of the previous fiscal year. The report shall~~
367 | consist of a summary of all travel, entertainment, and
368 | incidental expenses incurred within the United States and all
369 | travel, entertainment, and incidental expenses incurred outside
370 | the United States, as well as a summary of all successful
371 | projects that developed from such travel.

372 | Section 14. Subsection (10) of section 288.1254, Florida
373 | Statutes, is amended to read:

374 | 288.1254 Entertainment industry financial incentive
375 | program.—

376 | (10) ANNUAL REPORT.—Each November 1 ~~October 1~~, the Office
377 | of Film and Entertainment shall submit ~~provide~~ an annual report
378 | for the previous fiscal year to the Governor, the President of
379 | the Senate, and the Speaker of the House of Representatives
380 | which outlines the incentive program's return on investment and
381 | economic benefits to the state. The report shall also include an
382 | estimate of the full-time equivalent positions created by each
383 | production that received tax credits under this section and
384 | information relating to the distribution of productions
385 | receiving credits by geographic region and type of production.
386 | The report shall also include the expenditures report required
387 | under s. 288.1253(3) and the information describing the
388 | relationship between tax exemptions and incentives to industry
389 | growth required under s. 288.1258(5).

390 | Section 15. Subsection (5) of section 288.1258, Florida
391 | Statutes, is amended to read:

392 | 288.1258 Entertainment industry qualified production

393 | companies; application procedure; categories; duties of the
 394 | Department of Revenue; records and reports.-

395 | (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO
 396 | INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.-The Office of Film
 397 | and Entertainment shall keep annual records from the information
 398 | provided on taxpayer applications for tax exemption certificates
 399 | beginning January 1, 2001. These records also shall reflect a
 400 | ratio of the annual amount of sales and use tax exemptions under
 401 | this section, plus the incentives awarded pursuant to s.
 402 | 288.1254 to the estimated amount of funds expended by certified
 403 | productions. In addition, the office shall maintain data showing
 404 | annual growth in Florida-based entertainment industry companies
 405 | and entertainment industry employment and wages. The employment
 406 | information shall include an estimate of the full-time
 407 | equivalent positions created by each production that received
 408 | tax credits pursuant to s. 288.1254. The Office of Film and
 409 | Entertainment shall include ~~report~~ this information in the
 410 | annual report for the entertainment industry financial incentive
 411 | program required under s. 288.1254(10) to the Legislature no
 412 | later than December 1 of each year.

413 | Section 16. Subsection (3) of section 288.714, Florida
 414 | Statutes, is amended to read:

415 | 288.714 Quarterly and annual reports.-

416 | (3) ~~By August 31 of each year,~~ The department shall
 417 | include in its annual report required under s. 20.60 ~~provide to~~
 418 | ~~the Governor, the President of the Senate, and the Speaker of~~
 419 | ~~the House of Representatives~~ a detailed report of the
 420 | performance of the Black Business Loan Program. The report must

421 include a cumulative summary of the quarterly report data
422 compiled pursuant to ~~required by~~ subsection (2) ~~(1)~~.

423 Section 17. Section 288.7771, Florida Statutes, is amended
424 to read:

425 288.7771 Annual report of Florida Export Finance
426 Corporation.—The corporation shall annually prepare and submit
427 to Enterprise Florida, Inc., ~~the department~~ for inclusion in its
428 annual report required under s. 288.906 ~~by s. 288.095~~ a complete
429 and detailed report setting forth:

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

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

433 Section 18. Subsections (3), (4), and (5) of section
434 288.903, Florida Statutes, are amended to read:

435 288.903 Duties of Enterprise Florida, Inc.—Enterprise
436 Florida, Inc., shall have the following duties:

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

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

440 (5)~~(4)~~ Assist the department with the development of an
441 annual and a long-range strategic business blueprint for
442 economic development required in s. 20.60.

443 (6)~~(5)~~ In coordination with Workforce Florida, Inc.,
444 identify education and training programs that will ensure
445 Florida businesses have access to a skilled and competent
446 workforce necessary to compete successfully in the domestic and
447 global marketplace.

448 Section 19. Subsection (3) is added to section 288.906,

449 Florida Statutes, to read:

450 288.906 Annual report of Enterprise Florida, Inc., and its
451 divisions; audits.—

452 (3) The following reports shall be included as supplements
453 to the detailed report required by this section:

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

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

458 Section 20. Subsection (1) of section 288.907, Florida
459 Statutes, is amended to read:

460 288.907 Annual incentives report.—

461 ~~(1) In addition to the annual report required under s.~~
462 ~~288.906, Enterprise Florida, Inc., in conjunction with the~~
463 ~~department, shall, by December 30 of each year, submit an annual~~
464 ~~incentives report to shall provide~~ the Governor, the President
465 of the Senate, and the Speaker of the House of Representatives
466 ~~which details and quantifies a detailed incentives report~~
467 ~~quantifying~~ the economic benefits for all of the economic
468 development incentive programs marketed by Enterprise Florida,
469 Inc.

470 (a) The annual incentives report must include for each
471 incentive program:

- 472 1. A brief description of the incentive program.
- 473 2. The amount of awards granted, by year, since inception.
- 474 3. The economic benefits, as defined in s. 288.005, based
475 on the actual amount of private capital invested, actual number
476 of jobs created, and actual wages paid for incentive agreements

477 completed during the previous 3 years.

478 4. ~~The report shall also include~~ The actual amount of
479 private capital invested, actual number of jobs created, and
480 actual wages paid for incentive agreements completed during the
481 previous 3 years for each target industry sector.

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

484 1. The number of economic development incentive
485 applications received.

486 2. The number of recommendations made to the department by
487 Enterprise Florida, Inc., including the number recommended for
488 approval and the number recommended for denial.

489 3. The number of final decisions issued by the department
490 for approval and for denial.

491 4. The projects for which a tax refund, tax credit, or
492 cash grant agreement was executed and, identifying for each
493 project:

494 a. The number of jobs committed to be created.

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

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

497 d. The amount of state economic development incentives
498 committed to the project from each incentive program under the
499 project's terms of agreement with the Department of Economic
500 Opportunity.

501 e. The amount and type of local matching funds committed
502 to the project.

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

505 6. The types of projects supported.

506 (c) For economic development projects that received tax

507 refunds, tax credits, or cash grants under the terms of an

508 agreement for incentives, the report must identify:

509 1. The number of jobs actually created.

510 2. The amount of capital investments actually made.

511 3. The annual average wage paid.

512 (d) For a project receiving economic development

513 incentives approved by the department and receiving federal or

514 local incentives, the report must include a description of the

515 federal or local incentives, if available.

516 (e) The report must state the number of withdrawn or

517 terminated projects that did not fulfill the terms of their

518 agreements with the department and consequently are not

519 receiving incentives.

520 (f) The report must include an analysis of the economic

521 benefits, as defined in s. 288.005, of tax refunds, tax credits,

522 or other payments made to projects locating or expanding in

523 state enterprise zones, rural communities, brownfield areas, or

524 distressed urban communities.

525 (g) The report must also include a separate analysis of

526 the impact of tax refunds on rural communities, brownfield

527 areas, distressed urban communities, and state enterprise zones

528 designated pursuant to s. 290.0065.

529 (h) The report must list the name of each business that

530 received a tax refund during the previous fiscal year, and the

531 amount of the tax refund, pursuant to the qualified defense

532 contractor and space flight business tax refund program under s.

533 | 288.1045 or the tax refund program for qualified target industry
 534 | businesses under s. 288.106.

535 | (i)~~(g)~~ The report must identify the target industry
 536 | businesses and high-impact businesses.

537 | (j)~~(h)~~ The report must describe the trends relating to
 538 | business interest in, and usage of, the various incentives, and
 539 | the number of minority-owned or woman-owned businesses receiving
 540 | incentives.

541 | (k)~~(i)~~ The report must identify incentive programs not
 542 | used and include recommendations for changes utilized.

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

545 | (m) Beginning in 2014, the report must summarize the
 546 | activities related to the Florida Space Business Incentives Act,
 547 | s. 220.194.

548 | Section 21. Subsection (3) of section 288.92, Florida
 549 | Statutes, is amended to read:

550 | 288.92 Divisions of Enterprise Florida, Inc.—

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

557 | Section 22. Subsection (5) of section 288.95155, Florida
 558 | Statutes, is amended to read:

559 | 288.95155 Florida Small Business Technology Growth
 560 | Program.—

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

570 Section 23. Subsection (6) of section 290.0055, Florida
571 Statutes, is amended to read:

572 290.0055 Local nominating procedure.—

573 (6) (a) The department may approve a change in the boundary
574 of any enterprise zone which was designated pursuant to s.
575 290.0065. A boundary change must continue to satisfy the
576 requirements of subsections (3), (4), and (5).

577 (b) Upon a recommendation by the enterprise zone
578 development agency, the governing body of the jurisdiction which
579 authorized the application for an enterprise zone may apply to
580 the department for a change in boundary once every 3 years by
581 adopting a resolution that:

582 1. States with particularity the reasons for the change;
583 and

584 2. Describes specifically and, to the extent required by
585 the department, the boundary change to be made.

586 (c) At least 90 days before adopting a resolution seeking
587 a change in the boundary of an enterprise zone, the governing
588 body shall include in a notice of the meeting at which the

589 resolution will be considered an explanation that a change in
590 the boundary of an enterprise zone will be considered and that
591 the change may result in loss of enterprise zone eligibility for
592 the area affected by the boundary change.

593 (d)1. The governing body of a jurisdiction which has
594 nominated an application for an enterprise zone that is at least
595 15 square miles and less than 20 square miles ~~no larger than 12~~
596 ~~square miles~~ and includes a portion of the state designated as a
597 rural area of critical economic concern under s. 288.0656(7) may
598 apply to the department to expand the boundary of the existing
599 enterprise zone by not more than 3 square miles. ~~An application~~
600 ~~to expand the boundary of an enterprise zone under this~~
601 ~~paragraph must be submitted by December 31, 2012.~~

602 2. The governing body of a jurisdiction which has
603 nominated an application for an enterprise zone that is at least
604 20 square miles and includes a portion of the state designated
605 as a rural area of critical economic concern under s.
606 288.0656(7) may apply to the department to expand the boundary
607 of the existing enterprise zone by not more than 5 square miles.

608 3. An application to expand the boundary of an enterprise
609 zone under this paragraph must be submitted by December 31,
610 2013.

611 ~~4.2.~~ Notwithstanding the area limitations specified in
612 subsection (4), the department may approve the request for a
613 boundary amendment if the area continues to satisfy the
614 remaining requirements of this section.

615 ~~5.3.~~ The department shall establish the initial effective
616 date of an enterprise zone designated under this paragraph.

617 Section 24. Subsection (11) of section 290.0056, Florida
618 Statutes, is amended to read:

619 290.0056 Enterprise zone development agency.—

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

624 (a) Its operations and accomplishments during the fiscal
625 year.

626 (b) The accomplishments and progress concerning the
627 implementation of the strategic plan or measurable goals, and
628 any updates to the strategic plan or measurable goals.

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

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

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

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

636 Section 25. Section 290.014, Florida Statutes, is amended
637 to read:

638 290.014 Annual reports on enterprise zones.—

639 ~~(1)~~ By October 1 ~~February 1~~ of each year, the Department
640 of Revenue shall submit a ~~an annual~~ report to the department for
641 inclusion in the department's annual report required under s.
642 20.60 which details ~~detailing~~ the usage and revenue impact by
643 county of the state incentives listed in s. 290.007.

644 ~~(2) By March 1 of each year, the department shall submit~~

645 | ~~an annual report to the Governor, the Speaker of the House of~~
 646 | ~~Representatives, and the President of the Senate.~~ The report
 647 | shall also include ~~the information provided by the department of~~
 648 | ~~Revenue pursuant to subsection (1) and the information provided~~
 649 | ~~by the~~ enterprise zone development agencies pursuant to s.
 650 | 290.0056(11) ~~290.0056~~. In addition, the report shall include an
 651 | analysis of the activities and accomplishments of each
 652 | enterprise zone.

653 | Section 26. Section 290.0411, Florida Statutes, is amended
 654 | to read:

655 | 290.0411 Legislative intent and purpose of ss. 290.0401-
 656 | 290.048.—It is the intent of the Legislature to provide the
 657 | necessary means to develop, preserve, redevelop, and revitalize
 658 | Florida communities exhibiting signs of decline, ~~or~~ distress, or
 659 | economic need by enabling local governments to undertake the
 660 | necessary community and economic development programs. The
 661 | overall objective is to create viable communities by eliminating
 662 | slum and blight, fortifying communities in urgent need,
 663 | providing decent housing and suitable living environments, and
 664 | expanding economic opportunities, principally for persons of low
 665 | or moderate income. The purpose of ss. 290.0401-290.048 is to
 666 | assist local governments in carrying out effective community and
 667 | economic development and project planning and design activities
 668 | to arrest and reverse community decline and restore community
 669 | vitality. Community development and project planning activities
 670 | to maintain viable communities, revitalize existing communities,
 671 | expand economic development and employment opportunities, and
 672 | improve housing conditions and expand housing opportunities,

673 providing direct benefit to persons of low or moderate income,
 674 are the primary purposes of ss. 290.0401-290.048. The
 675 Legislature, therefore, declares that the development,
 676 redevelopment, preservation, and revitalization of communities
 677 in this state and all the purposes of ss. 290.0401-290.048 are
 678 public purposes for which public money may be borrowed,
 679 expended, loaned, pledged to guarantee loans, and granted.

680 Section 27. Subsections (1) and (6) of section 290.042,
 681 Florida Statutes, are amended to read:

682 290.042 Definitions relating to Florida Small Cities
 683 Community Development Block Grant Program Act.—As used in ss.
 684 290.0401-290.048, the term:

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

689 (6) "Person of low or moderate income" means any person
 690 who meets the definition established by the department in
 691 accordance with the guidelines established in Title I of the
 692 Housing and Community Development Act of 1974, as amended, and
 693 the definition of the term "low- and moderate-income person" as
 694 provided in 24 C.F.R. s. 570.3.

695 Section 28. Subsections (2), (3), and (4) of section
 696 290.044, Florida Statutes, are amended to read:

697 290.044 Florida Small Cities Community Development Block
 698 Grant Program Fund; administration; distribution.—

699 (2) The department shall adopt rules establishing
 700 guidelines for the distribution of ~~distribute such funds as loan~~

701 ~~guarantees and grants to eligible local governments through~~ on
702 ~~the basis of a competitive selection process.~~

703 (3) The department shall define ~~the~~ broad community
704 development objectives consistent with national objectives
705 established by 42 U.S.C. s. 5304 and 24 C.F.R. s. 570.483
706 ~~objective to be achieved through the distribution of block grant~~
707 ~~funds under this section. by the activities in each of the~~
708 ~~following grant program categories, and require applicants for~~
709 ~~grants to compete against each other in these grant program~~
710 ~~categories:~~

- 711 ~~(a) Housing.~~
712 ~~(b) Economic development.~~
713 ~~(c) Neighborhood revitalization.~~
714 ~~(d) Commercial revitalization.~~
715 ~~(e) Project planning and design.~~

716 (4) The department may set aside an amount of up to 5
717 percent of the funds annually for use in any eligible local
718 government jurisdiction for which an emergency or natural
719 disaster has been declared by executive order. Such funds may
720 only be provided to a local government to fund eligible
721 emergency-related activities but must not be provided unless ~~for~~
722 ~~which~~ no other source of federal, state, or local disaster funds
723 is available. The department may provide for such set-aside by
724 rule. In the last quarter of the state fiscal year, any funds
725 not allocated under the emergency-related set-aside shall be
726 distributed to unfunded applications from the most recent
727 funding cycle.

728 Section 29. Section 290.0455, Florida Statutes, is amended

729 to read:

730 290.0455 Small Cities Community Development Block Grant
 731 Loan Guarantee Program; Section 108 loan guarantees.-

732 (1) The Small Cities Community Development Block Grant
 733 Loan Guarantee Program is created. The department shall
 734 administer the loan guarantee program pursuant to Section 108 ~~s.~~
 735 ~~108~~ of Title I of the Housing and Community Development Act of
 736 1974, as amended, and as further amended by s. 910 of the
 737 Cranston-Gonzalez National Affordable Housing Act. The purpose
 738 of the Small Cities Community Development Block Grant Loan
 739 Guarantee Program is to guarantee, or to make commitments to
 740 guarantee, notes or other obligations issued by public entities
 741 for the purposes of financing activities enumerated in 24 C.F.R.
 742 s. 570.703.

743 (2) Activities assisted under the loan guarantee program
 744 must meet the requirements contained in 24 C.F.R. ss. 570.700-
 745 570.710 and may not otherwise be financed in whole or in part
 746 from the Florida Small Cities Community Development Block Grant
 747 Program.

748 (3) The department may pledge existing revenues on deposit
 749 or future revenues projected to be available for deposit in the
 750 Florida Small Cities Community Development Block Grant Program
 751 in order to guarantee, ~~in whole or in part,~~ the payment of
 752 principal and interest on a Section 108 loan ~~made under the loan~~
 753 ~~guarantee program~~.

754 (4) An applicant approved by the United States Department
 755 of Housing and Urban Development to receive a Section 108 loan
 756 shall enter into an agreement with the Department of Economic

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757 Opportunity which requires the applicant to pledge half of the
758 amount necessary to guarantee the loan in the event of default.

759 (5) The department shall review all Section 108 loan
760 applications that it receives from local governments. The
761 department shall review the applications ~~must submit all~~
762 ~~applications it receives to the United States Department of~~
763 ~~Housing and Urban Development for loan approval,~~ in the order
764 received, subject to a determination by the department
765 ~~determining that~~ each ~~the~~ application meets all eligibility
766 requirements contained in 24 C.F.R. ss. 570.700-570.710, and has
767 been deemed financially feasible by a loan underwriter approved
768 by the department. If the statewide maximum available for loan
769 guarantee commitments established in subsection (6) has not been
770 committed, the department may submit the Section 108 loan
771 application to the United States Department of Housing and Urban
772 Development with a recommendation that the loan be approved,
773 with or without conditions, or be denied ~~provided that the~~
774 ~~applicant has submitted the proposed activity to a loan~~
775 ~~underwriter to document its financial feasibility.~~

776 (6) ~~(5)~~ The maximum amount of an individual loan guarantee
777 commitment that an ~~commitments that any~~ eligible local
778 government may receive is ~~may be~~ limited to \$5 ~~\$7~~ million
779 ~~pursuant to 24 C.F.R. s. 570.705,~~ and the maximum amount of loan
780 guarantee commitments statewide may not exceed an amount equal
781 to two ~~five~~ times the amount of the most recent grant received
782 by the department under the Florida Small Cities Community
783 Development Block Grant Program.

784 (7) ~~(6)~~ Section 108 loans guaranteed by the Small Cities

785 Community Development Block Grant Program ~~loan guarantee program~~
 786 must be repaid within 20 years.

787 ~~(8)(7)~~ Section 108 loan applicants must demonstrate
 788 ~~guarantees may be used for an activity only if the local~~
 789 ~~government provides evidence to the department that the~~
 790 applicant investigated alternative financing services ~~were~~
 791 ~~investigated~~ and the services were unavailable or insufficient
 792 to meet the financing needs of the proposed activity.

793 (9) If a local government defaults on a Section 108 loan
 794 received from the United States Department of Housing and Urban
 795 Development and guaranteed through the Florida Small Cities
 796 Community Development Block Grant Program, thereby requiring the
 797 department to reduce its annual grant award in order to pay the
 798 annual debt service on the loan, any future community
 799 development block grants that the local government receives must
 800 be reduced in an amount equal to the amount of the state's grant
 801 award used in payment of debt service on the loan.

802 (10) If a local government receives a Section 108 loan
 803 guaranteed through the Florida Small Cities Community
 804 Development Block Grant Program and is granted entitlement
 805 community status as defined in subpart D of 24 C.F.R. part 570
 806 by the United States Department of Housing and Urban Development
 807 before paying the loan in full, the local government must pledge
 808 its community development block grant entitlement allocation as
 809 a guarantee of its previous loan and request that the United
 810 States Department of Housing and Urban Development release the
 811 department as guarantor of the loan.

812 ~~(8) The department must, before approving an application~~

813 ~~for a loan, evaluate the applicant's prior administration of~~
814 ~~block grant funds for community development. The evaluation of~~
815 ~~past performance must take into account the procedural aspects~~
816 ~~of previous grants or loans as well as substantive results. If~~
817 ~~the department finds that any applicant has failed to~~
818 ~~substantially accomplish the results proposed in the applicant's~~
819 ~~last previously funded application, the department may prohibit~~
820 ~~the applicant from receiving a loan or may penalize the~~
821 ~~applicant in the rating of the current application.~~

822 Section 30. Section 290.046, Florida Statutes, is amended
823 to read:

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

826 290.046 Applications for grants; procedures;
827 requirements.-

828 (1) The department shall adopt rules establishing
829 application procedures.

830 (2) (a) Except for economic development projects, each
831 local government that is eligible by rule to apply for a grant
832 during an application cycle may submit one application for a
833 noneconomic development project during the application cycle. A
834 local government that is eligible by rule to apply for an
835 economic development grant may apply up to three times each
836 funding cycle for an economic development grant and may have
837 more than one open economic development grant.

838 (b) The department shall establish minimum criteria
839 pertaining to the number of jobs created for persons of low or
840 moderate income, the degree of private sector financial

841 commitment, the economic feasibility of the proposed project,
842 and any other criteria the department deems appropriate.

843 (c) The department may not award a grant until the
844 department has completed a site visit to verify the information
845 contained in the application.

846 (3) (a) The department shall adopt rules establishing
847 criteria for evaluating applications received during each
848 application cycle and the department must rank each application
849 in accordance with those rules. Such rules must allow the
850 department to consider relevant factors, including, but not
851 limited to, community need, unemployment, poverty levels, low
852 and moderate income populations, health and safety, and the
853 condition of physical structures. The department shall
854 incorporate into its ranking system a procedure intended to
855 eliminate or reduce any existing population-related bias that
856 places exceptionally small communities at a disadvantage in the
857 competition for funds.

858 (b) Project funding must be determined by the rankings
859 established in each application cycle. If economic development
860 funding remains available after the application cycle closes,
861 funding will be awarded to eligible projects on a first-come,
862 first-served basis until funding for this category is fully
863 obligated.

864 (4) In order to provide the public with information
865 concerning an applicant's proposed program before an application
866 is submitted to the department, the applicant shall, for each
867 funding cycle:

868 (a) Conduct an initial public hearing to inform the public

869 of funding opportunities available to meet community needs and
870 eligible activities and to solicit public input on community
871 needs.

872 (b) Publish a summary of the proposed application which
873 affords the public an opportunity to examine the contents of the
874 application and submit comments.

875 (c) Conduct a second public hearing to obtain public
876 comments on the proposed application and make appropriate
877 modifications to the application.

878 Section 31. Section 290.047, Florida Statutes, is amended
879 to read:

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

882 290.047 Establishment of grant ceilings and maximum
883 administrative cost percentages.-

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

885 (a) Grant ceilings.

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

889 (c) Grant administration procurement procedures for
890 eligible local governments.

891 (2) An eligible local government may not contract with the
892 same individual or business entity for more than one service to
893 be performed in connection with a community development block
894 grant, including, but not limited to, application preparation
895 services, administrative services, architectural and engineering
896 services, and construction services, unless it can be

897 demonstrated by the eligible local government that the
898 individual or business entity is the sole source of the service
899 or is the responsive proposer whose proposal is determined in
900 writing from a competitive process to be the most advantageous
901 to the local government.

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

906 Section 32. Section 290.0475, Florida Statutes, is amended
907 to read:

908 290.0475 Rejection of grant applications; penalties for
909 failure to meet application conditions.—Applications received
910 for funding are ineligible if ~~under all program categories shall~~
911 ~~be rejected without scoring only in the event that any of the~~
912 ~~following circumstances arise:~~

913 (1) The application is not received by the department by
914 the application deadline.

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

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

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

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

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

930 ~~(7) Any information provided in the application that~~
931 ~~affects eligibility or scoring is found to have been~~
932 ~~misrepresented, and the information is not a mathematical error~~
933 ~~which may be discovered and corrected by readily computing~~
934 ~~available numbers or formulas provided in the application.~~

935 Section 33. Subsections (5), (6), and (7) of section
936 290.048, Florida Statutes, are amended to read:

937 290.048 General powers of department under ss. 290.0401-

938 290.048.—The department has all the powers necessary or
939 appropriate to carry out the purposes and provisions of the
940 program, including the power to:

941 ~~(5) Adopt and enforce strict requirements concerning an~~
942 ~~applicant's written description of a service area. Each such~~
943 ~~description shall contain maps which illustrate the location of~~
944 ~~the proposed service area. All such maps must be clearly legible~~
945 ~~and must:~~

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

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

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

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

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

953 | ~~(5)-(6)~~ Pledge community development block grant revenues
 954 | from the Federal Government in order to guarantee notes or other
 955 | obligations of a public entity which are approved pursuant to s.
 956 | 290.0455.

957 | ~~(7) Establish an advisory committee of no more than 13~~
 958 | ~~members to solicit participation in designing, administering,~~
 959 | ~~and evaluating the program and in linking the program with other~~
 960 | ~~housing and community development resources.~~

961 | Section 34. Subsection (11) of section 331.3051, Florida
 962 | Statutes, is amended to read:

963 | 331.3051 Duties of Space Florida.—Space Florida shall:

964 | (11) Annually report on its performance with respect to
 965 | its business plan, to include finance, spaceport operations,
 966 | research and development, workforce development, and education.
 967 | The report shall be submitted to the Governor, the President of
 968 | the Senate, and the Speaker of the House of Representatives by
 969 | November 30 ~~no later than September 1~~ for the previous ~~prior~~
 970 | fiscal year. The annual report shall include operations
 971 | information as required under s. 331.310(2)(e).

972 | Section 35. Paragraph (e) of subsection (2) of section
 973 | 331.310, Florida Statutes, is amended to read:

974 | 331.310 Powers and duties of the board of directors.—

975 | (2) The board of directors shall:

976 | (e) Prepare an annual report of operations as a supplement
 977 | to the annual report required under s. 331.3051(11). The report
 978 | shall include, but not be limited to, a balance sheet, an income
 979 | statement, a statement of changes in financial position, a
 980 | reconciliation of changes in equity accounts, a summary of

981 significant accounting principles, the auditor's report, a
 982 summary of the status of existing and proposed bonding projects,
 983 comments from management about the year's business, and
 984 prospects for the next year, ~~which shall be submitted each year~~
 985 ~~by November 30 to the Governor, the President of the Senate, the~~
 986 ~~Speaker of the House of Representatives, the minority leader of~~
 987 ~~the Senate, and the minority leader of the House of~~
 988 ~~Representatives.~~

989 Section 36. Paragraph (b) of subsection (4) of section
 990 443.1113, Florida Statutes, is amended to read:

991 443.1113 Reemployment Assistance Claims and Benefits
 992 Information System.—

993 (4) The project to implement the Reemployment Assistance
 994 Claims and Benefits Information System shall be comprised of the
 995 following phases and corresponding implementation timeframes:

996 (b) The Reemployment Assistance Claims and Benefits
 997 Internet portal that replaces the Florida Unemployment Internet
 998 Direct and the Florida Continued Claims Internet Directory
 999 systems, the Call Center Interactive Voice Response System, the
 1000 Benefit Overpayment Screening System, the Internet and Intranet
 1001 Appeals System, and the Claims and Benefits Mainframe System
 1002 shall be deployed to full operational status no later than the
 1003 end of fiscal year 2013-2014 ~~2012-2013~~.

1004 Section 37. Subsection (5) of section 443.131, Florida
 1005 Statutes, is amended to read:

1006 443.131 Contributions.—

1007 (5) ADDITIONAL RATE FOR INTEREST ON FEDERAL ADVANCES.—

1008 (a) When the Unemployment Compensation Trust Fund has

1009 received advances from the Federal Government under the
 1010 provisions of 42 U.S.C. s. 1321, each contributing employer
 1011 shall be assessed an additional rate solely for the purpose of
 1012 paying interest due on such federal advances. The additional
 1013 rate shall be assessed no later than February 1 in each calendar
 1014 year in which an interest payment is due.

1015 (b) The Revenue Estimating Conference shall estimate the
 1016 amount of ~~such~~ interest due on federal advances by no later than
 1017 December 1 of the calendar year before ~~preceding~~ the calendar
 1018 year in which an interest payment is due. The Revenue Estimating
 1019 Conference shall, at a minimum, consider the following as the
 1020 basis for the estimate:

- 1021 1. The amounts actually advanced to the trust fund.
- 1022 2. Amounts expected to be advanced to the trust fund based
 1023 on current and projected unemployment patterns and employer
 1024 contributions.
- 1025 3. The interest payment due date.
- 1026 4. The interest rate that will be applied by the Federal
 1027 Government to any accrued outstanding balances.

1028 (c) ~~(b)~~ The tax collection service provider shall calculate
 1029 the additional rate to be assessed against contributing
 1030 employers. The additional rate assessed for a calendar year
 1031 shall be determined by dividing the estimated amount of interest
 1032 to be paid in that year by 95 percent of the taxable wages as
 1033 described in s. 443.1217 paid by all employers for the year
 1034 ending June 30 of the previous ~~immediately preceding~~ calendar
 1035 year. The amount to be paid by each employer shall be the
 1036 product obtained by multiplying such employer's taxable wages as

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1037 described in s. 443.1217 for the year ending June 30 of the
1038 previous ~~immediately preceding~~ calendar year by the rate as
1039 determined by this subsection. An assessment may not be made if
1040 the amount of assessments on deposit from previous years, plus
1041 any earned interest, is at least 80 percent of the estimated
1042 amount of interest.

1043 (d) The tax collection service provider shall make a
1044 separate collection of such assessment, which may be collected
1045 at the time of employer contributions and subject to the same
1046 penalties for failure to file a report, imposition of the
1047 standard rate pursuant to paragraph (3)(h), and interest if the
1048 assessment is not received on or before June 30. Section
1049 443.141(1)(d) and (e) does not apply to this separately
1050 collected assessment. The tax collection service provider shall
1051 maintain those funds in the tax collection service provider's
1052 Audit and Warrant Clearing Trust Fund until the provider is
1053 directed by the Governor or the Governor's designee to make the
1054 interest payment to the Federal Government. Assessments on
1055 deposit shall be available to pay the interest on advances
1056 received from the Federal Government under 42 U.S.C. s. 1321.
1057 Assessments on deposit may be invested and any interest earned
1058 shall be part of the balance available to pay the interest on
1059 advances received from the Federal Government under 42 U.S.C. s.
1060 1321.

1061 (e) Four months after ~~In the calendar year that~~ all
1062 advances from the Federal Government under 42 U.S.C. s. 1321 and
1063 associated interest are repaid, ~~if there are assessment funds in~~
1064 ~~excess of the amount required to meet the final interest~~

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1065 ~~payment, any such excess assessed funds in the Audit and Warrant~~
1066 ~~Clearing Trust Fund, including associated interest, shall be~~
1067 ~~transferred to credited to employer accounts in the Unemployment~~
1068 ~~Compensation Trust Fund. Any assessment amounts subsequently~~
1069 ~~collected shall also be transferred to the Unemployment~~
1070 ~~Compensation Trust Fund in an amount equal to the employer's~~
1071 ~~contribution to the assessment for that year divided by the~~
1072 ~~total amount of the assessment for that year, the result of~~
1073 ~~which is multiplied by the amount of excess assessed funds.~~

1074 (f) ~~If However,~~ if the state is permitted to defer
1075 interest payments due during a calendar year under 42 U.S.C. s.
1076 1322, payment of the interest assessment shall not be due. If a
1077 deferral of interest expires or is subsequently disallowed by
1078 the Federal Government, either prospectively or retroactively,
1079 the interest assessment shall be immediately due and payable.
1080 Notwithstanding any other provision of this section, if interest
1081 due during a calendar year on federal advances is forgiven or
1082 postponed under federal law and is no longer due during that
1083 calendar year, no interest assessment shall be assessed against
1084 an employer for that calendar year, and any assessment already
1085 assessed and collected against an employer before the
1086 forgiveness or postponement of the interest for that calendar
1087 year shall be credited to such employer's account in the
1088 Unemployment Compensation Trust Fund. However, such funds may be
1089 used only to pay benefits or refunds of erroneous contributions.

1090 (g) This subsection expires July 1, 2014.

1091 Section 38. Paragraph (a) of subsection (6) of section
1092 443.151, Florida Statutes, is amended to read:

1093 443.151 Procedure concerning claims.—
 1094 (6) RECOVERY AND RECOUPMENT.—
 1095 (a) Any person who, by reason of her or his fraud,
 1096 receives benefits under this chapter to which she or he is not
 1097 entitled is liable for repaying those benefits to the Department
 1098 of Economic Opportunity on behalf of the trust fund or, in the
 1099 discretion of the department, to have those benefits deducted
 1100 from future benefits payable to her or him under this chapter.
 1101 In addition, the department shall impose upon the claimant a
 1102 penalty equal to 15 percent of the amount overpaid. To enforce
 1103 this paragraph, the department must find the existence of fraud
 1104 through a redetermination or decision under this section within
 1105 2 years after the fraud was committed. Any recovery or
 1106 recoupment of benefits must be commenced within 7 years after
 1107 the redetermination or decision.

1108 Section 39. Subsection (1) of section 443.1715, Florida
 1109 Statutes, is amended to read:

1110 443.1715 Disclosure of information; confidentiality.—
 1111 (1) RECORDS AND REPORTS.—Information revealing an
 1112 employing unit's or individual's identity obtained from the
 1113 employing unit or any individual under the administration of
 1114 this chapter, and any determination revealing that information,
 1115 is confidential and exempt from s. 119.07(1) and s. 24(a), Art.
 1116 I of the State Constitution. This confidential information may
 1117 be released in accordance with the provisions in 20 C.F.R. part
 1118 603. A person receiving confidential information who violates
 1119 this subsection commits a misdemeanor of the second degree,
 1120 punishable as provided in s. 775.082 or s. 775.083. The

1121 Department of Economic Opportunity or its tax collection service
 1122 provider may, however, furnish to any employer copies of any
 1123 report submitted by that employer upon the request of the
 1124 employer and may furnish to any claimant copies of any report
 1125 submitted by that claimant upon the request of the claimant. The
 1126 department or its tax collection service provider may charge a
 1127 reasonable fee for copies of these reports as prescribed by
 1128 rule, which may not exceed the actual reasonable cost of the
 1129 preparation of the copies. Fees received for copies under this
 1130 subsection must be deposited in the Employment Security
 1131 Administration Trust Fund.

1132 Section 40. Subsection (1) of section 443.191, Florida
 1133 Statutes, is amended to read:

1134 443.191 Unemployment Compensation Trust Fund;
 1135 establishment and control.—

1136 (1) There is established, as a separate trust fund apart
 1137 from all other public funds of this state, an Unemployment
 1138 Compensation Trust Fund, which shall be administered by the
 1139 Department of Economic Opportunity exclusively for the purposes
 1140 of this chapter. The fund shall consist of:

- 1141 (a) All contributions and reimbursements collected under
 1142 this chapter;
- 1143 (b) Interest earned on any moneys in the fund;
- 1144 (c) Any property or securities acquired through the use of
 1145 moneys belonging to the fund;
- 1146 (d) All earnings of these properties or securities;
- 1147 (e) All money credited to this state's account in the
 1148 federal Unemployment Compensation Trust Fund under 42 U.S.C. s.

1149 1103; ~~and~~
 1150 (f) All money collected for penalties imposed pursuant to
 1151 s. 443.151(6) (a); and
 1152 (g) Advances on the amount in the federal Unemployment
 1153 Compensation Trust Fund credited to the state under 42 U.S.C. s.
 1154 1321, as requested by the Governor or the Governor's designee.
 1155
 1156 Except as otherwise provided in s. 443.1313(4), all moneys in
 1157 the fund shall be mingled and undivided.
 1158 Section 41. Paragraph (b) of subsection (3) and subsection
 1159 (4) of section 446.50, Florida Statutes, is amended to read:
 1160 446.50 Displaced homemakers; multiservice programs; report
 1161 to the Legislature; Displaced Homemaker Trust Fund created.—
 1162 (3) POWERS AND DUTIES OF THE DEPARTMENT OF ECONOMIC
 1163 OPPORTUNITY.—
 1164 (b)1. The department shall enter into contracts with, and
 1165 make grants to, public and nonprofit private entities for
 1166 purposes of establishing multipurpose service programs for
 1167 displaced homemakers under this section. Such grants and
 1168 contracts shall be awarded pursuant to chapter 287 and based on
 1169 criteria established in the program state plan as provided in
 1170 subsection (4) developed pursuant to this section. The
 1171 department shall designate catchment areas that together, shall
 1172 compose the entire state, and, to the extent possible from
 1173 revenues in the Displaced Homemaker Trust Fund, the department
 1174 shall contract with, and make grants to, entities that will
 1175 serve entire catchment areas so that displaced homemaker service
 1176 programs are available statewide. These catchment areas shall be

1177 coterminous with the state's workforce development regions. The
 1178 department may give priority to existing displaced homemaker
 1179 programs when evaluating bid responses to the request for
 1180 proposals.

1181 2. In order to receive funds under this section, and
 1182 unless specifically prohibited by law from doing so, an entity
 1183 that provides displaced homemaker service programs must receive
 1184 at least 25 percent of its funding from one or more local,
 1185 municipal, or county sources or nonprofit private sources. In-
 1186 kind contributions may be evaluated by the department and
 1187 counted as part of the required local funding.

1188 3. The department shall require an entity that receives
 1189 funds under this section to maintain appropriate data to be
 1190 compiled in an annual report to the department. Such data shall
 1191 include, but shall not be limited to, the number of clients
 1192 served, the units of services provided, designated client-
 1193 specific information including intake and outcome information
 1194 specific to each client, costs associated with specific services
 1195 and program administration, total program revenues by source and
 1196 other appropriate financial data, and client followup
 1197 information at specified intervals after the placement of a
 1198 displaced homemaker in a job.

1199 (4) DISPLACED HOMEWORKER PROGRAM STATE PLAN.—

1200 ~~(a)~~ The Department of Economic Opportunity shall include
 1201 in its annual report required under s. 20.60 a develop a 3-year
 1202 state plan for the displaced homemaker program which shall be
 1203 updated annually. The plan must address, at a minimum, the need
 1204 for programs specifically designed to serve displaced

1205 homemakers, any necessary service components for such programs
 1206 in addition to those described ~~enumerated~~ in this section, goals
 1207 of the displaced homemaker program with an analysis of the
 1208 extent to which those goals are being met, and recommendations
 1209 for ways to address any unmet program goals. Any request for
 1210 funds for program expansion must be based on the ~~state~~ plan.

1211 ~~(b) The displaced homemaker program~~ Each annual update
 1212 ~~must address any changes in the components of the 3-year state~~
 1213 ~~plan and a report that~~ must include, but need not be limited to,
 1214 the following:

1215 (a)1. The scope of the incidence of displaced homemakers;

1216 (b)2. A compilation and report, by program, of data
 1217 submitted to the department pursuant to subparagraph 3. by
 1218 funded displaced homemaker service programs;

1219 (c)3. An identification and description of the programs in
 1220 the state which receive funding from the department, including
 1221 funding information; and

1222 (d)4. An assessment of the effectiveness of each displaced
 1223 homemaker service program based on outcome criteria established
 1224 by rule of the department.

1225 ~~(e) The 3-year state plan must be submitted to the~~
 1226 ~~President of the Senate, the Speaker of the House of~~
 1227 ~~Representatives, and the Governor on or before January 1, 2001,~~
 1228 ~~and annual updates of the plan must be submitted by January 1 of~~
 1229 ~~each subsequent year.~~

1230 Section 42. This act shall take effect July 1, 2013.