

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Boyd offered the following:  
 4

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (7) of section 163.3175, Florida  
 8 Statutes, is amended to read:

9 163.3175 Legislative findings on compatibility of  
 10 development with military installations; exchange of information  
 11 between local governments and military installations.-

12 (7) To facilitate the exchange of information provided for  
 13 in this section, a representative of a military installation  
 14 acting on behalf of all military installations within that  
 15 jurisdiction shall serve ~~be included as an~~ ex officio as a  
 16 nonvoting member of the county's or affected local government's  
 17 land planning or zoning board. The representative is not

Amendment No. 1

18 required to file a statement of financial interest pursuant to  
19 s. 112.3145 solely due to his or her service on the county's or  
20 affected local government's land planning or zoning board.

21 Section 2. Subsection (7) is added to section 163.3180,  
22 Florida Statutes, to read:

23 163.3180 Concurrency.—

24 (7) (a) Notwithstanding any other provision of law,  
25 ordinance, or resolution, a local government may not apply  
26 transportation concurrency within its jurisdiction and may not  
27 require a proportionate-share contribution or construction for a  
28 new business development before July 1, 2019, unless authorized  
29 by the affirmative majority vote of the local government's  
30 governing authority. This paragraph does not apply to:

31 1. Proportionate-share contribution or construction  
32 assessed on an existing development before July 1, 2016.

33 2. A new business development that is larger than 6,000  
34 square feet.

35 3. A new business development that includes a business  
36 employing more than 12 full-time employees.

37 (b) To maintain the exemption from transportation  
38 concurrency and proportionate-share contribution or construction  
39 pursuant to paragraph (a), a new business development must  
40 receive a certificate of occupancy on or before July 1, 2020. If  
41 the certificate of occupancy is not received by July 1, 2020,  
42 the local government may apply transportation concurrency and  
43 require the appropriate proportionate-share contribution or

Amendment No. 1

44 construction for the business development that would have been  
45 applied except for this subsection. Any outstanding obligation  
46 related to the proportionate-share contribution or construction  
47 runs with the land and is enforceable against any person  
48 claiming a fee interest in the land subject to that obligation.

49 (c) This subsection does not apply if it results in a  
50 reduction of previously pledged revenue of a local government  
51 authority for outstanding bonds or notes or to a local  
52 government with a mobility fee-based funding system in place on  
53 or before January 1, 2016.

54 (d) Upon written notification to the local government, a  
55 developer may elect to have the local government apply  
56 transportation concurrency and proportionate-share contribution  
57 or construction to a business development.

58 (e) This subsection expires July 1, 2020.

59 Section 3. Subsection (6) is added to section 163.31801,  
60 Florida Statutes, to read:

61 163.31801 Impact fees; short title; intent; definitions;  
62 ordinances levying impact fees.—

63 (6) (a) Notwithstanding any other provision of law,  
64 ordinance, or resolution, a county, municipality, or special  
65 district may not impose any new or existing impact fee or any  
66 new or existing fee associated with the mitigation of  
67 transportation impacts on new business development before July  
68 1, 2019, unless authorized by the affirmative majority vote of

Amendment No. 1

69 the governing authority of the county, municipality, or special  
70 district. This paragraph does not apply to:

71 1. An impact fee or fee associated with the mitigation of  
72 transportation impacts previously enacted by law, ordinance, or  
73 resolution assessed on an existing business development before  
74 July 1, 2016.

75 2. A new business development larger than 6,000 square  
76 feet.

77 3. A new business development that includes a business  
78 employing more than 12 full-time employees.

79 (b) Any governing authority of a local government imposing  
80 an impact fee in existence on July 1, 2016, must reauthorize the  
81 imposition of the fee pursuant to this subsection.

82 (c) To maintain the exemption from impact fees and fees  
83 associated with the mitigation of transportation impacts  
84 pursuant to paragraph (a), a new business development must  
85 receive a certificate of occupancy on or before July 1, 2020. If  
86 the certificate of occupancy is not received by July 1, 2020,  
87 the county, municipality, or special district may impose the  
88 appropriate impact fees and fees associated with the mitigation  
89 of transportation impacts on the development that would have  
90 been applied except for this subsection. Any outstanding  
91 obligation related to impact fees, and fees associated with the  
92 mitigation of transportation impacts on the development, runs  
93 with the land and is enforceable against any person claiming a  
94 fee interest in the land subject to that obligation.

Amendment No. 1

95 (d) This subsection does not apply if it results in a  
96 reduction of previously pledged revenue of a local government  
97 authority for currently outstanding bonds or notes or to a local  
98 government with a mobility fee-based funding system in place on  
99 or before January 1, 2016.

100 (e) Upon notification to the county, municipality, or  
101 special district, a developer may elect to have impact fees and  
102 fees associated with the mitigation of transportation impacts  
103 imposed on a development.

104 (f) This subsection expires July 1, 2020.

105 Section 4. Section 189.033, Florida Statutes, is amended  
106 to read:

107 189.033 Independent special district services in  
108 disproportionately affected county; rate reduction for providers  
109 providing economic benefits.—If the governing body of an  
110 independent special district that provides water, wastewater,  
111 and sanitation services in a disproportionately affected county,  
112 as defined in s. 220.191(1)(g)1. ~~288.106(8)~~, determines that a  
113 new user or the expansion of an existing user of one or more of  
114 its utility systems will provide a significant benefit to the  
115 community in terms of increased job opportunities, economies of  
116 scale, or economic development in the area, the governing body  
117 may authorize a reduction of its rates, fees, or charges for  
118 that user for a specified period of time. A governing body that  
119 exercises this power must do so by resolution that states the

Amendment No. 1

120 anticipated economic benefit justifying the reduction as well as  
121 the period of time that the reduction will remain in place.

122 Section 5. Paragraph (a) of subsection (14) of section  
123 196.012, Florida Statutes, is amended to read:

124 196.012 Definitions.—For the purpose of this chapter, the  
125 following terms are defined as follows, except where the context  
126 clearly indicates otherwise:

127 (14) "New business" means:

128 (a)1. A business or organization establishing 10 or more  
129 new jobs to employ 10 or more full-time employees in this state  
130 which pays,~~paying~~ an average wage for such new jobs which that  
131 is above the average wage in the area and,~~which~~ principally  
132 engages in any one or more of the following operations:

133 a. Manufactures, processes, compounds, fabricates, or  
134 produces for sale items of tangible personal property at a fixed  
135 location and which comprises an industrial or manufacturing  
136 plant; or

137 b. Is a target industry business as defined in s.  
138 288.106(2) ~~s. 288.106(2)(q)~~;

139 2. A business or organization establishing 25 or more new  
140 jobs to employ 25 or more full-time employees in this state, the  
141 sales factor of which, as defined by s. 220.15(5), for the  
142 facility with respect to which it requests an economic  
143 development ad valorem tax exemption is less than 0.50 for each  
144 year the exemption is claimed; or

Amendment No. 1

145 3. An office space in this state owned and used by a  
146 business or organization newly domiciled in this state if  
147 ~~provided~~ such office space houses 50 or more full-time employees  
148 of such business or organization and; ~~provided that such~~  
149 ~~business or organization office~~ first begins operation on a site  
150 clearly separate from any other commercial or industrial  
151 operation owned by the same business or organization.

152 Section 6. Paragraph (d) of subsection (6) of section  
153 212.20, Florida Statutes, is amended to read:

154 212.20 Funds collected, disposition; additional powers of  
155 department; operational expense; refund of taxes adjudicated  
156 unconstitutionally collected.—

157 (6) Distribution of all proceeds under this chapter and  
158 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

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

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

168 2. After the distribution under subparagraph 1., 8.9744  
169 percent of the amount remitted by a sales tax dealer located  
170 within a participating county pursuant to s. 218.61 shall be

## Amendment No. 1

171 transferred into the Local Government Half-cent Sales Tax  
172 Clearing Trust Fund. Beginning July 1, 2003, the amount to be  
173 transferred shall be reduced by 0.1 percent, and the department  
174 shall distribute this amount to the Public Employees Relations  
175 Commission Trust Fund less \$5,000 each month, which shall be  
176 added to the amount calculated in subparagraph 3. and  
177 distributed accordingly.

178 3. After the distribution under subparagraphs 1. and 2.,  
179 0.0966 percent shall be transferred to the Local Government  
180 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
181 to s. 218.65.

182 4. After the distributions under subparagraphs 1., 2., and  
183 3., 2.0810 percent of the available proceeds shall be  
184 transferred monthly to the Revenue Sharing Trust Fund for  
185 Counties pursuant to s. 218.215.

186 5. After the distributions under subparagraphs 1., 2., and  
187 3., 1.3653 percent of the available proceeds shall be  
188 transferred monthly to the Revenue Sharing Trust Fund for  
189 Municipalities pursuant to s. 218.215. If the total revenue to  
190 be distributed pursuant to this subparagraph is at least as  
191 great as the amount due from the Revenue Sharing Trust Fund for  
192 Municipalities and the former Municipal Financial Assistance  
193 Trust Fund in state fiscal year 1999-2000, no municipality shall  
194 receive less than the amount due from the Revenue Sharing Trust  
195 Fund for Municipalities and the former Municipal Financial  
196 Assistance Trust Fund in state fiscal year 1999-2000. If the



Amendment No. 1

197 total proceeds to be distributed are less than the amount  
198 received in combination from the Revenue Sharing Trust Fund for  
199 Municipalities and the former Municipal Financial Assistance  
200 Trust Fund in state fiscal year 1999-2000, each municipality  
201 shall receive an amount proportionate to the amount it was due  
202 in state fiscal year 1999-2000.

203 6. Of the remaining proceeds:

204 a. In each fiscal year, the sum of \$29,915,500 shall be  
205 divided into as many equal parts as there are counties in the  
206 state, and one part shall be distributed to each county. The  
207 distribution among the several counties must begin each fiscal  
208 year on or before January 5th and continue monthly for a total  
209 of 4 months. If a local or special law required that any moneys  
210 accruing to a county in fiscal year 1999-2000 under the then-  
211 existing provisions of s. 550.135 be paid directly to the  
212 district school board, special district, or a municipal  
213 government, such payment must continue until the local or  
214 special law is amended or repealed. The state covenants with  
215 holders of bonds or other instruments of indebtedness issued by  
216 local governments, special districts, or district school boards  
217 before July 1, 2000, that it is not the intent of this  
218 subparagraph to adversely affect the rights of those holders or  
219 relieve local governments, special districts, or district school  
220 boards of the duty to meet their obligations as a result of  
221 previous pledges or assignments or trusts entered into which  
222 obligated funds received from the distribution to county

Amendment No. 1

223 governments under then-existing s. 550.135. This distribution  
224 specifically is in lieu of funds distributed under s. 550.135  
225 before July 1, 2000.

226 b. The department shall distribute \$166,667 monthly to  
227 each applicant certified as a facility for a new or retained  
228 professional sports franchise pursuant to s. 288.1162. Up to  
229 \$41,667 shall be distributed monthly by the department to each  
230 certified applicant as defined in s. 288.11621 for a facility  
231 for a spring training franchise. However, not more than \$416,670  
232 may be distributed monthly in the aggregate to all certified  
233 applicants for facilities for spring training franchises.  
234 Distributions begin 60 days after such certification and  
235 continue for not more than 30 years, except as otherwise  
236 provided in s. 288.11621. A certified applicant identified in  
237 this sub-subparagraph may not receive more in distributions than  
238 expended by the applicant for the public purposes provided in s.  
239 288.1162(5) or s. 288.11621(3).

240 c. Beginning 30 days after notice by the Department of  
241 Economic Opportunity to the Department of Revenue that an  
242 applicant has been certified as the professional golf hall of  
243 fame pursuant to s. 288.1168 and is open to the public, \$166,667  
244 shall be distributed monthly, for up to 300 months, to the  
245 applicant.

246 ~~d. Beginning 30 days after notice by the Department of~~  
247 ~~Economic Opportunity to the Department of Revenue that the~~  
248 ~~applicant has been certified as the International Game Fish~~

Amendment No. 1

249 ~~Association World Center facility pursuant to s. 288.1169, and~~  
250 ~~the facility is open to the public, \$83,333 shall be distributed~~  
251 ~~monthly, for up to 168 months, to the applicant. This~~  
252 ~~distribution is subject to reduction pursuant to s. 288.1169. A~~  
253 ~~lump sum payment of \$999,996 shall be made after certification~~  
254 ~~and before July 1, 2000.~~

255 ~~d.e.~~ The department shall distribute up to \$83,333 monthly  
256 to each certified applicant as defined in s. 288.11631 for a  
257 facility used by a single spring training franchise, or up to  
258 \$166,667 monthly to each certified applicant as defined in s.  
259 288.11631 for a facility used by more than one spring training  
260 franchise. Monthly distributions begin 60 days after such  
261 certification or July 1, 2016, whichever is later, and continue  
262 for not more than 20 years to each certified applicant as  
263 defined in s. 288.11631 for a facility used by a single spring  
264 training franchise or not more than 25 years to each certified  
265 applicant as defined in s. 288.11631 for a facility used by more  
266 than one spring training franchise. A certified applicant  
267 identified in this sub-subparagraph may not receive more in  
268 distributions than expended by the applicant for the public  
269 purposes provided in s. 288.11631(3).

270 ~~e.f.~~ Beginning 45 days after notice by the Department of  
271 Economic Opportunity to the Department of Revenue that an  
272 applicant has been approved by the Legislature and certified by  
273 the Department of Economic Opportunity under s. 288.11625 or  
274 upon a date specified by the Department of Economic Opportunity

Amendment No. 1

275 as provided under s. 288.11625(6)(d), the department shall  
276 distribute each month an amount equal to one-twelfth of the  
277 annual distribution amount certified by the Department of  
278 Economic Opportunity for the applicant. The department may not  
279 distribute more than \$7 million in the 2014-2015 fiscal year or  
280 more than \$13 million annually thereafter under this sub-  
281 subparagraph.

282 ~~f.9.~~ Beginning December 1, 2015, and ending June 30, 2016,  
283 the department shall distribute \$26,286 monthly to the State  
284 Transportation Trust Fund. Beginning July 1, 2016, the  
285 department shall distribute \$15,333 monthly to the State  
286 Transportation Trust Fund.

287 7. All other proceeds must remain in the General Revenue  
288 Fund.

289 Section 7. Paragraph (b) of subsection (1) of section  
290 220.191, Florida Statutes, is amended to read:

291 220.191 Capital investment tax credit.—

292 (1) DEFINITIONS.—For purposes of this section:

293 (b) "Cumulative capital investment" means the total  
294 capital investment in land, buildings, and equipment made by or  
295 on behalf of a qualifying business in connection with a  
296 qualifying project during the period from the beginning of  
297 construction of the project to the commencement of operations.  
298 The term does not include funds granted to or spent on behalf of  
299 a qualifying business by the state, a local government, or  
300 another governmental entity; funds appropriated in the General

Amendment No. 1

301 Appropriations Act; or funds otherwise provided to a qualifying  
302 business by a state agency, a local government, or another  
303 governmental entity.

304 Section 8. Paragraph (a) of subsection (2) of section  
305 220.196, Florida Statutes, is amended to read:

306 220.196 Research and development tax credit.—

307 (2) TAX CREDIT.—

308 (a) As provided in this section, a business enterprise is  
309 eligible for a credit against the tax imposed by this chapter if  
310 it:

311 1. Has qualified research expenses in this state in the  
312 taxable year exceeding the base amount;

313 2. Claims and is allowed a research credit for such  
314 qualified research expenses under 26 U.S.C. s. 41 for the same  
315 taxable year as subparagraph 1.; and

316 3. Is a qualified target industry business as defined in  
317 s. 288.106(2)(m) ~~288.106(2)(n)~~. Only qualified target industry  
318 businesses in the manufacturing, life sciences, information  
319 technology, aviation and aerospace, homeland security and  
320 defense, cloud information technology, marine sciences,  
321 materials science, and nanotechnology industries may qualify for  
322 a tax credit under this section. A business applying for a  
323 credit pursuant to this section shall include a letter from the  
324 Department of Economic Opportunity certifying whether the  
325 business meets the requirements of this subparagraph with its

Amendment No. 1

326 application for credit. The Department of Economic Opportunity  
327 shall provide such a letter upon receiving a request.

328 Section 9. Paragraphs (b) and (e) of subsection (2) of  
329 section 288.0001, Florida Statutes, are amended to read:

330 288.0001 Economic Development Programs Evaluation.—The  
331 Office of Economic and Demographic Research and the Office of  
332 Program Policy Analysis and Government Accountability (OPPAGA)  
333 shall develop and present to the Governor, the President of the  
334 Senate, the Speaker of the House of Representatives, and the  
335 chairs of the legislative appropriations committees the Economic  
336 Development Programs Evaluation.

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

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

342 1. The entertainment industry financial incentive program  
343 established under s. 288.1254.

344 2. The entertainment industry sales tax exemption program  
345 established under s. 288.1258.

346 3. The Florida Tourism Industry Marketing Corporation  
347 ~~VISIT Florida~~ and its programs established or funded under ss.  
348 288.122, 288.1226, 288.12265, and 288.124.

349 4. The Florida Sports Foundation and related programs  
350 established under ss. 288.1162, 288.11621, 288.1166, 288.1167,  
351 288.1168, ~~288.1169~~, and 288.1171.

Amendment No. 1

352 (e) Beginning January 1, 2018, and every 3 years  
353 thereafter, an analysis of the Sports Development Program  
354 established under s. 288.11625 and the retention of Major League  
355 Baseball spring training baseball franchises under s. 288.11631.

356 Section 10. Present subsection (1) of section 288.005,  
357 Florida Statutes, is amended, and present subsections (3)  
358 through (6) of that section are redesignated as subsections (4)  
359 through (7), respectively, and a new subsection (1) is added to  
360 that section, to read:

361 288.005 Definitions.—As used in this chapter, the term:

362 (1) "Average private sector wage in the area" means the  
363 statewide average wage in the private sector or the average of  
364 all private sector wages in the county or in the standard  
365 metropolitan area in which the project is located, as determined  
366 by the department.

367 ~~(3)~~ (1) "Economic benefits" means the direct, indirect, and  
368 induced gains in state revenues as a percentage of the state's  
369 investment. The state's investment includes all state funds  
370 spent or forwent to benefit a business, including, but not  
371 limited to, state funds appropriated to public and private  
372 entities, state grants, tax exemptions, tax refunds, tax  
373 credits, and other state incentives.

374 Section 11. Section 288.061, Florida Statutes, is amended  
375 to read:

376 288.061 Economic development incentive application  
377 process.—

Amendment No. 1

378 (1) Effective January 1, 2017, the department shall  
379 prescribe the format in which an application for an incentive  
380 shall be made. At a minimum, the incentive application must  
381 include the following:

382 (a) The applicant's federal employee identification  
383 number, reemployment assistance account number, and state sales  
384 tax registration number. If such numbers are not available at  
385 the time of application, the numbers must be submitted to the  
386 department in writing before disbursement of any economic  
387 incentive payments or the grant of any tax credits or refunds.

388 (b) The applicant's signature.

389 (c) The location of the project.

390 (d) The anticipated commencement date of the project.

391 (e) A description of the type of business activity,  
392 product, or research and development undertaken by the  
393 applicant, including the six-digit North American Industry  
394 Classification System code or codes associated with the project.

395 (f) An attestation verifying that the information provided  
396 on the application is true and correct.

397 (2) ~~(1)~~ Upon receiving a submitted economic development  
398 incentive application, the Division of Strategic Business  
399 Development of the department ~~of Economic Opportunity~~ and  
400 designated staff of Enterprise Florida, Inc., shall review the  
401 application to ensure that the application is complete, whether  
402 and what type of state and local permits may be necessary for  
403 the applicant's project, whether it is possible to waive such



## Amendment No. 1

404 permits, and what state incentives and amounts of such  
405 incentives may be available to the applicant. The department  
406 shall recommend to the executive director to approve or  
407 disapprove an applicant business. If review of the application  
408 demonstrates that the application is incomplete, the executive  
409 director shall notify the applicant business within the first 5  
410 business days after receiving the application.

411 ~~(3) (a) (2) Beginning July 1, 2013,~~ The department shall  
412 review and evaluate each economic development incentive  
413 application for the economic benefits of the proposed award of  
414 state incentives proposed for the project. The review must occur  
415 before the department approves an economic development incentive  
416 application and before any approved incentive agreement or  
417 contract is amended, modified, or extended by the department or  
418 Enterprise Florida, Inc.

419 (b) An amendment, modification, or extension of an  
420 executed contract under s. 288.1045, s. 288.106, s. 288.107, s.  
421 288.108, s. 288.1088, or s. 288.1089 may not result in a 0.5-  
422 point or greater reduction in the economic-benefit ratio of the  
423 project, may not result in the waiver of any program  
424 requirement, and is subject to a 14-day legislative  
425 consultation. If the President of the Senate or the Speaker of  
426 the House of Representatives timely advises the Executive Office  
427 of the Governor in writing that the amendment, modification, or  
428 extension exceeds the delegated authority of the Executive  
429 Office of the Governor or is contrary to legislative policy or

Amendment No. 1

430 intent, the Executive Office of the Governor must void the  
431 amendment, modification, or extension and instruct the  
432 department to immediately change action or proposed action.  
433 Except as otherwise provided in this chapter, the department may  
434 not execute an amendment to an incentive agreement or contract  
435 for a project for which the economic benefits have been reduced  
436 unless the award of state incentives outlined in the incentive  
437 agreement or contract have been reduced by a proportionate  
438 amount. The department must include in its annual report  
439 information pertaining to each incentive contract extension and  
440 each contract amendment or modification that alters a  
441 performance condition that a project must meet to obtain  
442 incentive funds.

443 (c) As used in this subsection, the term "economic  
444 benefits" has the same meaning as provided in s. 288.005. The  
445 Office of Economic and Demographic Research shall establish the  
446 methodology and model used to calculate the economic benefits,  
447 including guidelines for the appropriate application of the  
448 model. For purposes of this requirement, an amended definition  
449 of "economic benefits" may be developed by the Office of  
450 Economic and Demographic Research but must include all state  
451 funds spent or forwent to benefit a business, including, but not  
452 limited to, state funds appropriated to public and private  
453 entities, state grants, tax exemptions, tax refunds, tax  
454 credits, other state incentives, and any other source of state

Amendment No. 1

455 funds which should reasonably be known to the department at the  
456 time of approval.

457 (d) For the purpose of calculating the economic benefits  
458 of a project, the department may not attribute to the business  
459 any capital investment made by the business using state funds.

460 (e) For the purpose of evaluating economic development  
461 incentive applications, the department shall consider the  
462 cumulative capital investment, as defined in s. 220.191.

463 (4) The department's evaluation of the application must  
464 also include the following:

465 (a) A financial analysis of the company, including  
466 information regarding liens and pending or ongoing litigation,  
467 credit ratings, and regulatory filings.

468 (b) A review of any independent evaluations of the  
469 company.

470 (c) A review of the historical market performance of the  
471 company.

472 (d) A review of the latest audit of the company's  
473 financial statement and the related auditor management letter.

474 (e) A review of any other audits that are related to the  
475 internal controls or management of the company.

476 (f) A review of performance in connection with any  
477 incentives previously awarded by state or local governments.

478 (g) Any other review deemed necessary by the department.

479 (5) (a) ~~(3)~~ Within 10 business days after the department  
480 receives a complete ~~the submitted~~ economic development incentive

Amendment No. 1

481 application, the executive director shall approve or disapprove  
482 the application and issue a letter of certification to the  
483 applicant which includes a justification of that decision,  
484 unless the business requests an extension of ~~that~~ time.

485 (b) Within 7 business days after the executive director  
486 approves or disapproves a complete economic development  
487 incentive application for a project, the department shall  
488 recommend to the Governor the approval or disapproval of the  
489 application. The recommendation must include a justification for  
490 the recommendation and the proposed performance conditions that  
491 the project must meet to obtain incentive funds.

492 (c)-(a) The contract or agreement with the applicant must  
493 specify the total amount of the award, the performance  
494 conditions that must be met to obtain the award, the schedule  
495 for payment, and sanctions that would apply for failure to meet  
496 performance conditions. The contract or agreement with the  
497 applicant must require that the applicant use the state's job  
498 bank system to advertise job openings created as a result of the  
499 state incentive agreement. Any contract or agreement that  
500 requires capital investment to be made by the business must also  
501 require that such investment remain in this state for the  
502 duration of the agreement or contract, except an investment made  
503 in transportation-related assets specifically used for the  
504 purpose of transporting goods or employees. The department may  
505 enter into one agreement or contract covering all of the state  
506 incentives that are being provided to the applicant. The

Amendment No. 1

507 contract must provide that release of funds is contingent upon  
508 sufficient appropriation of funds by the Legislature. The state  
509 may not enter into a contract or agreement with a term of more  
510 than 10 years with any applicant. However, the department may  
511 enter into a successive agreement or contract for a specific  
512 project to extend the initial 10-year term, if each successive  
513 contract or agreement is contingent upon the successful  
514 completion of the previous contract or agreement and meets all  
515 requirements of the applicable economic development program  
516 being utilized as if it was a stand-alone project. The  
517 restriction on the term of the agreement or contract does not  
518 apply if the contract or agreement is for a project receiving an  
519 innovation incentive program award pursuant to s. 288.1089 or a  
520 capital investment tax credit pursuant to s. 220.191.

521 (d) ~~(b)~~ The release of funds for the incentive or  
522 incentives awarded to the applicant depends upon the statutory  
523 requirements of the particular incentive program.

524 (6) ~~(4)~~ The department shall validate contractor  
525 performance and report such validation in the annual incentives  
526 report required under s. 288.907.

527 (7) ~~(5)~~ (a) The executive director may not approve an  
528 economic development incentive application unless the  
529 application includes a signed written declaration by the  
530 applicant which states that the applicant has read the  
531 information in the application and that the information is true,

Amendment No. 1

532 correct, and complete to the best of the applicant's knowledge  
533 and belief.

534 (b) After an economic development incentive application is  
535 approved, the awardee shall provide, in each year that the  
536 department is required to validate contractor performance, a  
537 signed written declaration. The written declaration must state  
538 that the awardee has reviewed the information and that the  
539 information is true, correct, and complete to the best of the  
540 awardee's knowledge and belief.

541 ~~(8)(6)~~ The department is authorized to adopt rules to  
542 implement this section.

543 Section 12. Paragraphs (c) and (e) of subsection (1) of  
544 section 288.076, Florida Statutes, are amended to read:

545 288.076 Return on investment reporting for economic  
546 development programs.—

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

548 (c) "Project" has the same meaning as provided in s.  
549 288.106(2)(1) ~~288.106(2)(m)~~.

550 (e) "State investment" means all state funds spent or  
551 forwent to benefit a business, including, but not limited to,  
552 state funds appropriated to public and private entities, any  
553 state grants, tax exemptions, tax refunds, tax credits, and any  
554 other source of state funds which should reasonably be known to  
555 the department at the time of approval ~~or other state incentives~~  
556 ~~provided to a business under a program administered by the~~

Amendment No. 1

557 | ~~department~~, including the capital investment tax credit under s.  
558 | 220.191.

559 | Section 13. Section 288.103, Florida Statutes, is created  
560 | to read:

561 | 288.103 Economic development programs; minimum residency  
562 | period for awards for projects.-

563 | (1) The department shall include requirements to be met  
564 | for a minimum three year residency period in each incentive  
565 | contract at the time incentives are awarded. Each contractual  
566 | residency period must include a provision for the project to  
567 | remain in this state. Each residency period shall begin on the  
568 | date the project last receives a program benefit or payment, or  
569 | at the end of a project's maintenance period, whichever occurs  
570 | last. The department shall also include in each incentive  
571 | contract specific financial sanctions for businesses that fail  
572 | to meet specified contract residency period requirements.

573 | (2) This section applies to contracts executed on or after  
574 | July 1, 2016, for programs under ss. 220.191, 288.1045, 288.106,  
575 | 288.107, 288.108, 288.1088, and 288.1089.

576 | Section 14. Paragraphs (b), (j), and (k) of subsection  
577 | (1), paragraphs (b), (c), (d), and (j) of subsection (3),  
578 | paragraph (b) of subsection (5), and subsection (7) of section  
579 | 288.1045, Florida Statutes, are amended, and paragraph (i) is  
580 | added to subsection (5) of that section, to read:

581 | 288.1045 Qualified defense contractor and space flight  
582 | business tax refund program.-

## Amendment No. 1

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

584 ~~(b) "Average wage in the area" means the average of all~~  
585 ~~wages and salaries in the state, the county, or in the standard~~  
586 ~~metropolitan area in which the business unit is located.~~

587 (j) "Local financial support" means funding from local  
588 sources, public or private, which is paid to the Economic  
589 Development Trust Fund and which is equal to 20 percent of the  
590 annual tax refund for a qualified applicant.

591 1. Local financial support may include excess payments  
592 made to a utility company under a designated program to allow  
593 decreases in service by the utility company under conditions,  
594 regardless of when application is made.

595 2. A qualified applicant may not provide, directly or  
596 indirectly, more than 5 percent of such funding in any fiscal  
597 year. The sources of such funding may not include, directly or  
598 indirectly, state funds appropriated from the General Revenue  
599 Fund or any state trust fund, excluding tax revenues shared with  
600 local governments pursuant to law.

601 3. A qualified applicant may not receive more than 80  
602 percent of the total tax refund from state funds that are  
603 authorized for the applicant under this section.

604 4. The department may grant a waiver that reduces the  
605 required amount of local financial support for a project to 10  
606 percent of the annual tax refund awarded to a qualified  
607 applicant for a local government, or eliminates the required  
608 amount of local financial support for a project for a local



Amendment No. 1

609 government located in a rural area of opportunity, as designated  
610 by the Governor pursuant to s. 288.0656. To be eligible to  
611 receive a waiver that reduces or eliminates the required amount  
612 of local financial support, a local government must provide the  
613 department with:

614 a. A resolution adopted by the governing body of the  
615 county or municipality in whose jurisdiction the project will be  
616 located, requesting the applicant's project be waived from the  
617 local financial support requirement.

618 b. A statement prepared by a Florida certified public  
619 accountant, as defined in s. 473.302, that describes the  
620 financial constraints preventing the local government from  
621 providing the local financial support required by this section.  
622 This sub-subparagraph does not apply to a county considered  
623 fiscally constrained pursuant to s. 218.67(1).

624 ~~(k) "Local financial support exemption option" means the~~  
625 ~~option to exercise an exemption from the local financial support~~  
626 ~~requirement available to any applicant whose project is located~~  
627 ~~in a county designated by the Rural Economic Development~~  
628 ~~Initiative, if the county commissioners of the county in which~~  
629 ~~the project will be located adopt a resolution requesting that~~  
630 ~~the applicant's project be exempt from the local financial~~  
631 ~~support requirement. Any applicant that exercises this option is~~  
632 ~~not eligible for more than 80 percent of the total tax refunds~~  
633 ~~allowed such applicant under this section.~~

Amendment No. 1

634 (3) APPLICATION PROCESS; REQUIREMENTS; AGENCY

635 DETERMINATION.—

636 (b) Applications for certification based on the  
637 consolidation of a Department of Defense contract or a new  
638 Department of Defense contract must be submitted to the  
639 department as prescribed by the department and must include, but  
640 are not limited to, the following information:

641 1. The applicant's federal employer identification number,  
642 the applicant's Florida sales tax registration number, and a  
643 signature of an officer of the applicant.

644 2. The permanent location of the manufacturing,  
645 assembling, fabricating, research, development, or design  
646 facility in this state at which the project is or is to be  
647 located.

648 3. The Department of Defense contract numbers of the  
649 contract to be consolidated, the new Department of Defense  
650 contract number, or the "RFP" number of a proposed Department of  
651 Defense contract.

652 4. The date the contract was executed or is expected to be  
653 executed, and the date the contract is due to expire or is  
654 expected to expire.

655 5. The commencement date for project operations under the  
656 contract in this state.

657 6. The number of net new full-time equivalent Florida jobs  
658 included in the project as of December 31 of each year and the  
659 average wage of such jobs.

## Amendment No. 1

660 7. The total number of full-time equivalent employees  
661 employed by the applicant in this state.

662 8. The percentage of the applicant's gross receipts  
663 derived from Department of Defense contracts during the 5  
664 taxable years immediately preceding the date the application is  
665 submitted.

666 9. The number of full-time equivalent jobs in this state  
667 to be retained by the project.

668 10. A brief statement concerning the applicant's need for  
669 tax refunds, and the proposed uses of such refunds by the  
670 applicant.

671 11. A resolution adopted by the governing board of the  
672 county or municipality in which the project will be located,  
673 which recommends the applicant be approved as a qualified  
674 applicant, and which indicates that the necessary commitments of  
675 local financial support for the applicant exist. ~~Prior to the  
676 adoption of the resolution, the county commission may review the  
677 proposed public or private sources of such support and determine  
678 whether the proposed sources of local financial support can be  
679 provided or, for any applicant whose project is located in a  
680 county designated by the Rural Economic Development Initiative,  
681 a resolution adopted by the county commissioners of such county  
682 requesting that the applicant's project be exempt from the local  
683 financial support requirement.~~

684 12. Any additional information requested by the  
685 department.

## Amendment No. 1

686 (c) Applications for certification based on the conversion  
687 of defense production jobs to nondefense production jobs must be  
688 submitted to the department as prescribed by the department and  
689 must include, but are not limited to, the following information:

690 1. The applicant's federal employer identification number,  
691 the applicant's Florida sales tax registration number, and a  
692 signature of an officer of the applicant.

693 2. The permanent location of the manufacturing,  
694 assembling, fabricating, research, development, or design  
695 facility in this state at which the project is or is to be  
696 located.

697 3. The Department of Defense contract numbers of the  
698 contract under which the defense production jobs will be  
699 converted to nondefense production jobs.

700 4. The date the contract was executed, and the date the  
701 contract is due to expire or is expected to expire, or was  
702 canceled.

703 5. The commencement date for the nondefense production  
704 operations in this state.

705 6. The number of net new full-time equivalent Florida jobs  
706 included in the nondefense production project as of December 31  
707 of each year and the average wage of such jobs.

708 7. The total number of full-time equivalent employees  
709 employed by the applicant in this state.

710 8. The percentage of the applicant's gross receipts  
711 derived from Department of Defense contracts during the 5

Amendment No. 1

712 taxable years immediately preceding the date the application is  
713 submitted.

714 9. The number of full-time equivalent jobs in this state  
715 to be retained by the project.

716 10. A brief statement concerning the applicant's need for  
717 tax refunds, and the proposed uses of such refunds by the  
718 applicant.

719 11. A resolution adopted by the governing board of the  
720 county or municipality in which the project will be located,  
721 which recommends the applicant be approved as a qualified  
722 applicant, and which indicates that the necessary commitments of  
723 local financial support for the applicant exist. ~~Prior to the~~  
724 ~~adoption of the resolution, the county commission may review the~~  
725 ~~proposed public or private sources of such support and determine~~  
726 ~~whether the proposed sources of local financial support can be~~  
727 ~~provided or, for any applicant whose project is located in a~~  
728 ~~county designated by the Rural Economic Development Initiative,~~  
729 ~~a resolution adopted by the county commissioners of such county~~  
730 ~~requesting that the applicant's project be exempt from the local~~  
731 ~~financial support requirement.~~

732 12. Any additional information requested by the  
733 department.

734 (d) Applications for certification based on a contract for  
735 reuse of a defense-related facility must be submitted to the  
736 department as prescribed by the department and must include, but  
737 are not limited to, the following information:

Amendment No. 1

738 1. The applicant's Florida sales tax registration number  
739 and a signature of an officer of the applicant.

740 2. The permanent location of the manufacturing,  
741 assembling, fabricating, research, development, or design  
742 facility in this state at which the project is or is to be  
743 located.

744 3. The business entity holding a valid Department of  
745 Defense contract or branch of the Armed Forces of the United  
746 States that previously occupied the facility, and the date such  
747 entity last occupied the facility.

748 4. A copy of the contract to reuse the facility, or such  
749 alternative proof as may be prescribed by the department that  
750 the applicant is seeking to contract for the reuse of such  
751 facility.

752 5. The date the contract to reuse the facility was  
753 executed or is expected to be executed, and the date the  
754 contract is due to expire or is expected to expire.

755 6. The commencement date for project operations under the  
756 contract in this state.

757 7. The number of net new full-time equivalent Florida jobs  
758 included in the project as of December 31 of each year and the  
759 average wage of such jobs.

760 8. The total number of full-time equivalent employees  
761 employed by the applicant in this state.

762 9. The number of full-time equivalent jobs in this state  
763 to be retained by the project.

## Amendment No. 1

764 10. A brief statement concerning the applicant's need for  
765 tax refunds, and the proposed uses of such refunds by the  
766 applicant.

767 11. A resolution adopted by the governing board of the  
768 county or municipality in which the project will be located,  
769 which recommends the applicant be approved as a qualified  
770 applicant, and which indicates that the necessary commitments of  
771 local financial support for the applicant exist. ~~Before the~~  
772 ~~adoption of the resolution, the county commission may review the~~  
773 ~~proposed public or private sources of such support and determine~~  
774 ~~whether the proposed sources of local financial support can be~~  
775 ~~provided or, for any applicant whose project is located in a~~  
776 ~~county designated by the Rural Economic Development Initiative,~~  
777 ~~a resolution adopted by the county commissioners of such county~~  
778 ~~requesting that the applicant's project be exempt from the local~~  
779 ~~financial support requirement.~~

780 12. Any additional information requested by the  
781 department.

782 (j) Applications for certification based upon a new space  
783 flight business contract or the consolidation of a space flight  
784 business contract must be submitted to the department as  
785 prescribed by the department and must include, but are not  
786 limited to, the following information:

787 1. The applicant's federal employer identification number,  
788 the applicant's Florida sales tax registration number, and a  
789 signature of an officer of the applicant.

Amendment No. 1

790 2. The permanent location of the space flight business  
791 facility in this state where the project is or will be located.

792 3. The new space flight business contract number, the  
793 space flight business contract numbers of the contract to be  
794 consolidated, or the request-for-proposal number of a proposed  
795 space flight business contract.

796 4. The date the contract was executed and the date the  
797 contract is due to expire, is expected to expire, or was  
798 canceled.

799 5. The commencement date for project operations under the  
800 contract in this state.

801 6. The number of net new full-time equivalent Florida jobs  
802 included in the project as of December 31 of each year and the  
803 average wage of such jobs.

804 7. The total number of full-time equivalent employees  
805 employed by the applicant in this state.

806 8. The percentage of the applicant's gross receipts  
807 derived from space flight business contracts during the 5  
808 taxable years immediately preceding the date the application is  
809 submitted.

810 9. The number of full-time equivalent jobs in this state  
811 to be retained by the project.

812 10. A brief statement concerning the applicant's need for  
813 tax refunds and the proposed uses of such refunds by the  
814 applicant.



Amendment No. 1

815 11. A resolution adopted by the governing board of the  
816 county or municipality in which the project will be located  
817 which recommends the applicant be approved as a qualified  
818 applicant and indicates that the necessary commitments of local  
819 financial support for the applicant exist. ~~Prior to the adoption~~  
820 ~~of the resolution, the county commission may review the proposed~~  
821 ~~public or private sources of such support and determine whether~~  
822 ~~the proposed sources of local financial support can be provided~~  
823 ~~or, for any applicant whose project is located in a county~~  
824 ~~designated by the Rural Economic Development Initiative, a~~  
825 ~~resolution adopted by the county commissioners of such county~~  
826 ~~requesting that the applicant's project be exempt from the local~~  
827 ~~financial support requirement.~~

828 12. Any additional information requested by the  
829 department.

830 (5) ANNUAL CLAIM FOR REFUND.—

831 (b) The department shall verify claim for refund by the  
832 ~~qualified applicant must include a copy of all receipts~~  
833 ~~pertaining to the payment of taxes for which a refund is sought,~~  
834 and data related to achieving each performance item contained in  
835 the tax refund agreement pursuant to subsection (4). The amount  
836 requested as a tax refund may not exceed the amount for the  
837 relevant fiscal year in the written agreement entered pursuant  
838 to subsection (4).

839 (i) A business that fails to timely submit documentation  
840 requested by the department, as required by the agreement

Amendment No. 1

841 between the business and the department, which results in the  
842 department's withholding an otherwise approved refund may  
843 receive the approved refund if:

844 1. The business submits the requested documentation to the  
845 department.

846 2. The business provides a written statement to the  
847 department explaining the circumstances that resulted in the  
848 business' failure to timely submit the documentation.

849 3. Funds appropriated for this section are available.

850 4. The business was scheduled, by the terms of the  
851 agreement, to submit information to the department between  
852 January 1, 2014, and December 31, 2014.

853 5. The business has satisfied all other requirements of  
854 the agreement.

855 (7) EXPIRATION.—An applicant may not be certified as  
856 qualified under this section after June 30, ~~2018~~ 2014. A tax  
857 refund agreement existing on that date shall continue in effect  
858 in accordance with its terms.

859 Section 15. Paragraphs (c), (j), and (k) of subsection  
860 (2), paragraph (b) of subsection (4), paragraph (b) of  
861 subsection (5), and subsection (8) of section 288.106, Florida  
862 Statutes, are amended, present subsection (9) is redesignated as  
863 subsection (10), and a new subsection (9) is added to that  
864 section, to read:

865 288.106 Tax refund program for qualified target industry  
866 businesses.—

## Amendment No. 1

867 (2) DEFINITIONS.—As used in this section, the term:

868 ~~(c) "Average private sector wage in the area" means the~~  
869 ~~statewide private sector average wage or the average of all~~  
870 ~~private sector wages and salaries in the county or in the~~  
871 ~~standard metropolitan area in which the business is located.~~

872 (j) "Local financial support" means funding from local  
873 sources, public or private, that is paid to the Economic  
874 Development Trust Fund and that is equal to 20 percent of the  
875 annual tax refund for a qualified target industry business.

876 1. A qualified target industry business may not provide,  
877 directly or indirectly, more than 5 percent of such funding in  
878 any fiscal year. The sources of such funding may not include,  
879 directly or indirectly, state funds appropriated from the  
880 General Revenue Fund or any state trust fund, excluding tax  
881 revenues shared with local governments pursuant to law.

882 2. A qualified target industry business may not receive  
883 more than 80 percent of the total tax refund from state funds  
884 authorized for the business under this section.

885 3. The department may grant a waiver that reduces the  
886 required amount of local financial support for a project to 10  
887 percent of the annual tax refund awarded to a qualified target  
888 industry business for a local government, or eliminates the  
889 required amount of local financial support for a project for a  
890 local government located in a rural area of opportunity, as  
891 designated by the Governor pursuant to s. 288.0656. To be  
892 eligible for a waiver that reduces or eliminates the required

Amendment No. 1

893 amount of local financial support, a local government must  
894 provide the department with:

895 a. A resolution adopted by the governing body of the  
896 county or municipality in whose jurisdiction the project will be  
897 located, requesting that the local financial support requirement  
898 be waived for the applicant's project.

899 b. A statement prepared by a Florida certified public  
900 accountant, as defined in s. 473.302, which describes the  
901 financial constraints preventing the local government from  
902 providing the local financial support required by this section.  
903 This sub-subparagraph does not apply to a county considered  
904 fiscally constrained pursuant to s. 218.67(1).

905 ~~(k) "Local financial support exemption option" means the~~  
906 ~~option to exercise an exemption from the local financial support~~  
907 ~~requirement available to any applicant whose project is located~~  
908 ~~in a brownfield area, a rural city, or a rural community. Any~~  
909 ~~applicant that exercises this option is not eligible for more~~  
910 ~~than 80 percent of the total tax refunds allowed such applicant~~  
911 ~~under this section.~~

912 (4) APPLICATION AND APPROVAL PROCESS.—

913 (b) To qualify for review by the department, the  
914 application of a target industry business must, at a minimum,  
915 establish the following to the satisfaction of the department:

916 1.a. The jobs proposed to be created under the  
917 application, pursuant to subparagraph (a)4., must pay an  
918 estimated annual average wage equaling at least 115 percent of

## Amendment No. 1

919 the average private sector wage in the area ~~where the business~~  
920 ~~is to be located or the statewide private sector average wage.~~  
921 ~~The governing board of the local governmental entity providing~~  
922 ~~the local financial support of the jurisdiction where the~~  
923 ~~qualified target industry business is to be located shall notify~~  
924 ~~the department and Enterprise Florida, Inc., which calculation~~  
925 ~~of the average private sector wage in the area must be used as~~  
926 ~~the basis for the business's wage commitment.~~ In determining the  
927 average annual wage, the department shall include only new  
928 proposed jobs, and wages for existing jobs shall be excluded  
929 from this calculation.

930 b. The department may waive the average wage requirement  
931 at the request of the local governing body recommending the  
932 project and Enterprise Florida, Inc. The department may waive  
933 the wage requirement for a project located in a brownfield area  
934 designated under s. 376.80, in a rural city, in a rural  
935 community, in an enterprise zone, or for a manufacturing project  
936 at any location in the state if the jobs proposed to be created  
937 pay an estimated annual average wage equaling at least 100  
938 percent of the average private sector wage in the area ~~where the~~  
939 ~~business is to be located,~~ only if the merits of the individual  
940 project or the specific circumstances in the community in  
941 relationship to the project warrant such action. If the local  
942 governing body and Enterprise Florida, Inc., make such a  
943 recommendation, it must be transmitted in writing, and the  
944 specific justification for the waiver recommendation must be

## Amendment No. 1

945 explained. If the department elects to waive the wage  
946 requirement, the waiver must be stated in writing, and the  
947 reasons for granting the waiver must be explained.

948         2. The target industry business's project must result in  
949 the creation of at least 10 jobs at the project and, in the case  
950 of an expansion of an existing business, must result in a net  
951 increase in employment of at least 10 percent at the business.  
952 At the request of the local governing body recommending the  
953 project and Enterprise Florida, Inc., the department may waive  
954 this requirement for a business in a rural community or  
955 enterprise zone if the merits of the individual project or the  
956 specific circumstances in the community in relationship to the  
957 project warrant such action. If the local governing body and  
958 Enterprise Florida, Inc., make such a request, the request must  
959 be transmitted in writing, and the specific justification for  
960 the request must be explained. If the department elects to grant  
961 the request, the grant must be stated in writing, and the reason  
962 for granting the request must be explained.

963         3. The business activity or product for the applicant's  
964 project must be within an industry identified by the department  
965 as a target industry business that contributes to the economic  
966 growth of the state and the area in which the business is  
967 located, that produces a higher standard of living for residents  
968 of this state in the new global economy, or that can be shown to  
969 make an equivalent contribution to the area's and state's  
970 economic progress.

Amendment No. 1

971 (5) TAX REFUND AGREEMENT.—

972 (b) Compliance with the terms and conditions of the  
973 agreement is a condition precedent for the receipt of a tax  
974 refund each year. The failure to comply with the terms and  
975 conditions of the tax refund agreement results in the loss of  
976 eligibility for receipt of all tax refunds previously authorized  
977 under this section and the revocation by the department of the  
978 certification of the business entity as a qualified target  
979 industry business, unless the business is eligible to receive  
980 and elects to accept a prorated refund under paragraph (6) (e) ~~or~~  
981 ~~the department grants the business an economic recovery~~  
982 ~~extension.~~

983 ~~1. A qualified target industry business may submit a~~  
984 ~~request to the department for an economic recovery extension.~~  
985 ~~The request must provide quantitative evidence demonstrating how~~  
986 ~~negative economic conditions in the business's industry, the~~  
987 ~~effects of a named hurricane or tropical storm, or specific acts~~  
988 ~~of terrorism affecting the qualified target industry business~~  
989 ~~have prevented the business from complying with the terms and~~  
990 ~~conditions of its tax refund agreement.~~

991 ~~2. Upon receipt of a request under subparagraph 1., the~~  
992 ~~department has 45 days to notify the requesting business, in~~  
993 ~~writing, whether its extension has been granted or denied. In~~  
994 ~~determining whether an extension should be granted, the~~  
995 ~~department shall consider the extent to which negative economic~~  
996 ~~conditions in the requesting business's industry have occurred~~

## Amendment No. 1

997 ~~in the state or the effects of a named hurricane or tropical~~  
998 ~~storm or specific acts of terrorism affecting the qualified~~  
999 ~~target industry business have prevented the business from~~  
1000 ~~complying with the terms and conditions of its tax refund~~  
1001 ~~agreement. The department shall consider current employment~~  
1002 ~~statistics for this state by industry, including whether the~~  
1003 ~~business's industry had substantial job loss during the prior~~  
1004 ~~year, when determining whether an extension shall be granted.~~

1005 ~~3. As a condition for receiving a prorated refund under~~  
1006 ~~paragraph (6) (e) or an economic recovery extension under this~~  
1007 ~~paragraph, a qualified target industry business must agree to~~  
1008 ~~renegotiate its tax refund agreement with the department to, at~~  
1009 ~~a minimum, ensure that the terms of the agreement comply with~~  
1010 ~~current law and the department's procedures governing~~  
1011 ~~application for and award of tax refunds. Upon approving the~~  
1012 ~~award of a prorated refund or granting an economic recovery~~  
1013 ~~extension, the department shall renegotiate the tax refund~~  
1014 ~~agreement with the business as required by this subparagraph.~~  
1015 ~~When amending the agreement of a business receiving an economic~~  
1016 ~~recovery extension, the department may extend the duration of~~  
1017 ~~the agreement for a period not to exceed 2 years.~~

1018 ~~4. A qualified target industry business may submit a~~  
1019 ~~request for an economic recovery extension to the department in~~  
1020 ~~lieu of any tax refund claim scheduled to be submitted after~~  
1021 ~~January 1, 2009, but before July 1, 2012.~~



Amendment No. 1

1022 ~~5. A qualified target industry business that receives an~~  
1023 ~~economic recovery extension may not receive a tax refund for the~~  
1024 ~~period covered by the extension.~~

1025 ~~(8) SPECIAL INCENTIVES. If the department determines it is~~  
1026 ~~in the best interest of the public for reasons of facilitating~~  
1027 ~~economic development, growth, or new employment opportunities~~  
1028 ~~within a Disproportionally Affected County, the department may,~~  
1029 ~~between July 1, 2011, and June 30, 2014, waive any or all wage~~  
1030 ~~or local financial support eligibility requirements and allow a~~  
1031 ~~qualified target industry business from another state which~~  
1032 ~~relocates all or a portion of its business to a~~  
1033 ~~Disproportionally Affected County to receive a tax refund~~  
1034 ~~payment of up to \$6,000 multiplied by the number of jobs~~  
1035 ~~specified in the tax refund agreement under subparagraph~~  
1036 ~~(5) (a)1. over the term of the agreement. Prior to granting such~~  
1037 ~~waiver, the executive director of the department shall file with~~  
1038 ~~the Governor a written statement of the conditions and~~  
1039 ~~circumstances constituting the reason for the waiver. Such~~  
1040 ~~business shall be eligible for the additional tax refund~~  
1041 ~~payments specified in subparagraph (3) (b)4. if it meets the~~  
1042 ~~criteria. As used in this section, the term "Disproportionally~~  
1043 ~~Affected County" means Bay County, Escambia County, Franklin~~  
1044 ~~County, Gulf County, Okaloosa County, Santa Rosa County, Walton~~  
1045 ~~County, or Wakulla County.~~

1046 (9) INCENTIVE PAYMENTS.—The incentive payments made to a  
1047 business pursuant to this section are not repayments of the

Amendment No. 1

1048 actual taxes paid to the state or to a local government by the  
1049 business. The amount of state and local government taxes paid  
1050 under subparagraph (3) (d)1., by a business for which the  
1051 business has not and will not receive a credit, refund, or  
1052 exemption as indicated in subparagraph (3) (e), serves as a  
1053 limitation on the amount of incentive payments a business may  
1054 receive.

1055 Section 16. Paragraphs (f) and (g) of subsection (2) of  
1056 section 288.108, Florida Statutes, are redesignated as  
1057 paragraphs (g) and (h), respectively, paragraph (b) of  
1058 subsection (2) and subsection (5) are amended, and a new  
1059 paragraph (f) is added to subsection (2) of that section, to  
1060 read:

1061 288.108 High-impact business.—

1062 (2) DEFINITIONS.—As used in this section, the term:

1063 (b) "Cumulative investment" means the total investment in  
1064 buildings and equipment made by a qualified high-impact business  
1065 since the beginning of construction of such facility. The term  
1066 does not include funds granted to or spent on behalf of the  
1067 business by the state, a local government, or another  
1068 governmental entity; funds appropriated in the General  
1069 Appropriations Act; or funds otherwise provided to the business  
1070 by a state agency or local government.

1071 (f) "Local financial support" means financial, in-kind, or  
1072 other quantifiable contributions from local sources that,

Amendment No. 1

1073 combined, equal 20 percent or more of the total investment in  
1074 the project by state and local sources.

1075 1. The department may grant a waiver that reduces the  
1076 required amount of local financial support for a project to 10  
1077 percent of the award granted to a business pursuant to this  
1078 section for a local government, or eliminates the local  
1079 financial support for a local government located in a rural area  
1080 of opportunity, as designated by the Governor pursuant to s.  
1081 288.0656.

1082 2. A local government requesting a waiver that reduces or  
1083 eliminates the local financial support requirement must provide  
1084 the department with a statement prepared by a Florida certified  
1085 public accountant, as defined in s. 473.302, which describes the  
1086 financial constraints preventing the local government from  
1087 providing the local financial support required by this section.  
1088 This subparagraph does not apply to a county considered fiscally  
1089 constrained pursuant to s. 218.67(1).

1090 (5) APPLICATIONS; CERTIFICATION PROCESS; GRANT AGREEMENT.—

1091 (a) The department shall review an application pursuant to  
1092 s. 288.061 which is received from any eligible business, as  
1093 defined in subsection (2), for consideration as a qualified  
1094 high-impact business before the business has made a decision to  
1095 locate or expand a facility in this state. The business must  
1096 provide the following information:

## Amendment No. 1

1097 1. A complete description of the type of facility,  
1098 business operations, and product or service associated with the  
1099 project.

1100 2. The number of full-time equivalent jobs that will be  
1101 created by the project and the average annual wage of those  
1102 jobs.

1103 3. The cumulative amount of investment to be dedicated to  
1104 this project within 3 years.

1105 4. A statement concerning any special impacts the facility  
1106 is expected to stimulate in the sector, the state, or regional  
1107 economy and in state universities and community colleges.

1108 5. A statement concerning the role the grant will play in  
1109 the decision of the applicant business to locate or expand in  
1110 this state.

1111 6. Any additional information requested by the department.

1112 (b) Within 7 business days after the executive director  
1113 approves or disapproves an application, the department shall  
1114 recommend to the Governor the approval or disapproval of an  
1115 eligible high-impact business for receipt of funds.  
1116 Recommendations to the Governor must include the total amount of  
1117 the qualified high-impact business facility performance grant  
1118 award; the anticipated project performance conditions,  
1119 including, but not limited to, net new employment in the state,  
1120 average salary, and total capital investment incurred by the  
1121 business; a baseline of current service and a measure of  
1122 enhanced capability; the methodology for validating performance;

Amendment No. 1

1123 the schedule of performance grant payments; and sanctions for  
1124 failure to meet performance conditions ~~Applications shall be~~  
1125 ~~reviewed and certified pursuant to s. 288.061.~~

1126 (c) The Governor may approve a high-impact business  
1127 performance grant of less than \$2 million without consulting the  
1128 Legislature. For such grants, the Governor shall provide a  
1129 written description and evaluation of the approved project to  
1130 the President of the Senate and the Speaker of the House of  
1131 Representatives, within 1 business day after approval ~~The~~  
1132 ~~department and the qualified high-impact business shall enter~~  
1133 ~~into a performance grant agreement setting forth the conditions~~  
1134 ~~for payment of the qualified high-impact business performance~~  
1135 ~~grant. The agreement shall include the total amount of the~~  
1136 ~~qualified high-impact business facility performance grant award,~~  
1137 ~~the performance conditions that must be met to obtain the award,~~  
1138 ~~including the employment, average salary, investment, the~~  
1139 ~~methodology for determining if the conditions have been met, and~~  
1140 ~~the schedule of performance grant payments.~~

1141 (d) The Governor shall provide a written description and  
1142 evaluation of each eligible high-impact business recommended for  
1143 approval for a high-impact business performance grant of at  
1144 least \$2 million, but not more than \$7.5 million, to the  
1145 President of the Senate and the Speaker of the House of  
1146 Representatives at least 14 days before approving a qualified  
1147 high-impact business performance grant. If the President of the  
1148 Senate or the Speaker of the House of Representatives timely

Amendment No. 1

1149 advises the Executive Office of the Governor in writing that the  
1150 award of funds exceeds the delegated authority of the Executive  
1151 Office of the Governor or is contrary to legislative policy or  
1152 intent, the Executive Office of the Governor shall void the  
1153 release of funds and instruct the department to immediately  
1154 change action or proposed action.

1155 (e) The Governor shall provide the Legislative Budget  
1156 Commission with a written description and evaluation of each  
1157 eligible high-impact business recommended for approval of a  
1158 high-impact business performance grant that exceeds \$7.5 million  
1159 or that provides a waiver of program requirements and is at  
1160 least \$5 million. The Legislative Budget Commission must approve  
1161 such an award before final approval by the Governor.

1162 (f) Any contract or agreement executed by the department  
1163 must embody the performance criteria and timelines submitted to  
1164 the Legislature, whether during the legislative consultation  
1165 period or in the provided written description and evaluation for  
1166 those projects that do not require legislative consultation. If  
1167 the executed contract or agreement fails to embody the  
1168 performance criteria and timelines submitted to the legislature,  
1169 whether during the legislative consultation period or in the  
1170 provided written description and evaluation for those projects  
1171 that do not require legislative consultation, the department may  
1172 not expend any funds on the contract and the Chief Financial  
1173 Officer is not authorized to release payment of funds.

Amendment No. 1

1174 (g) An amendment, modification, or extension of an  
1175 executed contract may not result in a 0.5-point or greater  
1176 reduction in the economic-benefit ratio of the project, may not  
1177 result in waiver of any program requirement, and is subject to a  
1178 14-day legislative consultation. If the President of the Senate  
1179 or the Speaker of the House of Representatives timely advises  
1180 the Executive Office of the Governor in writing that the  
1181 amendment, modification, or extension exceeds the delegated  
1182 authority of the Executive Office of the Governor or is contrary  
1183 to legislative policy or intent, the Executive Office of the  
1184 Governor shall void the amendment, modification, or extension  
1185 and instruct the department to immediately change action or  
1186 proposed action.

1187 (h) The department shall validate contractor performance  
1188 and report such validation in the annual incentives report  
1189 required by s. 288.907.

1190 Section 17. Subsections (2), (3), and (4) of section  
1191 288.1088, Florida Statutes, are amended to read:

1192 288.1088 Florida Enterprise ~~Quick Action Closing~~ Fund.—

1193 (2) There is created within the department the Florida  
1194 Enterprise ~~Quick Action Closing~~ Fund. Except as provided in  
1195 subsection (3), projects eligible for receipt of funds from the  
1196 Florida Enterprise ~~Quick Action Closing~~ Fund shall:

1197 (a) Be in an industry as referenced in s. 288.106.

1198 (b) Have a positive economic benefit ratio of at least 3 ~~5~~  
1199 to 1.

## Amendment No. 1

1200 (c) Be an inducement to the project's location or  
1201 expansion in the state.

1202 (d) Pay an average annual wage of at least 125 percent of  
1203 the average private sector wage in the area ~~areawide or~~  
1204 ~~statewide private sector average wage.~~

1205 (e) Be supported by the local community in which the  
1206 project is to be located.

1207 1. Financial support by the local community must include  
1208 financial, in-kind, or other quantifiable contributions from  
1209 local sources that, combined, equal 20 percent or more of the  
1210 total investment in the project by state and local sources.

1211 2. The department may grant a waiver that reduces the  
1212 required amount of local financial support for a project to 10  
1213 percent of the award granted to a business pursuant to this  
1214 section for a local government, or eliminates the required  
1215 amount of local financial support for a project for a local  
1216 government located in a rural area of opportunity as designated  
1217 by the Governor pursuant to s. 288.0656.

1218 3. A local government requesting a waiver that reduces or  
1219 eliminates the local financial support requirement must provide  
1220 the department with a statement prepared by a Florida certified  
1221 public accountant, as defined in s. 473.302, which describes the  
1222 financial constraints preventing the local government from  
1223 providing the local financial support required by this section.  
1224 This subparagraph does not apply to a county considered fiscally  
1225 constrained pursuant to s. 218.67(1).



Amendment No. 1

1226 (f) Create at least 10 new jobs.

1227 (3) (a) The department and Enterprise Florida, Inc., shall  
1228 jointly review applications pursuant to s. 288.061 and determine  
1229 the eligibility of each project consistent with the criteria in  
1230 subsection (2). ~~Waiver of these criteria may be considered under~~  
1231 ~~the following criteria:~~

1232 ~~1. Based on extraordinary circumstances;~~

1233 ~~2. In order to mitigate the impact of the conclusion of~~  
1234 ~~the space shuttle program; or~~

1235 ~~3. In rural areas of opportunity if the project would~~  
1236 ~~significantly benefit the local or regional economy.~~

1237 (b) The department shall evaluate individual proposals for  
1238 high-impact business facilities. Such evaluation must include,  
1239 but need not be limited to:

1240 1. A description of the type of facility or  
1241 infrastructure, its operations, and the associated product or  
1242 service associated with the facility.

1243 2. The number of full-time-equivalent jobs that will be  
1244 created by the facility and the total estimated average annual  
1245 wages of those jobs or, in the case of privately developed rural  
1246 infrastructure, the types of business activities and jobs  
1247 stimulated by the investment.

1248 3. The cumulative amount of investment to be dedicated to  
1249 the facility within a specified period.

1250 4. A statement of any special impacts the facility is  
1251 expected to stimulate in a particular business sector in the

## Amendment No. 1

1252 state or regional economy or in the state's universities and  
1253 community colleges.

1254 5. A statement of the role the incentive is expected to  
1255 play in the decision of the applicant business to locate or  
1256 expand in this state or for the private investor to provide  
1257 critical rural infrastructure.

1258 6. A report evaluating the quality and value of the  
1259 company submitting a proposal. The report must include:

1260 a. A financial analysis of the company, including an  
1261 evaluation of the company's short-term liquidity ratio as  
1262 measured by its assets to liability, the company's profitability  
1263 ratio, and the company's long-term solvency as measured by its  
1264 debt-to-equity ratio;

1265 b. The historical market performance of the company;

1266 c. A review of any independent evaluations of the company;

1267 d. A review of the latest audit of the company's financial  
1268 statement and the related auditor's management letter; and

1269 e. A review of any other types of audits that are related  
1270 to the internal and management controls of the company.

1271 (c)1. Within 7 business days after the executive director  
1272 approves or disapproves an application ~~evaluating a project~~, the  
1273 department shall recommend to the Governor the approval or  
1274 disapproval of a project for receipt of funds from the Florida  
1275 Enterprise Quick Action Closing Fund. In recommending a project,  
1276 the department shall include the total amount of recommended  
1277 funds to be awarded; the anticipated project performance

## Amendment No. 1

1278 conditions, including, but not limited to, net new employment in  
1279 the state, average salary, and total capital investment incurred  
1280 by the business; a baseline of current service and a measure of  
1281 enhanced capability; the methodology for validating performance;  
1282 the schedule of payments from the fund; and sanctions for  
1283 failure to meet performance conditions, including any clawback  
1284 provisions ~~proposed performance conditions that the project must~~  
1285 ~~meet to obtain incentive funds.~~

1286 2. The Governor may approve a Florida Enterprise Fund  
1287 project award requiring less than \$2 million in funding ~~projects~~  
1288 ~~without consulting the Legislature for projects requiring less~~  
1289 ~~than \$2 million in funding.~~ For such projects, the Governor  
1290 shall provide a written description and evaluation of the  
1291 approved project to the President of the Senate and the Speaker  
1292 of the House of Representatives within 1 business day after  
1293 approval.

1294 3. ~~For projects requiring funding in the amount of \$2~~  
1295 ~~million to \$5 million,~~ The Governor shall provide a written  
1296 description and evaluation of each Florida Enterprise Fund a  
1297 project award recommended for approval, which requires funding  
1298 of \$2 million or more, ~~to the chair and vice chair of the~~  
1299 ~~Legislative Budget Commission,~~ to the President of the Senate  
1300 and the Speaker of the House of Representatives at least 14 10  
1301 days before ~~prior to~~ giving final approval for a project. The  
1302 recommendation must include the proposed performance conditions  
1303 that the project must meet in order to obtain funds.

Amendment No. 1

1304 4. ~~If the chair or vice chair of the Legislative Budget~~  
1305 ~~Commission or the President of the Senate or the Speaker of the~~  
1306 House of Representatives timely advises the Executive Office of  
1307 the Governor, in writing, that such action or proposed action  
1308 exceeds the delegated authority of the Executive Office of the  
1309 Governor or is contrary to legislative policy or intent, the  
1310 Executive Office of the Governor shall void the release of funds  
1311 and instruct the department to immediately change such action or  
1312 proposed action ~~until the Legislative Budget Commission or the~~  
1313 ~~Legislature addresses the issue. Notwithstanding such~~  
1314 ~~requirement, any project exceeding \$5 million must be approved~~  
1315 ~~by the Legislative Budget Commission prior to the funds being~~  
1316 ~~released.~~

1317 (e) ~~(d)~~ Upon the approval of the Governor in accordance  
1318 with subparagraph (d)2., or upon expiration of the 14-day  
1319 legislative consultation period provided in subparagraph (d)3.,  
1320 unless advisement of objection is provided pursuant to  
1321 subparagraph (d)4., the department and the business shall enter  
1322 into a contract that sets forth the conditions for payment of  
1323 moneys from the fund. Such payment may not be made to the  
1324 business until the scheduled goals are achieved. The contract  
1325 must include the total amount of funds awarded; the minimum and  
1326 maximum amount of funds that may be awarded; the performance  
1327 conditions that must be met to obtain the award, including, but  
1328 not limited to, net new employment in the state, average salary,  
1329 ~~and~~ total capital investment incurred by the business, and the

Amendment No. 1

1330 minimum and maximum number of jobs that will be created, if  
1331 applicable; demonstrate a baseline of current service and a  
1332 measure of enhanced capability; the methodology for validating  
1333 performance; the schedule of payments from the fund; and  
1334 sanctions for failure to meet performance conditions. The  
1335 contract must provide that payment of moneys from the fund is  
1336 contingent upon sufficient appropriation of funds by the  
1337 Legislature.

1338 (f) Any contract or agreement executed by the department  
1339 shall embody the performance criteria and timelines submitted to  
1340 the Legislature, whether during the legislative consultation  
1341 period or in the provided written description and evaluation for  
1342 those projects that do not require legislative consultation. If  
1343 the executed contract or agreement fails to embody the  
1344 performance criteria and timelines submitted to the legislature,  
1345 whether during the legislative consultation period or in the  
1346 provided written description and evaluation for those projects  
1347 that do not require legislative consultation, the department may  
1348 not expend any funds on the contract and the Chief Financial  
1349 Officer is not authorized to release payment of funds.

1350 (g) An amendment, modification, or extension of an  
1351 executed contract may not result in a 0.5-point or greater  
1352 reduction in the economic-benefit ratio of the project, may not  
1353 result in the waiver of any program requirement, and is subject  
1354 to a 14-day legislative consultation. If the President of the  
1355 Senate or the Speaker of the House of Representatives timely

Amendment No. 1

1356 advises the Executive Office of the Governor in writing that the  
1357 amendment, modification, or extension exceeds the delegated  
1358 authority of the Executive Office of the Governor or is contrary  
1359 to legislative policy or intent, the Executive Office of the  
1360 Governor must void the amendment, modification, or extension and  
1361 instruct the department to immediately change action or proposed  
1362 action.

1363 (h)~~(e)~~ The department shall validate contractor  
1364 performance and report such validation in the annual incentives  
1365 report required under s. 288.907.

1366 (4) Funds appropriated by the Legislature for purposes of  
1367 implementing this section shall be placed in reserve and may  
1368 only be released pursuant to the legislative consultation and  
1369 review requirements set forth in this section. Notwithstanding  
1370 s. 216.301 and pursuant to s. 216.351, the department may carry  
1371 forward the balance of any unexpected state appropriations into  
1372 succeeding fiscal years. Such funds will remain in reserve and  
1373 may only be released pursuant to the legislative consultation  
1374 and review requirements set forth in this section.

1375 Section 18. Paragraph (b) of subsection (2) and  
1376 subsections (4), (7), and (8) of section 288.1089, Florida  
1377 Statutes, are amended to read:

1378 288.1089 Innovation Incentive Program.—

1379 (2) As used in this section, the term:

1380 ~~(b) "Average private sector wage" means the statewide~~  
1381 ~~average wage in the private sector or the average of all private~~

Amendment No. 1

1382 ~~sector wages in the county or in the standard metropolitan area~~  
1383 ~~in which the project is located as determined by the department.~~

1384 (4) To qualify for review by the department, the applicant  
1385 must, at a minimum, establish the following to the satisfaction  
1386 of the department:

1387 (a) The jobs created by the project must pay an estimated  
1388 annual average wage equaling at least 130 percent of the average  
1389 private sector wage in the area. The department may waive this  
1390 average wage requirement at the request of Enterprise Florida,  
1391 Inc., for a project located in a rural area, a brownfield area,  
1392 or an enterprise zone, when the merits of the individual project  
1393 or the specific circumstances in the community in relationship  
1394 to the project warrant such action. A recommendation for waiver  
1395 by Enterprise Florida, Inc., must include a specific  
1396 justification for the waiver and be transmitted to the  
1397 department in writing. If the department elects to waive the  
1398 wage requirement, the waiver must be stated in writing and the  
1399 reasons for granting the waiver must be explained.

1400 (b) A research and development project must:

1401 1. Serve as a catalyst for an emerging or evolving  
1402 technology cluster.

1403 2. Demonstrate a plan for significant higher education  
1404 collaboration.

1405 3. Provide the state, at a minimum, a cumulative break-  
1406 even economic benefit within a 20-year period.

## Amendment No. 1

1407 4. Be provided with a one-to-one match from the local  
1408 community. The match requirement may be reduced or waived in  
1409 rural areas of opportunity or reduced in rural areas, brownfield  
1410 areas, and enterprise zones. A local government requesting a  
1411 waiver that reduces or eliminates the one-to-one match must  
1412 provide the department with a statement prepared by a Florida  
1413 certified public accountant, as defined in s. 473.302, which  
1414 describes the financial constraints preventing the local  
1415 government from meeting the local financial support requirement  
1416 of this section. This subparagraph does not apply to a county  
1417 considered fiscally constrained pursuant to s. 218.67(1).

1418 (c) An innovation business project in this state, other  
1419 than a research and development project, must:

1420 1.a. Result in the creation of at least 1,000 direct, new  
1421 jobs at the business; or

1422 b. Result in the creation of at least 500 direct, new jobs  
1423 if the project is located in a rural area, a brownfield area, or  
1424 an enterprise zone.

1425 2. Have an activity or product that is within an industry  
1426 that is designated as a target industry business under s.  
1427 288.106 or a designated sector under s. 288.108.

1428 3.a. Have a cumulative investment of at least \$500 million  
1429 within a 5-year period; or

1430 b. Have a cumulative investment that exceeds \$250 million  
1431 within a 10-year period if the project is located in a rural  
1432 area, brownfield area, or an enterprise zone.



## Amendment No. 1

1433 4. Be provided with a one-to-one match from the local  
1434 community. The match requirement may be reduced or waived in  
1435 rural areas of opportunity or reduced in rural areas, brownfield  
1436 areas, and enterprise zones. A local government requesting a  
1437 waiver that reduces or eliminates the one-to-one match must  
1438 provide the department with a statement prepared by a Florida  
1439 certified public accountant, as defined in s. 473.302, which  
1440 describes the financial constraints preventing the local  
1441 government from meeting the local financial support requirement  
1442 of this section. This subparagraph does not apply to a county  
1443 considered fiscally constrained pursuant to s. 218.67(1).

1444 (d) For an alternative and renewable energy project in  
1445 this state, the project must:

1446 1. Demonstrate a plan for significant collaboration with  
1447 an institution of higher education.†

1448 2. Provide the state, at a minimum, a cumulative break-  
1449 even economic benefit within a 20-year period.†

1450 3. Include matching funds provided by the applicant or  
1451 other available sources. The match requirement may be reduced or  
1452 waived in rural areas of opportunity or reduced in rural areas,  
1453 brownfield areas, and enterprise zones. A local government  
1454 requesting a waiver that reduces or eliminates the one-to-one  
1455 match must provide the department with a statement prepared by a  
1456 Florida certified public accountant, as defined in s. 473.302,  
1457 which describes the financial constraints preventing the local  
1458 government from meeting the one-to-one match requirement of this

Amendment No. 1

1459 section. This subparagraph does not apply to a county considered  
1460 fiscally constrained pursuant to s. 218.67(1).~~†~~

1461 4. Be located in this state.~~†~~ ~~and~~

1462 5. Provide at least 35 direct~~r~~, new jobs that pay an  
1463 estimated annual average wage that equals at least 130 percent  
1464 of the average private sector wage in the area.

1465 (7)(a) Within 7 business days after the executive director  
1466 approves or disapproves an application for an innovation  
1467 incentive award proposal, the department shall recommend to the  
1468 Governor the approval or disapproval of an innovation incentive  
1469 award. In recommending an award, the department shall include  
1470 the total amount of the innovation incentive award; the  
1471 anticipated performance conditions that must be met to obtain  
1472 the award, including, but not limited to, net new employment in  
1473 the state, average salary, and total capital investment incurred  
1474 by the business; a baseline of current service and a measure of  
1475 enhanced capability; the methodology for validating performance;  
1476 the schedule of payments; and sanctions for failure to meet  
1477 performance conditions, including any clawback provisions ~~Upon~~  
1478 ~~receipt of the evaluation and recommendation from the~~  
1479 ~~department, the Governor shall approve or deny an award. In~~  
1480 ~~recommending approval of an award, the department shall include~~  
1481 ~~proposed performance conditions that the applicant must meet in~~  
1482 ~~order to obtain incentive funds and any other conditions that~~  
1483 ~~must be met before the receipt of any incentive funds. The~~  
1484 ~~Governor shall consult with the President of the Senate and the~~

Amendment No. 1

~~Speaker of the House of Representatives before giving approval for an award. Upon review and approval of an award by the Legislative Budget Commission, the Executive Office of the Governor shall release the funds.~~

(b) The Governor may approve an innovation incentive award of less than \$2 million without consulting the Legislature. For such awards, the Governor shall provide a written description and evaluation of the approved project to the President of the Senate and the Speaker of the House of Representatives within 1 business day after approval.

(c) The Governor shall provide a written description and evaluation of each innovation incentive award proposal recommended for approval for an innovation incentive award of at least \$2 million, but not more than \$7.5 million, to the President of the Senate and the Speaker of the House of Representatives at least 14 days before giving final approval for an award. If the President of the Senate or the Speaker of the House of Representatives timely advises the Executive Office of the Governor in writing that the award of incentive funds exceeds the delegated authority of the Executive Office of the Governor or is contrary to legislative policy or intent, the Executive Office of the Governor shall void the release of funds and instruct the department to immediately change action or proposed action.

(d) The Governor shall provide the Legislative Budget Commission a written description and evaluation of each eligible

Amendment No. 1

1511 business recommended for approval of an innovation incentive  
1512 award that exceeds \$7.5 million or that provides a waiver of  
1513 program requirements and is at least \$5 million. The Legislative  
1514 Budget Commission must approve such an award before final  
1515 approval by the Governor.

1516 (e) Any contract or agreement executed by the department  
1517 shall embody the performance criteria and timelines submitted to  
1518 the Legislature, whether during the legislative consultation  
1519 period or in the provided written description and evaluation for  
1520 those projects that do not require legislative consultation. If  
1521 the executed contract or agreement fails to embody the  
1522 performance criteria and timelines submitted to the Legislature,  
1523 whether during the legislative consultation period or in the  
1524 provided written description and evaluation for those projects  
1525 that do not require legislative consultation, the department may  
1526 not expend any funds on the contract and the Chief Financial  
1527 Officer is not authorized to release payment of funds.

1528 (f) An amendment, modification, or extension of an  
1529 executed contract may not result in a 0.5-point or greater  
1530 reduction in the economic-benefit ratio of the project, may not  
1531 result in the waiver of any program requirement, and is subject  
1532 to a 14-day legislative consultation. If the President of the  
1533 Senate or the Speaker of the House of Representatives timely  
1534 advises the Executive Office of the Governor in writing that the  
1535 amendment, modification, or extension exceeds the delegated  
1536 authority of the Executive Office of the Governor or is contrary

Amendment No. 1

1537 to legislative policy or intent, the Executive Office of the  
1538 Governor shall void the amendment, modification, or extension  
1539 and instruct the department to immediately change action or  
1540 proposed action.

1541 ~~(8)(a) In addition to the requirements provided in~~  
1542 ~~paragraph (7)(a), a contract between the department and an award~~  
1543 ~~recipient After the conditions set forth in subsection (7) have~~  
1544 ~~been met, the department shall issue a letter certifying the~~  
1545 ~~applicant as qualified for an award. The department and the~~  
1546 ~~award recipient shall enter into an agreement that sets forth~~  
1547 ~~the conditions for payment of the incentive funds. The agreement~~  
1548 ~~must include, at a minimum:~~

1549 ~~1. The total amount of funds awarded.~~

1550 ~~2. The performance conditions that must be met in order to~~  
1551 ~~obtain the award or portions of the award, including, but not~~  
1552 ~~limited to, net new employment in the state, average wage, and~~  
1553 ~~total cumulative investment.~~

1554 ~~3. Demonstration of a baseline of current service and a~~  
1555 ~~measure of enhanced capability.~~

1556 ~~4. The methodology for validating performance.~~

1557 ~~5. The schedule of payments.~~

1558 ~~6. Sanctions for failure to meet performance conditions,~~  
1559 ~~including any clawback provisions.~~

1560 ~~(b) Additionally, agreements signed on or after July 1,~~  
1561 ~~2009, must include the following provisions:~~

## Amendment No. 1

1562 1. Notwithstanding subsection (4), a requirement that the  
1563 jobs created by the recipient of the incentive funds pay an  
1564 annual average wage at least equal to the relevant industry's  
1565 annual average wage or at least 130 percent of the average  
1566 private sector wage in the area, whichever is greater.

1567 2. A reinvestment requirement. Each recipient of an award  
1568 shall reinvest up to 15 percent of net royalty revenues,  
1569 including revenues from spin-off companies and the revenues from  
1570 the sale of stock it receives from the licensing or transfer of  
1571 inventions, methods, processes, and other patentable discoveries  
1572 conceived or reduced to practice using its facilities in Florida  
1573 or its Florida-based employees, in whole or in part, and to  
1574 which the recipient of the grant becomes entitled during the 20  
1575 years following the effective date of its agreement with the  
1576 department. Each recipient of an award also shall reinvest up to  
1577 15 percent of the gross revenues it receives from naming  
1578 opportunities associated with any facility it builds in this  
1579 state. Reinvestment payments shall commence no later than 6  
1580 months after the recipient of the grant has received the final  
1581 disbursement under the contract and shall continue until the  
1582 maximum reinvestment, as specified in the contract, has been  
1583 paid. Reinvestment payments shall be remitted to the department  
1584 for deposit in the Biomedical Research Trust Fund for companies  
1585 specializing in biomedicine or life sciences, or in the Economic  
1586 Development Trust Fund for companies specializing in fields  
1587 other than biomedicine or the life sciences. If these trust

## Amendment No. 1

1588 funds no longer exist at the time of the reinvestment, the  
1589 state's share of reinvestment shall be deposited in their  
1590 successor trust funds as determined by law. Each recipient of an  
1591 award shall annually submit a schedule of the shares of stock  
1592 held by it as payment of the royalty required by this paragraph  
1593 and report on any trades or activity concerning such stock. Each  
1594 recipient's reinvestment obligations survive the expiration or  
1595 termination of its agreement with the state.

1596 3. Requirements for the establishment of internship  
1597 programs or other learning opportunities for educators and  
1598 secondary, postsecondary, graduate, and doctoral students.

1599 4. A requirement that the recipient submit quarterly  
1600 reports and annual reports related to activities and performance  
1601 to the department, according to standardized reporting periods.

1602 5. A requirement for an annual accounting to the  
1603 department of the expenditure of funds disbursed under this  
1604 section.

1605 6. A process for amending the agreement.

1606 Section 19. Subsection (7) of section 288.11621, Florida  
1607 Statutes, is amended to read:

1608 288.11621 Spring training baseball franchises.—

1609 (7) STRATEGIC PLANNING.—The department shall request  
1610 assistance from the Florida Sports Foundation ~~Enterprise~~  
1611 ~~Florida, Inc.,~~ and the Florida Grapefruit League Association to  
1612 develop a comprehensive strategic plan to:

1613 (a) Finance spring training facilities.

## Amendment No. 1

1614 (b) Monitor and oversee the use of state funds awarded to  
1615 applicants.

1616 (c) Identify the financial impact that spring training has  
1617 on the state and ways in which to maintain or improve that  
1618 impact.

1619 (d) Identify opportunities to develop public-private  
1620 partnerships to engage in marketing activities and advertise  
1621 spring training baseball.

1622 (e) Identify efforts made by other states to maintain or  
1623 develop partnerships with baseball spring training teams.

1624 (f) Develop recommendations for the Legislature to sustain  
1625 or improve this state's spring training tradition.

1626 Section 20. Section 288.1169, Florida Statutes, is  
1627 repealed.

1628 Section 21. Effective July 1, 2016, notwithstanding the  
1629 repeal of section 288.1229, Florida Statutes, in s. 485, chapter  
1630 2011-142, Laws of Florida, section 288.1229, Florida Statutes,  
1631 is revived, reenacted, and amended to read:

1632 288.1229 Promotion and development of sports-related  
1633 industries and amateur athletics; direct-support organization  
1634 established; powers and duties.—

1635 (1) The Department of Economic Opportunity shall establish  
1636 a direct-support organization known as the Florida Sports  
1637 Foundation. The foundation shall ~~The Office of Tourism, Trade,~~  
1638 ~~and Economic Development may authorize a direct-support~~  
1639 ~~organization to assist the~~ department office in:



## Amendment No. 1

1640 (a) The promotion and development of the sports industry  
1641 and related industries for the purpose of improving the economic  
1642 presence of these industries in Florida.

1643 (b) The promotion of amateur athletic participation for  
1644 the citizens of Florida and the promotion of Florida as a host  
1645 for national and international amateur athletic competitions for  
1646 the purpose of encouraging and increasing the direct and  
1647 ancillary economic benefits of amateur athletic events and  
1648 competitions.

1649 (c) The retention of professional sports franchises,  
1650 including the spring training operations of Major League  
1651 Baseball.

1652 (2) The Florida Sports Foundation ~~To be authorized as a~~  
1653 ~~direct support organization, an organization~~ must:

1654 (a) Be incorporated as a corporation not for profit  
1655 pursuant to chapter 617.

1656 (b)1. Be governed by a board of directors, which must  
1657 consist of 20 ~~up to 15~~ members appointed by the Governor, which  
1658 include:

1659 a. Ten members representing Florida major league  
1660 franchises of Major League Baseball, National Basketball  
1661 Association, National Football League, Arena Football League,  
1662 National Hockey League, and Major League Soccer teams domiciled  
1663 in this state.

1664 b. A member representing Florida Sports Commissions.

Amendment No. 1

1665 c. A member representing the boating and fishing  
1666 industries in Florida.

1667 d. A member representing the golf industry in Florida.

1668 e. A member representing Major League Baseball spring  
1669 training.

1670 f. A member representing the auto racing industry in  
1671 Florida.

1672 g. Five members at-large ~~and up to 15 members appointed by~~  
1673 ~~the existing board of directors.~~ In making at-large  
1674 appointments, the governor ~~board~~ must consider a potential  
1675 member's background in community service and sports activism in,  
1676 and financial support of, the sports industry, professional  
1677 sports, or organized amateur athletics. Members must be  
1678 residents of the state and highly knowledgeable about or active  
1679 in professional or organized amateur sports.

1680 2. The board must contain representatives of all  
1681 geographical regions of the state and must represent ethnic and  
1682 gender diversity. The terms of office of the members shall be 4  
1683 years. No member may serve more than two consecutive terms. The  
1684 Governor may remove any member for cause and shall fill all  
1685 vacancies that occur.

1686 (c) Have as its purpose, as stated in its articles of  
1687 incorporation, to receive, hold, invest, and administer  
1688 property; to raise funds and receive gifts; and to promote and  
1689 develop the sports industry and related industries for the

Amendment No. 1

1690 purpose of increasing the economic presence of these industries  
1691 in Florida.

1692 (d) Have a prior determination by the department ~~Office of~~  
1693 ~~Tourism, Trade, and Economic Development~~ that the organization  
1694 will benefit the department ~~office~~ and act in the best interests  
1695 of the state as a direct-support organization to the department  
1696 ~~office~~.

1697 (3) The Florida Sports Foundation shall operate under  
1698 contract with the department. The department shall enter into a  
1699 contract with the foundation by July 1, 2016. The contract must  
1700 provide ~~Office of Tourism, Trade, and Economic Development shall~~  
1701 ~~contract with the organization and shall include in the contract~~  
1702 that:

1703 (a) The department ~~office~~ may review the foundation's  
1704 ~~organization's~~ articles of incorporation.

1705 (b) The foundation ~~organization~~ shall submit an annual  
1706 budget proposal to the department ~~office~~, on a form provided by  
1707 the department ~~office~~, in accordance with department ~~office~~  
1708 procedures for filing budget proposals based upon the  
1709 recommendation of the department ~~office~~.

1710 (c) Any funds that the foundation ~~organization~~ holds in  
1711 trust will revert to the state upon the expiration or  
1712 cancellation of the contract.

1713 (d) The foundation ~~organization~~ is subject to an annual  
1714 financial and performance review by the department ~~office~~ to  
1715 determine whether the foundation ~~organization~~ is complying with

Amendment No. 1

1716 the terms of the contract and whether it is acting in a manner  
1717 consistent with the goals of the department ~~office~~ and in the  
1718 best interests of the state.

1719 (e) The fiscal year of the foundation begins ~~organization~~  
1720 ~~will begin~~ July 1 of each year and ends ~~end~~ June 30 of the next  
1721 ensuing year.

1722 (4) The department ~~Office of Tourism, Trade, and Economic~~  
1723 ~~Development~~ may allow the foundation ~~organization~~ to use the  
1724 property, facilities, personnel, and services of the department  
1725 ~~office~~ if the foundation ~~organization~~ provides equal employment  
1726 opportunities to all persons regardless of race, color,  
1727 religion, sex, age, or national origin, subject to the approval  
1728 of the executive director of the department ~~office~~.

1729 (5) The foundation ~~organization~~ shall provide for an  
1730 annual financial audit in accordance with s. 215.981.

1731 (6) The foundation ~~organization~~ is not granted any taxing  
1732 power.

1733 ~~(7) In exercising the power provided in this section, the~~  
1734 ~~Office of Tourism, Trade, and Economic Development may authorize~~  
1735 ~~and contract with the direct-support organization existing on~~  
1736 ~~June 30, 1996, and authorized by the former Florida Department~~  
1737 ~~of Commerce to promote sports-related industries. An appointed~~  
1738 ~~member of the board of directors of such direct-support~~  
1739 ~~organization as of June 30, 1996, may serve the remainder of his~~  
1740 ~~or her unexpired term.~~

## Amendment No. 1

1741 ~~(7)(8)~~ To promote amateur sports and physical fitness, the  
1742 foundation direct-support organization shall:

1743 (a) Develop, foster, and coordinate services and programs  
1744 for amateur sports for the people of Florida.

1745 (b) Sponsor amateur sports workshops, clinics,  
1746 conferences, and other similar activities.

1747 (c) Give recognition to outstanding developments and  
1748 achievements in, and contributions to, amateur sports.

1749 (d) Encourage, support, and assist local governments and  
1750 communities in the development of or hosting of local amateur  
1751 athletic events and competitions.

1752 (e) Promote Florida as a host for national and  
1753 international amateur athletic competitions.

1754 (f) Develop a statewide programs ~~program~~ of amateur  
1755 athletic competition to be known as the "Florida Senior Games"  
1756 and the "Sunshine State Games."

1757 (g) Continue the successful amateur sports programs  
1758 previously conducted by the Florida Governor's Council on  
1759 Physical Fitness and Amateur Sports created under former s.  
1760 14.22.

1761 (h) Encourage and continue the use of volunteers in its  
1762 amateur sports programs to the maximum extent possible.

1763 (i) Develop, foster, and coordinate services and programs  
1764 designed to encourage the participation of Florida's youth in  
1765 Olympic sports activities and competitions.

Amendment No. 1

1766 (j) Foster and coordinate services and programs designed  
1767 to contribute to the physical fitness of the citizens of  
1768 Florida.

1769 ~~(8)(9)~~(a) The Sunshine State Games and Florida Senior  
1770 Games shall both be patterned after the Summer Olympics with  
1771 variations as necessitated by availability of facilities,  
1772 equipment, and expertise. The games shall be designed to  
1773 encourage the participation of athletes representing a broad  
1774 range of age groups, skill levels, and Florida communities.  
1775 ~~Participants shall be residents of this state. Regional~~  
1776 ~~competitions shall be held throughout the state, and the top~~  
1777 ~~qualifiers in each sport shall proceed to the final competitions~~  
1778 ~~to be held at a site in the state with the necessary facilities~~  
1779 ~~and equipment for conducting the competitions.~~

1780 (b) The department ~~Executive Office of the Governor~~ is  
1781 authorized to permit the use of property, facilities, and  
1782 personal services of or at any State University System facility  
1783 or institution by the direct-support organization operating the  
1784 Sunshine State Games and Florida Senior Games. For the purposes  
1785 of this paragraph, personal services includes full-time or part-  
1786 time personnel as well as payroll processing.

1787 Section 22. Subsection (2) and paragraph (b) of subsection  
1788 (5) of section 288.901, Florida Statutes, are amended to read:

1789 288.901 Enterprise Florida, Inc.—

1790 (2) PURPOSES.—Enterprise Florida, Inc., shall act as the  
1791 economic development organization for the state, using ~~utilizing~~

Amendment No. 1

1792 private sector and public sector expertise in collaboration with  
1793 the department to:

1794 (a) Increase private investment in Florida.~~†~~

1795 (b) Advance international and domestic trade  
1796 opportunities.~~†~~

1797 (c) Market the state both as a probusiness location for  
1798 new investment and as an unparalleled tourist destination.~~†~~

1799 (d) Revitalize Florida's space and aerospace industries,  
1800 and promote emerging complementary industries.~~†~~

1801 (e) Promote opportunities for minority-owned businesses.~~†~~

1802 (f) Assist and market professional and amateur sport teams  
1803 and sporting events in Florida.~~†~~ ~~and~~

1804 (g) Assist, promote, and enhance economic opportunities in  
1805 this state's rural and urban communities.

1806 (h) Foster and encourage high-technology startup and  
1807 second-stage business development within the state.

1808 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

1809 (b) In making their appointments, the Governor, the  
1810 President of the Senate, and the Speaker of the House of  
1811 Representatives shall ensure that the composition of the board  
1812 of directors reflects the diversity of Florida's business  
1813 community and is representative of the economic development  
1814 goals in subsection (2). The board must include at least one  
1815 director for each of the following areas of expertise:  
1816 international business, tourism marketing, the space or  
1817 aerospace industry, managing or financing a minority-owned

Amendment No. 1

1818 business, manufacturing, finance and accounting, and rural  
1819 economic development. ~~and sports marketing.~~

1820 Section 23. Subsection (1) of section 288.9015, Florida  
1821 Statutes, is amended to read:

1822 288.9015 Powers of Enterprise Florida, Inc.; board of  
1823 directors.—

1824 (1) Enterprise Florida, Inc., shall integrate its efforts  
1825 in business recruitment and expansion, job creation, marketing  
1826 the state for tourism ~~and sports~~, and promoting economic  
1827 opportunities for minority-owned businesses and promoting  
1828 economic opportunities for rural and distressed urban  
1829 communities with those of the department, to create an  
1830 aggressive, agile, and collaborative effort to reinvigorate the  
1831 state's economy.

1832 Section 24. Section 288.913, Florida Statutes, is created  
1833 to read:

1834 288.913 Innovation Florida Initiative.—

1835 (1) LEGISLATIVE FINDINGS AND DECLARATIONS.—The Legislature  
1836 finds that successful high-technology startup and second-stage  
1837 businesses are critical to the state's overall economic growth  
1838 and such businesses play an outsized role in job creation. The  
1839 Legislature also finds that Enterprise Florida, Inc., the  
1840 state's economic development organization, is uniquely suited to  
1841 foster and encourage more high-technology startup and second-  
1842 stage business development within the state. Therefore, the  
1843 Legislature declares that it is the policy of the state to



Amendment No. 1

1844 prioritize high-technology startup and second-stage business  
1845 development within the state and directs Enterprise Florida,  
1846 Inc., to develop the Innovation Florida Initiative to further  
1847 such policy.

1848 (2) DEFINITIONS.—As used in this section, the term:

1849 (a) "Advanced technology products" means high-technology  
1850 products produced by a business that employs a high proportion  
1851 of scientists, engineers, and technicians. Such products may be  
1852 classified within, but not be limited to, the following fields:

1853 1. Biotechnology products related to advanced scientific  
1854 discoveries in genetics.

1855 2. Life science products related to the application of  
1856 nonbiological scientific advances to medical science.

1857 3. Optoelectronic products related to the emission or  
1858 detection of light.

1859 4. Information and communications products related to the  
1860 processing of increased volumes of information in shorter  
1861 periods of time.

1862 5. Electronics products related to design advances in  
1863 electronic components that result in improved performance and  
1864 capacity, or reduced size.

1865 6. Flexible manufacturing products related to robotics,  
1866 numerically-controlled machine tools, and similar products  
1867 involving industrial automation that allows for greater  
1868 flexibility in the manufacturing process and reduction in the  
1869 amount of human intervention.

Amendment No. 1

1870 7. Advanced materials products related to advances in the  
1871 development of materials that allow for further development and  
1872 application of other advanced technologies.

1873 8. Aerospace products related to military and civil  
1874 helicopters, airplanes, and spacecraft.

1875 9. Weapons products related to products with military  
1876 application.

1877 10. Nuclear technology products related to nuclear power  
1878 production apparatus.

1879 (b) "High-technology startup" means a business unit that  
1880 has been in operation for less than 5 years, and employs fewer  
1881 than 10 employees, which produces a high proportion of advanced  
1882 technology products.

1883 (c) "Second-stage business" means a business unit that  
1884 employs at least 10 but not more than 50 employees, generates at  
1885 least \$1 million but not more than \$25 million in annual  
1886 revenue, and produces a high proportion of advanced technology  
1887 products.

1888 (3) STATEWIDE STRATEGIC PLAN.—

1889 (a) The department shall develop a statewide strategic  
1890 plan for high-technology startup and second-stage business  
1891 growth and development in consultation with Enterprise Florida,  
1892 Inc., the Institute for the Commercialization of Public  
1893 Research, the Florida Economic Gardening Institute, the state's  
1894 local and regional economic development organizations, and other  
1895 stakeholders, public and private, that have experience and

Amendment No. 1

1896 expertise in high-technology startup and second-stage business  
1897 growth and development activities.

1898 (b) In developing the strategic plan, the department shall  
1899 evaluate best practices; examine the startup, entrepreneurship,  
1900 and second-stage business programs of other states; and survey  
1901 high-technology startups and second-stage businesses and support  
1902 organizations, both within and outside the state.

1903 (c) The strategic plan must include:

1904 1. Actionable steps to provide technical support to local  
1905 and regional economic development organizations to enhance high-  
1906 technology startup and second-stage business growth at local and  
1907 regional levels.

1908 2. An evaluation of the accessibility of the state's  
1909 economic development incentive and loan programs to high-  
1910 technology startups and second-stage businesses.

1911 (d) By January 1, 2017, the department shall deliver the  
1912 strategic plan to the Governor, the President of the Senate, and  
1913 the Speaker of the House of Representatives.

1914 (e) Upon completion of the strategic plan, the plan shall  
1915 become part of the 5-year statewide strategic plan developed by  
1916 the Division of Strategic Business Development required by s.  
1917 20.60.

1918 (4) MARKETING.—Enterprise Florida, Inc., shall market the  
1919 state's economic development activities related to the growth  
1920 and development of high-technology startups and second-stage  
1921 businesses both inside and outside the state.

Amendment No. 1

1922        (5) ANNUAL REPORT.—Enterprise Florida, Inc., shall provide  
1923 information regarding its activities related to the growth and  
1924 development of high-technology startups and second-stage  
1925 businesses in its annual report required by s. 288.906.

1926        Section 25. Subsection (1) of section 288.92, Florida  
1927 Statutes, is amended to read:

1928        288.92 Divisions of Enterprise Florida, Inc.—

1929        (1) Enterprise Florida, Inc., may create and dissolve  
1930 divisions as necessary to carry out its mission. Each division  
1931 shall have distinct responsibilities and complementary missions.  
1932 At a minimum, Enterprise Florida, Inc., shall have divisions  
1933 related to the following areas:

1934        (a) International Trade and Business Development;

1935        (b) Business Retention and Recruitment;

1936        (c) Tourism Marketing; and

1937        (d) Minority Business Development. ~~;~~ and

1938        ~~(e) Sports Industry Development.~~

1939        Section 26. Paragraph (b) of subsection (3) of section  
1940 288.9604, Florida Statutes, is amended to read:

1941        288.9604 Creation of the authority.—

1942        (3)

1943        (b)1. The powers of the corporation shall be exercised by  
1944 the directors thereof. A majority of the directors constitutes a  
1945 quorum for the purposes of conducting business and exercising  
1946 the powers of the corporation and for all other purposes. Action  
1947 may be taken by the corporation upon a vote of a majority of the

## Amendment No. 1

1948 directors present, unless in any case the bylaws require a  
1949 larger number. Any person may be appointed as director if he or  
1950 she resides, or is engaged in business, which means owning a  
1951 business, practicing a profession, or performing a service for  
1952 compensation or serving as an officer or director of a  
1953 corporation or other business entity so engaged, within the  
1954 state.

1955 2. Meetings of the directors may be conducted remotely by  
1956 utilizing communications media technology. The board shall hold  
1957 a meeting in person if the board is aware of opposition to a  
1958 bond issuance on the agenda for such meeting or if the board  
1959 receives a request to hold the meeting in person prior to 72  
1960 hours before the scheduled meeting. "Communications media  
1961 technology" as used in this subparagraph means conference  
1962 telephone, video conference, or other communications technology  
1963 by which all persons attending a meeting may audibly  
1964 communicate.

1965 3. Any action taken by the full board of directors of the  
1966 corporation on or before March 31, 2015, to ratify or reject  
1967 actions taken by a previous board while such previous board was  
1968 incomplete due to director vacancies, has the same effect as if  
1969 the ratifying or rejecting board took the original action.

1970 Section 27. Paragraph (x) is added to subsection (2) of  
1971 section 288.9605, Florida Statutes, to read:

1972 288.9605 Corporation powers.—

1973 (2) The corporation is authorized and empowered to:

Amendment No. 1

1974            (x) Documents, agreements and instruments executed by the  
1975 corporation may be executed and delivered in accordance with and  
1976 to the extent permitted by the Electronic Signature Act of 1996,  
1977 Part I of chapter 688.

1978            Section 28. Paragraph (c) of subsection (3) and subsection  
1979 (4) of section 288.980, Florida Statutes, is amended to read:

1980            288.980 Military base retention; legislative intent;  
1981 grants program.—

1982            (3)

1983            (c) The department shall require that an applicant:

1984            1. Represent a local government with a military  
1985 installation or military installations that could be adversely  
1986 affected by federal actions.

1987            2. ~~Agree to match at least 30 percent of any grant~~  
1988 ~~awarded.~~

1989            ~~3.~~ Prepare a coordinated program or plan of action  
1990 delineating how the eligible project will be administered and  
1991 accomplished.

1992            ~~3.4.~~ Provide documentation describing the potential for  
1993 changes to the mission of a military installation located in the  
1994 applicant's community and the potential impacts such changes  
1995 will have on the applicant's community.

1996            (4) The Florida Defense Reinvestment Grant Program is  
1997 established to respond to the need for this state to work in  
1998 conjunction with defense-dependent communities in developing and  
1999 implementing strategies and approaches that will help

## Amendment No. 1

2000 communities support the missions of military installations, and  
2001 in developing and implementing alternative economic  
2002 diversification strategies to transition from a defense economy  
2003 to a nondefense economy. The department shall administer the  
2004 program.

2005 (a) Eligible applicants include defense-dependent counties  
2006 and cities, and local economic development councils located  
2007 within such communities. ~~The program shall be administered by~~  
2008 ~~the department and grant~~ Grant awards may be provided to support  
2009 community-based activities that:

2010 1.(a) Protect existing military installations;

2011 2.(b) Diversify the economy of a defense-dependent  
2012 community; or

2013 3.(c) Develop plans for the reuse of closed or realigned  
2014 military installations, including any plans necessary for  
2015 infrastructure improvements needed to facilitate reuse and  
2016 related marketing activities.

2017 (b) Applications for grants under paragraph (a) ~~this~~  
2018 ~~subsection~~ must include a coordinated program of work or plan of  
2019 action delineating how the eligible project will be administered  
2020 and accomplished, which must include a plan for ensuring close  
2021 cooperation between civilian and military authorities in the  
2022 conduct of the funded activities and a plan for public  
2023 involvement. An applicant must agree to match at least 30  
2024 percent of any grant awarded.

## Amendment No. 1

2025 Section 29. Section 288.9937, Florida Statutes, is amended  
2026 to read:

2027 288.9937 Evaluation of programs.—The Office of Economic  
2028 and Demographic Research and the Office of Program Policy  
2029 Analysis and Government Accountability shall analyze and  
2030 ~~evaluate, and determine the economic benefits, as defined in s.~~  
2031 ~~288.005,~~ of the first 3 years of the Microfinance Loan Program  
2032 and the Microfinance Guarantee Program. The analysis by the  
2033 Office of Economic and Demographic Research must ~~also~~ evaluate  
2034 the number of jobs created, the increase or decrease in personal  
2035 income, and the impact on state gross domestic product from the  
2036 direct, indirect, and induced effects of the state's investment.  
2037 The analysis by the Office of Program Policy Analysis and  
2038 Government Accountability must ~~also~~ identify any inefficiencies  
2039 in the programs and provide recommendations for changes to the  
2040 programs. Each ~~The~~ office shall submit a report to the President  
2041 of the Senate and the Speaker of the House of Representatives by  
2042 January 15 ~~4~~, 2018. This section expires January 31, 2018.

2043 Section 30. Subsections (1) and (3), paragraph (a) of  
2044 subsection (5), and paragraph (e) of subsection (7) of section  
2045 288.11625, Florida Statutes, are amended to read:

2046 288.11625 Sports development.—

2047 (1) ADMINISTRATION.—The department shall serve as the  
2048 state agency responsible for screening applicants for state  
2049 funding under s. 212.20(6)(d)6.e. ~~212.20(6)(d)6.f.~~



## Amendment No. 1

2050 (3) PURPOSE.—The purpose of this section is to provide  
2051 applicants state funding under s. 212.20(6)(d)6.e.  
2052 ~~212.20(6)(d)6.f.~~ for the public purpose of constructing,  
2053 reconstructing, renovating, or improving a facility.

2054 (5) EVALUATION PROCESS.—

2055 (a) Before recommending an applicant to receive a state  
2056 distribution under s. 212.20(6)(d)6.e. ~~212.20(6)(d)6.f.~~, the  
2057 department must verify that:

2058 1. The applicant or beneficiary is responsible for the  
2059 construction, reconstruction, renovation, or improvement of a  
2060 facility and obtained at least three bids for the project.

2061 2. If the applicant is not a unit of local government, a  
2062 unit of local government holds title to the property on which  
2063 the facility and project are, or will be, located.

2064 3. If the applicant is a unit of local government in whose  
2065 jurisdiction the facility is, or will be, located, the unit of  
2066 local government has an exclusive intent agreement to negotiate  
2067 in this state with the beneficiary.

2068 4. A unit of local government in whose jurisdiction the  
2069 facility is, or will be, located supports the application for  
2070 state funds. Such support must be verified by the adoption of a  
2071 resolution, after a public hearing, that the project serves a  
2072 public purpose.

2073 5. The applicant or beneficiary has not previously  
2074 defaulted or failed to meet any statutory requirements of a  
2075 previous state-administered sports-related program under s.

Amendment No. 1

2076 288.1162, s. 288.11621, s. 288.11631, or this section.

2077 Additionally, the applicant or beneficiary is not currently  
2078 receiving state distributions under s. 212.20 for the facility  
2079 that is the subject of the application, unless the applicant  
2080 demonstrates that the franchise that applied for a distribution  
2081 under s. 212.20 no longer plays at the facility that is the  
2082 subject of the application.

2083 6. The applicant or beneficiary has sufficiently  
2084 demonstrated a commitment to employ residents of this state,  
2085 contract with Florida-based firms, and purchase locally  
2086 available building materials to the greatest extent possible.

2087 7. If the applicant is a unit of local government, the  
2088 applicant has a certified copy of a signed agreement with a  
2089 beneficiary for the use of the facility. If the applicant is a  
2090 beneficiary, the beneficiary must enter into an agreement with  
2091 the department. The applicant's or beneficiary's agreement must  
2092 also require the following:

2093 a. The beneficiary must reimburse the state for state  
2094 funds that will be distributed if the beneficiary relocates or  
2095 no longer occupies or uses the facility as the facility's  
2096 primary tenant before the agreement expires. Reimbursements must  
2097 be sent to the Department of Revenue for deposit into the  
2098 General Revenue Fund.

2099 b. The beneficiary must pay for signage or advertising  
2100 within the facility. The signage or advertising must be placed  
2101 in a prominent location as close to the field of play or

Amendment No. 1

2102 competition as is practicable, must be displayed consistent with  
2103 signage or advertising in the same location and of like value,  
2104 and must feature Florida advertising approved by the Florida  
2105 Tourism Industry Marketing Corporation.

2106 8. The project will commence within 12 months after  
2107 receiving state funds or did not commence before January 1,  
2108 2013.

2109 (7) CONTRACT.—An applicant approved by the Legislature and  
2110 certified by the department must enter into a contract with the  
2111 department which:

2112 (e) Requires the applicant to reimburse the state by  
2113 electing to do one of the following:

2114 1. After all distributions have been made, reimburse at  
2115 the end of the contract term any amount by which the total  
2116 distributions made under s. 212.20(6)(d)6.e. ~~212.20(6)(d)6.f.~~  
2117 exceed actual new incremental state sales taxes generated by  
2118 sales at the facility during the contract, plus a 5 percent  
2119 penalty on that amount.

2120 2. After the applicant begins to submit the independent  
2121 analysis under paragraph (c), reimburse each year any amount by  
2122 which the previous year's annual distribution exceeds 75 percent  
2123 of the actual new incremental state sales taxes generated by  
2124 sales at the facility.

2125  
2126 Any reimbursement due to the state must be made within 90 days  
2127 after the applicable distribution under this paragraph. If the

Amendment No. 1

2128 applicant is unable or unwilling to reimburse the state for such  
2129 amount, the department may place a lien on the applicant's  
2130 facility. If the applicant is a municipality or county, it may  
2131 reimburse the state from its half-cent sales tax allocation, as  
2132 provided in s. 218.64(3). Reimbursements must be sent to the  
2133 Department of Revenue for deposit into the General Revenue Fund.

2134 Section 31. Paragraph (c) of subsection (2) and paragraphs  
2135 (a), (c), and (d) of subsection (3) of section 288.11631,  
2136 Florida Statutes, are amended to read:

2137 288.11631 Retention of Major League Baseball spring  
2138 training baseball franchises.—

2139 (2) CERTIFICATION PROCESS.—

2140 (c) Each applicant certified on or after July 1, 2013,  
2141 shall enter into an agreement with the department which:

2142 1. Specifies the amount of the state incentive funding to  
2143 be distributed. The amount of state incentive funding per  
2144 certified applicant may not exceed \$20 million. However, if a  
2145 certified applicant's facility is used by more than one spring  
2146 training franchise, the maximum amount may not exceed \$50  
2147 million, and the Department of Revenue shall make distributions  
2148 to the applicant pursuant to s. 212.20(6)(d)6.d.

2149 ~~212.20(6)(d)6.e.~~

2150 2. States the criteria that the certified applicant must  
2151 meet in order to remain certified. These criteria must include a  
2152 provision stating that the spring training franchise must  
2153 reimburse the state for any funds received if the franchise does

## Amendment No. 1

2154 not comply with the terms of the contract. If bonds were issued  
2155 to construct or renovate a facility for a spring training  
2156 franchise, the required reimbursement must be equal to the total  
2157 amount of state distributions expected to be paid from the date  
2158 the franchise violates the agreement with the applicant through  
2159 the final maturity of the bonds.

2160 3. States that the certified applicant is subject to  
2161 decertification if the certified applicant fails to comply with  
2162 this section or the agreement.

2163 4. States that the department may recover state incentive  
2164 funds if the certified applicant is decertified.

2165 5. Specifies the information that the certified applicant  
2166 must report to the department.

2167 6. Includes any provision deemed prudent by the  
2168 department.

2169 (3) USE OF FUNDS.—

2170 (a) A certified applicant may use funds provided under s.  
2171 212.20(6)(d)6.d. ~~212.20(6)(d)6.e.~~ only to:

2172 1. Serve the public purpose of constructing or renovating  
2173 a facility for a spring training franchise.

2174 2. Pay or pledge for the payment of debt service on, or to  
2175 fund debt service reserve funds, arbitrage rebate obligations,  
2176 or other amounts payable with respect thereto, bonds issued for  
2177 the construction or renovation of such facility, or for the  
2178 reimbursement of such costs or the refinancing of bonds issued  
2179 for such purposes.

## Amendment No. 1

2180 (c) The Department of Revenue may not distribute funds  
2181 under s. 212.20(6)(d)6.d. ~~212.20(6)(d)6.e.~~ until July 1, 2016.  
2182 Further, the Department of Revenue may not distribute funds to  
2183 an applicant certified on or after July 1, 2013, until it  
2184 receives notice from the department that:

2185 1. The certified applicant has encumbered funds under  
2186 either subparagraph (a)1. or subparagraph (a)2.; and

2187 2. If applicable, any existing agreement with a spring  
2188 training franchise for the use of a facility has expired.

2189 (d)1. All certified applicants shall place unexpended  
2190 state funds received pursuant to s. 212.20(6)(d)6.d.  
2191 ~~212.20(6)(d)6.e.~~ in a trust fund or separate account for use  
2192 only as authorized in this section.

2193 2. A certified applicant may request that the department  
2194 notify the Department of Revenue to suspend further  
2195 distributions of state funds made available under s.  
2196 212.20(6)(d)6.d. ~~212.20(6)(d)6.e.~~ for 12 months after expiration  
2197 of an existing agreement with a spring training franchise to  
2198 provide the certified applicant with an opportunity to enter  
2199 into a new agreement with a spring training franchise, at which  
2200 time the distributions shall resume.

2201 3. The expenditure of state funds distributed to an  
2202 applicant certified after July 1, 2013, must begin within 48  
2203 months after the initial receipt of the state funds. In  
2204 addition, the construction or renovation of a spring training

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1325 (2016)

Amendment No. 1

2205 facility must be completed within 24 months after the project's  
2206 commencement.

2207 Section 32. Effective July 1, 2016, paragraph (a) of  
2208 subsection (6), paragraph (b) of subsection (9), paragraph (a)  
2209 of subsection (35), subsection (60), and paragraph (b) of  
2210 subsection (64) of section 320.08058, Florida Statutes, are  
2211 amended to read:

2212 320.08058 Specialty license plates.—

2213 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE  
2214 PLATES.—

2215 (a) Because the United States Olympic Committee has  
2216 selected this state to participate in a combined fundraising  
2217 program that provides for one-half of all money raised through  
2218 volunteer giving to stay in this state and be administered by  
2219 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, to  
2220 support amateur sports, and because the United States Olympic  
2221 Committee and the Florida Sports Foundation ~~Enterprise Florida,~~  
2222 ~~Inc.~~ are nonprofit organizations dedicated to providing  
2223 athletes with support and training and preparing athletes of all  
2224 ages and skill levels for sports competition, and because the  
2225 Florida Sports Foundation ~~Enterprise Florida, Inc.~~ assists in  
2226 the bidding for sports competitions that provide significant  
2227 impact to the economy of this state, and the Legislature  
2228 supports the efforts of the United States Olympic Committee and  
2229 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, the  
2230 Legislature establishes a Florida United States Olympic

858285 - HB 1325 Strike All Amendment\_Feb\_15\_2016.docx

Published On: 2/15/2016 7:02:41 PM

## Amendment No. 1

2231 Committee license plate for the purpose of providing a  
2232 continuous funding source to support this worthwhile effort.  
2233 Florida United States Olympic Committee license plates must  
2234 contain the official United States Olympic Committee logo and  
2235 must bear a design and colors that are approved by the  
2236 department. The word "Florida" must be centered at the top of  
2237 the plate.

2238 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

2239 (b) The license plate annual use fees are to be annually  
2240 distributed as follows:

2241 1. Fifty-five percent of the proceeds from the Florida  
2242 Professional Sports Team plate must be deposited into the  
2243 Professional Sports Development Trust Fund within the Department  
2244 of Economic Opportunity. These funds must be used solely to  
2245 attract and support major sports events in this state. As used  
2246 in this subparagraph, the term "major sports events" means, but  
2247 is not limited to, championship or all-star contests of Major  
2248 League Baseball, the National Basketball Association, the  
2249 National Football League, the National Hockey League, Major  
2250 League Soccer, the men's and women's National Collegiate  
2251 Athletic Association championships ~~Final Four basketball~~  
2252 ~~championship~~, or a horseracing or dogracing Breeders' Cup. All  
2253 funds must be used to support and promote major sporting events,  
2254 and the uses must be approved by the Department of Economic  
2255 Opportunity.



## Amendment No. 1

2256           2. The remaining proceeds of the Florida Professional  
2257 Sports Team license plate must be allocated to the Florida  
2258 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be  
2259 deposited into the Professional Sports Development Trust Fund  
2260 within the Department of Economic Opportunity. These funds must  
2261 be used by the Florida Sports Foundation ~~Enterprise Florida,~~  
2262 ~~Inc.,~~ to promote the economic development of the sports  
2263 industry; to distribute licensing and royalty fees to  
2264 participating professional sports teams; ~~to promote education~~  
2265 ~~programs in Florida schools that provide an awareness of the~~  
2266 ~~benefits of physical activity and nutrition standards; to~~  
2267 ~~partner with the Department of Education and the Department of~~  
2268 ~~Health to develop a program that recognizes schools whose~~  
2269 ~~students demonstrate excellent physical fitness or fitness~~  
2270 ~~improvement;~~ to institute a grant program for communities  
2271 bidding on minor sporting events that create an economic impact  
2272 for the state; to distribute funds to Florida-based charities  
2273 designated by the Florida Sports Foundation ~~Enterprise Florida,~~  
2274 ~~Inc.,~~ and the participating professional sports teams; and to  
2275 fulfill the sports promotion responsibilities of the Department  
2276 of Economic Opportunity.

2277           3. The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~  
2278 shall provide an annual financial audit in accordance with s.  
2279 215.981 of its financial accounts and records by an independent  
2280 certified public accountant pursuant to the contract established  
2281 by the Department of Economic Opportunity as specified in s.

Amendment No. 1

2282 288.1229(5). The auditor shall submit the audit report to the  
2283 Department of Economic Opportunity for review and approval. If  
2284 the audit report is approved, the Department of Economic  
2285 Opportunity shall certify the audit report to the Auditor  
2286 General for review.

2287 4. Notwithstanding the provisions of subparagraphs 1. and  
2288 2., proceeds from the Professional Sports Development Trust Fund  
2289 may also be used for operational expenses of the Florida Sports  
2290 Foundation ~~Enterprise Florida, Inc.~~, and financial support of  
2291 the Sunshine State Games and Florida Senior Games.

2292 (35) FLORIDA GOLF LICENSE PLATES.—

2293 (a) The Department of Highway Safety and Motor Vehicles  
2294 shall develop a Florida Golf license plate as provided in this  
2295 section. The word "Florida" must appear at the bottom of the  
2296 plate. The Dade Amateur Golf Association, following consultation  
2297 with the PGA TOUR, the Florida Sports Foundation ~~Enterprise~~  
2298 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a  
2299 revised sample plate for consideration by the department.

2300 (60) FLORIDA NASCAR LICENSE PLATES.—

2301 (a) The department shall develop a Florida NASCAR license  
2302 plate as provided in this section. Florida NASCAR license plates  
2303 must bear the colors and design approved by the department. The  
2304 word "Florida" must appear at the top of the plate, and the term  
2305 "NASCAR" must appear at the bottom of the plate. The National  
2306 Association for Stock Car Auto Racing, following consultation

Amendment No. 1

2307 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may  
2308 submit a sample plate for consideration by the department.

2309 (b) The license plate annual use fees shall be distributed  
2310 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The  
2311 license plate annual use fees shall be annually allocated as  
2312 follows:

2313 1. Up to 5 percent of the proceeds from the annual use  
2314 fees may be used by the Florida Sports Foundation ~~Enterprise~~  
2315 ~~Florida, Inc.~~, for the administration of the NASCAR license  
2316 plate program.

2317 2. The National Association for Stock Car Auto Racing  
2318 shall receive up to \$60,000 in proceeds from the annual use fees  
2319 to be used to pay startup costs, including costs incurred in  
2320 developing and issuing the plates. Thereafter, 10 percent of the  
2321 proceeds from the annual use fees shall be provided to the  
2322 association for the royalty rights for the use of its marks.

2323 3. The remaining proceeds from the annual use fees shall  
2324 be distributed to the Florida Sports Foundation ~~Enterprise~~  
2325 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~  
2326 ~~Inc.~~, will retain 15 percent to support its regional grant  
2327 program, attracting sporting events to Florida; 20 percent to  
2328 support the marketing of motorsports-related tourism in the  
2329 state; and 50 percent to be paid to the NASCAR Foundation, a s.  
2330 501(c)(3) charitable organization, to support Florida-based  
2331 charitable organizations.

Amendment No. 1

2332 (c) The Florida Sports Foundation ~~Enterprise Florida,~~  
2333 ~~Inc.~~ shall provide an annual financial audit in accordance with  
2334 s. 215.981 of its financial accounts and records by an  
2335 independent certified public accountant pursuant to the contract  
2336 established by the Department of Economic Opportunity as  
2337 specified in s. 288.1229(5). The auditor shall submit the audit  
2338 report to the Department of Economic Opportunity for review and  
2339 approval. If the audit report is approved, the Department of  
2340 Economic Opportunity shall certify the audit report to the  
2341 Auditor General for review.

2342 (64) FLORIDA TENNIS LICENSE PLATES.—

2343 (b) The department shall distribute the annual use fees to  
2344 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The  
2345 license plate annual use fees shall be annually allocated as  
2346 follows:

2347 1. Up to 5 percent of the proceeds from the annual use  
2348 fees may be used by the Florida Sports Foundation ~~Enterprise~~  
2349 ~~Florida, Inc.~~ to administer the license plate program.

2350 2. The United States Tennis Association Florida Section  
2351 Foundation shall receive the first \$60,000 in proceeds from the  
2352 annual use fees to reimburse it for startup costs,  
2353 administrative costs, and other costs it incurs in the  
2354 development and approval process.

2355 3. Up to 5 percent of the proceeds from the annual use  
2356 fees may be used for promoting and marketing the license plates.  
2357 The remaining proceeds shall be available for grants by the

Amendment No. 1

2358 United States Tennis Association Florida Section Foundation to  
2359 nonprofit organizations to operate youth tennis programs and  
2360 adaptive tennis programs for special populations of all ages,  
2361 and for building, renovating, and maintaining public tennis  
2362 courts.

2363 Section 33. For the purpose of incorporating the amendment  
2364 made by this act to section 288.106, Florida Statutes, in a  
2365 reference thereto, subsection (11) of section 159.803, Florida  
2366 Statutes, is reenacted to read:

2367 159.803 Definitions.—As used in this part, the term:

2368 (11) "Florida First Business project" means any project  
2369 which is certified by the Department of Economic Opportunity as  
2370 eligible to receive an allocation from the Florida First  
2371 Business allocation pool established pursuant to s. 159.8083.  
2372 The Department of Economic Opportunity may certify those  
2373 projects meeting the criteria set forth in s. 288.106(4)(b) or  
2374 any project providing a substantial economic benefit to this  
2375 state.

2376 Section 34. This act shall take effect July 1, 2016.

2377  
2378 -----

2379 **T I T L E A M E N D M E N T**

2380 Remove everything before the enacting clause and insert:  
2381 An act relating to economic development; amending s. 163.3175,  
2382 F.S.; providing that certain representatives of military  
2383 installations are not required to file a statement of financial

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1325 (2016)

Amendment No. 1

2384 interest; amending s. 163.3180, F.S.; prohibiting a local  
2385 government from applying transportation concurrency within its  
2386 jurisdiction under certain conditions; providing applicability;  
2387 providing for expiration of the prohibition; amending s.  
2388 163.31801, F.S.; prohibiting a county, municipality, or special  
2389 district from applying certain impact fees or other fees within  
2390 its jurisdiction under certain conditions; providing  
2391 applicability; amending s. 189.033, F.S.; conforming cross-  
2392 references; amending s. 196.012, F.S.; conforming provisions to  
2393 changes made by the act; amending s. 212.20, F.S.; conforming  
2394 provisions to the repeal by the act of s. 288.1169, F.S.;  
2395 amending s. 220.191, F.S.; revising the definition of the term  
2396 "cumulative capital investment" for purposes of the capital  
2397 investment tax credit; amending s. 220.196, F.S.; conforming a  
2398 cross-reference; amending s. 288.0001, F.S.; revising required  
2399 elements of specified analyses prepared by the Office of  
2400 Economic and Demographic Research and the Office of Program  
2401 Policy Analysis and Government Accountability; conforming  
2402 provisions; amending s. 288.005, F.S.; revising the definition  
2403 of the term "average private sector wage in the area"; revising  
2404 the definition of the term "economic benefits"; providing for  
2405 expiration of the prohibition; amending s. 288.061, F.S.;  
2406 requiring the Department of Economic Opportunity to prescribe  
2407 the format for certain economic incentive applications;  
2408 providing required elements of the applications; revising  
2409 evaluation and contract requirements of the economic development

858285 - HB 1325 Strike All Amendment\_Feb\_15\_2016.docx

Published On: 2/15/2016 7:02:41 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1325 (2016)

Amendment No. 1

2410 incentive application process; revising a definition; providing  
2411 and revising responsibilities of the department; amending s.  
2412 288.076, F.S.; revising definitions; creating s. 288.103, F.S.;  
2413 providing for the repayment of economic development program  
2414 awards by certain businesses; providing applicability; amending  
2415 s. 288.1045, F.S.; revising definitions; revising the  
2416 application process for the qualified defense contractor and  
2417 space flight business tax refund program; revising tax refund  
2418 requirements; revising the expiration date of the program;  
2419 amending s. 288.106, F.S.; revising definitions; revising the  
2420 application process for the tax refund program for qualified  
2421 target industry businesses; revising tax refund requirements;  
2422 removing provisions regarding economic recovery extensions of  
2423 certain tax refund agreements; amending s. 288.108, F.S.;  
2424 revising and providing definitions; revising application  
2425 requirements and requiring the Department of Economic  
2426 Opportunity to certify high-impact business grant applications;  
2427 providing duties of the Governor and the department; amending s.  
2428 288.1088, F.S.; revising provisions relating to the Quick Action  
2429 Closing Fund; revising project eligibility requirements;  
2430 providing limitations on, and authorizing waivers from, local  
2431 financial support requirements; revising contract requirements  
2432 for certain projects; revising approval requirements for  
2433 amendments or modifications of contract requirements for such  
2434 projects; revising duties of the Governor; amending s. 288.1089,  
2435 F.S.; revising definitions; revising application requirements

858285 - HB 1325 Strike All Amendment\_Feb\_15\_2016.docx

Published On: 2/15/2016 7:02:41 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1325 (2016)

Amendment No. 1

2436 for the Innovation Incentive Program; authorizing the department  
2437 to waive certain wage requirements for projects in a rural area  
2438 of opportunity or certified enterprise zone; revising duties of  
2439 the Governor and the department; revising approval requirements  
2440 for amendments or modifications of contract requirements for  
2441 such projects; amending s. 288.11621, F.S.; conforming a  
2442 provision to changes made by the act; repealing s. 288.1169,  
2443 F.S., relating to state agency funding of the International Game  
2444 Fish Association World Center facility; reviving, reenacting,  
2445 and amending s. 288.1229, F.S., relating to the promotion and  
2446 development of sports-related industries and amateur athletics;  
2447 amending s. 288.901, F.S.; revising the purpose and duties of  
2448 Enterprise Florida, Inc., with respect to fostering and  
2449 encouraging high-technology startup and second-state business  
2450 development; revising membership requirements for the board of  
2451 directors of Enterprise Florida, Inc.; amending s. 288.9015,  
2452 F.S.; conforming provisions to changes made by the act; creating  
2453 s. 288.913, F.S.; creating the Innovation Florida Initiative;  
2454 providing legislative findings; providing definitions; requiring  
2455 the department to develop a statewide strategic plan for high-  
2456 technology startup and second-stage business growth and  
2457 development; providing requirements for the plan; providing  
2458 marketing requirements; providing reporting requirements;  
2459 amending s. 288.92, F.S.; revising the required divisions within  
2460 Enterprise Florida, Inc.; amending s. 288.9604, F.S.; providing  
2461 for ratification of certain actions taken by the board of

858285 - HB 1325 Strike All Amendment\_Feb\_15\_2016.docx

Published On: 2/15/2016 7:02:41 PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1325 (2016)

Amendment No. 1

2462 directors of the Florida Development Finance Corporation;  
2463 amending s. 288.980, F.S.; authorizing grant awards for  
2464 activities that grow the economy of a defense-dependent  
2465 community; making technical changes; amending s. 288.9937, F.S.;  
2466 requiring the Office of Program Policy Analysis and Government  
2467 Accountability to evaluate the Microfinance Loan Program;  
2468 providing requirements for the evaluation; revising reporting  
2469 requirements; amending ss. 288.11625 and 288.11631, F.S.;  
2470 conforming cross-references; amending s. 320.08058, F.S.;  
2471 conforming provisions to changes made by the act; amending uses  
2472 of the proceeds of the Florida Professional Sports Team license  
2473 plate; reenacting s. 159.803(11), F.S., relating to definitions  
2474 applicable to the Florida Private Activity Bond Allocation Act,  
2475 to incorporate the amendment made by the act to s. 288.106,  
2476 F.S., in a reference thereto; providing an effective date.

858285 - HB 1325 Strike All Amendment\_Feb\_15\_2016.docx

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