

By Senator Passidomo

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1 A bill to be entitled
2 An act relating to Florida government support
3 organizations; amending s. 14.29, F.S.; prohibiting
4 the Florida Commission on Community Service from
5 entering into a contract if a commission member or his
6 or her immediate family member would receive a direct
7 financial benefit from such contract; defining the
8 term "immediate family"; requiring the commission to
9 establish and maintain public access to specified
10 information for a specified purpose; amending s.
11 20.60, F.S.; requiring the Department of Economic
12 Opportunity to establish annual performance standards
13 for the Florida Sports Foundation; amending s.
14 288.017, F.S.; authorizing the department, rather than
15 Enterprise Florida, Inc., to establish a cooperative
16 advertising matching grants program, make certain
17 expenditures, and enter into contracts with local
18 governments and nonprofit corporations for a specified
19 purpose; deleting a requirement that the department
20 approve certain grants based on the recommendation of
21 Enterprise Florida, Inc.; authorizing the department
22 to contract with the Florida Tourism Industry
23 Marketing Corporation; conforming provisions to
24 changes made by the act; amending s. 288.122, F.S.;
25 conforming a provision to changes made by the act;
26 amending s. 288.1226, F.S.; defining terms; providing
27 that the Florida Tourism Industry Marketing
28 Corporation is a direct-support organization of the
29 department, rather than a direct-support organization

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30 of Enterprise Florida, Inc.; requiring the department
31 to contract with the corporation for specified
32 purposes; requiring the department to assist in
33 maintaining and implementing such contract; providing
34 that the corporation is not subject to control,
35 supervision, or direction by the department;
36 specifying that the corporation is not a unit of
37 government or an instrumentality of the state;
38 requiring the board of directors of the corporation to
39 be appointed by the Governor, rather than by
40 Enterprise Florida, Inc.; providing that specified
41 acts by officers or members of the board of directors
42 of the corporation are not prohibited; expanding
43 responsibilities and duties of the corporation to
44 include maintaining and implementing a contract with
45 the department subject to certain requirements,
46 advising the department on specified matters,
47 developing a specified marketing plan, drafting and
48 submitting a specified annual report, and making and
49 entering into certain contracts subject to specified
50 conditions; deleting a provision requiring the
51 corporation to provide support staff to the Division
52 of Tourism Promotion of Enterprise Florida, Inc.;

53 providing matching requirements for private to public
54 contributions for the marketing and advertising
55 activities of the corporation; providing a process for
56 determining the required match; requiring the
57 corporation to establish and maintain public access on
58 its website to specified information for a specified

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59 purpose; conforming provisions to changes made by the
60 act; amending s. 288.12265, F.S.; providing that the
61 responsibility of welcome centers is assigned to the
62 department, rather than Enterprise Florida, Inc.;

63 deleting a provision authorizing Enterprise Florida,
64 Inc., to contract with the corporation for the
65 management and operation of the welcome centers;

66 reviving, readopting, and amending s. 288.1229, F.S.;

67 requiring the department to establish a direct-support
68 organization known as the Florida Sports Foundation to
69 assist the department, rather than the Office of
70 Tourism, Trade, and Economic Development, with
71 specified duties; providing incorporation requirements
72 for the foundation; requiring the foundation to be
73 governed by a board of directors; specifying
74 membership requirements of the board; prohibiting the
75 board from entering into a contract if a board member
76 or his or her immediate family member would receive a
77 direct financial benefit from such contract; defining
78 the term "immediate family"; requiring the foundation
79 to operate under contract with the department;

80 requiring the department to enter into a contract with
81 the foundation by a specified date; authorizing the
82 department, rather than the office, to review the
83 foundation's articles of incorporation; requiring the
84 foundation to draft and submit a specified annual
85 report; requiring the foundation to establish and
86 maintain public access on its website to specified
87 information for a specified purpose; revising

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88 requirements for the foundation to promote amateur
89 sports and physical fitness; requiring the Florida
90 Senior Games to be patterned after the Summer Olympics
91 with variations under certain circumstances; deleting
92 a requirement that participants of the Sunshine State
93 Games and the Florida Senior Games be residents of the
94 state; deleting a provision requiring specified
95 regional competitions; providing that the department,
96 rather than the Executive Office of the Governor, is
97 authorized to permit the use of certain property,
98 facilities, or services; conforming provisions to
99 changes made by the act; amending s. 288.124, F.S.;
100 providing that the Florida Tourism Industry Marketing
101 Corporation, rather than Enterprise Florida, Inc., is
102 authorized to establish a convention grants program to
103 make specified recommendations to the department;
104 providing that the department, rather than Enterprise
105 Florida, Inc., is required to establish guidelines for
106 the award of grants and administration of the program;
107 creating s. 288.72, F.S.; requiring Enterprise
108 Florida, Inc., to develop, maintain, and market a
109 small business liaison service; requiring Enterprise
110 Florida, Inc., to furnish information or direct a
111 requester to appropriate sources regarding how to
112 start, maintain, or further develop a small business
113 in this state; requiring Enterprise Florida, Inc., to
114 collect and compile specified data on users of the
115 service; amending s. 288.901, F.S.; revising the
116 purposes of Enterprise Florida, Inc.; revising the

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117 composition of the board of directors of Enterprise
118 Florida, Inc.; requiring Enterprise Florida, Inc., to
119 establish and maintain public access on its website to
120 specified information for a specified purpose;
121 amending s. 288.9015, F.S.; deleting a requirement
122 that Enterprise Florida, Inc., integrate its efforts
123 to market the state for tourism and sports;
124 prohibiting the board from entering into a contract if
125 a board member or his or her immediate family member
126 would receive a direct financial benefit from such
127 contract; defining the term "immediate family";
128 amending s. 288.904, F.S.; revising what constitutes
129 private sector support in operating Enterprise
130 Florida, Inc.; conforming provisions to changes made
131 by the act; amending s. 288.92, F.S.; revising the
132 areas for which Enterprise Florida, Inc., is required
133 to create divisions to carry out its mission; deleting
134 provisions prohibiting the board from performing
135 certain acts; repealing s. 288.923, F.S., relating to
136 the Division of Tourism Marketing; amending s.
137 331.3051, F.S.; requiring Space Florida to establish
138 and maintain public access on its website to specified
139 information for a specified purpose; amending s.
140 331.310, F.S.; prohibiting the board of directors of
141 Space Florida from entering into a contract if a board
142 member or his or her immediate family member would
143 receive a direct financial benefit from such contract;
144 defining the term "immediate family"; amending s.
145 420.504, F.S.; requiring the Florida Housing Finance

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146 Corporation to establish and maintain public access on
147 its website to specified information for a specified
148 purpose; amending s. 420.507, F.S.; prohibiting the
149 board of directors of the corporation from entering
150 into a contract if a board member or his or her
151 immediate family member would receive a direct
152 financial benefit from such contract; defining the
153 term "immediate family"; amending s. 445.004, F.S.;
154 requiring CareerSource Florida, Inc., to establish and
155 maintain public access on its website to specified
156 information for a specified purpose; prohibiting the
157 board of directors of CareerSource Florida, Inc., from
158 entering into a contract if a board member or his or
159 her immediate family member would receive a direct
160 financial benefit from such contract; defining the
161 term "immediate family"; providing an effective date.
162

163 Be It Enacted by the Legislature of the State of Florida:
164

165 Section 1. Paragraph (d) of subsection (8) of section
166 14.29, Florida Statutes, is amended, and subsection (10) is
167 added to that section, to read:

168 14.29 Florida Commission on Community Service.—

169 (8) The commission may:

170 (d) Contract for necessary goods and services. The
171 commission may not enter into a contract with a person or an
172 organization if a commission member or an immediate family
173 member of a commission member would receive a direct financial
174 benefit from entering into such a contract. As used in this

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175 paragraph, the term "immediate family" includes parents, step-
176 parents, spouses or domestic partners, children, step-children,
177 full or half siblings, parents-in-law, siblings-in-law,
178 grandparents, great-grandparents, step-great-grandparents,
179 aunts, uncles, nieces, nephews, and grandchildren.

180 (10) In keeping with the public disclosure requirements
181 placed upon other Florida governmental entities under the
182 Transparency Florida Act, the commission shall establish and
183 maintain on its website public access to the following
184 information:

185 (a) Disbursement data consistent with the level required by
186 s. 215.985(4) (a)1. for state agencies.

187 (b) Contract data consistent with the requirements of s.
188 215.985(14) (a) for state agencies.

189 (c) All reports that include metrics and return on
190 investment calculations.

191 (d) Public versions of independent business evaluation
192 reports which highlight project-specific performance.

193 (e) Employee positions and salary information.

194 (f) Organizational charts.

195 (g) Audits, tax returns, and financial reports and
196 summaries.

197 (h) All statutorily required reports.

198 Section 2. Subsection (11) of section 20.60, Florida
199 Statutes, is amended to read:

200 20.60 Department of Economic Opportunity; creation; powers
201 and duties.—

202 (11) The department shall establish annual performance
203 standards for Enterprise Florida, Inc., CareerSource Florida,

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204 Inc., the Florida Tourism Industry Marketing Corporation, the
205 Florida Sports Foundation, and Space Florida and report annually
206 on how these performance measures are being met in the annual
207 report required under subsection (10).

208 Section 3. Subsections (1) and (3) of section 288.017,
209 Florida Statutes, are amended to read:

210 288.017 Cooperative advertising matching grants program.—

211 (1) The department ~~Enterprise Florida, Inc.~~, is authorized
212 to establish a cooperative advertising matching grants program
213 and, pursuant thereto, to make expenditures and enter into
214 contracts with local governments and nonprofit corporations for
215 the purpose of publicizing the tourism advantages of the state.
216 The department, ~~based on recommendations from Enterprise~~
217 ~~Florida, Inc.~~, shall have final approval of grants awarded
218 through this program. The department ~~Enterprise Florida, Inc.~~,
219 may contract with the Florida Tourism Industry Marketing
220 Corporation ~~its direct support organization~~ to administer the
221 program.

222 (3) The department ~~Enterprise Florida, Inc.~~, shall conduct
223 an annual competitive selection process for the award of grants
224 under the program. In determining its recommendations for the
225 grant awards, the department ~~commission~~ shall consider the
226 demonstrated need of the applicant for advertising assistance,
227 the feasibility and projected benefit of the applicant's
228 proposal, the amount of nonstate funds that will be leveraged,
229 and such other criteria as the department ~~commission~~ deems
230 appropriate. In evaluating grant applications, the department
231 shall consider recommendations from the Florida Tourism Industry
232 Marketing Corporation ~~Enterprise Florida, Inc.~~ The department,

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233 however, has final approval authority for any grant under this
234 section.

235 Section 4. Section 288.122, Florida Statutes, is amended to
236 read:

237 288.122 Tourism Promotional Trust Fund.—There is created
238 within the department the Tourism Promotional Trust Fund. Moneys
239 deposited in the Tourism Promotional Trust Fund shall only be
240 used to support the authorized activities and operations and the
241 tourism promotion and marketing activities, services, functions,
242 and programs administered ~~by Enterprise Florida, Inc.,~~ through a
243 contract with the direct-support organization created under s.
244 288.1226.

245 Section 5. Section 288.1226, Florida Statutes, is amended
246 to read:

247 288.1226 Florida Tourism Industry Marketing Corporation;
248 use of property; board of directors; duties; audit.—

249 (1) DEFINITIONS.—As used in ~~For the purposes of~~ this
250 section, the term:

251 (a) "Corporation" means the Florida Tourism Industry
252 Marketing Corporation.

253 (b) "County destination marketing organization" means a
254 public or private agency that is funded by local option tourist
255 development tax revenues under s. 125.0104, or local convention
256 development tax revenues under s. 212.0305, and is officially
257 designated by a county commission to market and promote the area
258 for tourism or convention business or, in any county that has
259 not levied such taxes, a public or private agency that is
260 officially designated by the county commission to market and
261 promote the area for tourism or convention business.

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262 (c) "Tourism marketing" means any effort exercised to
263 attract domestic and international visitors from outside the
264 state to destinations in this state and to stimulate Florida
265 resident tourism to areas within the state.

266 (d) "Tourist" means any person who participates in trade or
267 recreation activities outside the county of his or her permanent
268 residence or who rents or leases transient living quarters or
269 accommodations as described in s. 125.0104(3) (a).

270 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
271 Corporation is a direct-support organization of the Department
272 of Economic Opportunity. The department shall contract with the
273 corporation to execute tourism marketing services, functions,
274 and programs for the state, including, but not limited to, the
275 activities prescribed by the 4-year marketing plan under
276 paragraph (5) (c). The department shall assist the corporation in
277 maintaining and implementing the contract. The corporation is
278 not subject to control, supervision, or direction by the
279 department in any manner, including, but not limited to,
280 personnel, purchasing, transactions involving real or personal
281 property, and budgetary matters ~~Enterprise Florida, Inc.~~

282 (a) The Florida Tourism Industry Marketing Corporation is a
283 corporation not for profit, as defined in s. 501(c)(6) of the
284 Internal Revenue Code of 1986, as amended, which ~~that~~ is
285 incorporated under ~~the provisions of~~ chapter 617 and approved by
286 the Department of State.

287 (b) The corporation is organized and operated exclusively
288 to request, receive, hold, invest, and administer property and
289 to manage and make expenditures for the operation of the
290 activities, services, functions, and programs of this state

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291 which relate to the statewide, national, and international
292 promotion and marketing of tourism.

293 (c) The corporation is not an agency, unit of government,
294 or instrumentality of the state for the purposes of chapters
295 120, 216, and 287; ss. 255.21, 255.25, and 255.254, relating to
296 leasing of buildings; ss. 283.33 and 283.35, relating to bids
297 for printing; s. 215.31; and parts I, II, and IV-VIII of chapter
298 112.

299 (d) The corporation is subject to the provisions of chapter
300 119, relating to public meetings, and those provisions of
301 chapter 286 relating to public meetings and records.

302 (3) USE OF PROPERTY.—The department ~~Enterprise Florida,~~
303 ~~Inc.:~~

304 (a) Is authorized to permit the use of property and
305 facilities of the department ~~Enterprise Florida, Inc.,~~ by the
306 corporation, subject to ~~the provisions of~~ this section.

307 (b) Shall prescribe conditions with which the corporation
308 must comply in order to use property and facilities of the
309 department ~~Enterprise Florida, Inc.~~ Such conditions shall
310 provide for budget and audit review and for oversight by the
311 department ~~Enterprise Florida, Inc.~~

312 (c) May not permit the use of property and facilities of
313 the department ~~Enterprise Florida, Inc.,~~ if the corporation does
314 not provide equal employment opportunities to all persons,
315 regardless of race, color, national origin, sex, age, or
316 religion.

317 (4) BOARD OF DIRECTORS.—The board of directors of the
318 corporation shall be composed of 31 tourism-industry-related
319 members, appointed by the Governor ~~Enterprise Florida, Inc., in~~

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320 ~~conjunction with the department.~~

321 (a) The board shall consist of 16 members, appointed in
322 such a manner as to equitably represent all geographic areas of
323 the state, with no fewer than two members from any of the
324 following regions:

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

328 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
329 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
330 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
331 Taylor, and Union Counties.

332 3. Region 3, composed of Brevard, Indian River, Lake,
333 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
334 Volusia Counties.

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

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

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

341 (b) The 15 additional tourism-industry-related members
342 shall include 1 representative from the statewide rental car
343 industry; 7 representatives from tourist-related statewide
344 associations, including those that represent hotels,
345 campgrounds, county destination marketing organizations,
346 museums, restaurants, retail, and attractions; 3 representatives
347 from county destination marketing organizations; 1
348 representative from the cruise industry; 1 representative from

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349 an automobile and travel services membership organization that
350 has at least 2.8 million members in Florida; 1 representative
351 from the airline industry; and 1 representative from the space
352 tourism industry, who will each serve for a term of 2 years.

353 (c) It is not a violation of s. 112.3143(2) or (4) for an
354 officer or member of the board of directors of the corporation
355 to:

356 1. Vote on the 4-year marketing plan required under
357 paragraph (5)(c) or vote on any individual component of or
358 amendment to the plan.

359 2. Participate in the establishment or calculation of
360 payments related to the private match requirements of subsection
361 (6). The officer or member must file an annual disclosure
362 describing the nature of his or her interests or the interests
363 of his or her principals, including corporate parents and
364 subsidiaries of his or her principal, in the private match
365 requirements. This annual disclosure requirement satisfies the
366 disclosure requirement of s. 112.3143(4). The disclosure must be
367 placed on the corporation's website or included in the minutes
368 of each meeting of the corporation's board of directors at which
369 the private match requirements are discussed or voted upon.

370 (5) POWERS AND DUTIES.—The corporation's responsibilities
371 and corporation, in the performance of its duties include, but
372 are not limited to:

373 (a) Maintaining and implementing the contract with the
374 department. The contract must provide that:

375 1. The department may review the corporation's articles of
376 incorporation.

377 2. The corporation shall submit an annual budget proposal

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378 to the department, on a form provided by the department, in
379 accordance with department procedures for filing budget
380 proposals based upon the recommendation of the department.

381 3. Any funds that the corporation holds in trust will
382 revert to the state upon the expiration or cancellation of the
383 contract.

384 4. The corporation is subject to an annual financial and
385 performance review by the department to determine whether the
386 corporation is complying with the terms of the contract and
387 whether it is acting in a manner consistent with the goals of
388 the department and in the best interests of the state.

389 5. The fiscal year of the corporation begins July 1 of each
390 year and ends June 30 of the following year.

391 (b) Advising the department on the development of tourism
392 marketing campaigns.

393 (c) Developing a 4-year marketing plan.

394 1. At a minimum, the marketing plan must discuss the
395 following:

396 a. Continuation of overall tourism growth in this state.

397 b. Expansion to new or underrepresented tourist markets.

398 c. Maintenance of traditional and loyal tourist markets.

399 d. Coordination of efforts with county destination
400 marketing organizations, other local government marketing
401 groups, privately owned attractions and destinations, and other
402 private sector partners to create a seamless, four-season
403 advertising campaign for the state and its regions.

404 e. Development of innovative techniques or promotions to
405 build repeat visitation by targeted segments of the tourist
406 population.

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407 f. Consideration of innovative sources of state funding for
408 tourism marketing.

409 g. Promotion of nature-based tourism and heritage tourism.

410 h. Development of a component to address emergency response
411 to natural and manmade disasters from a marketing standpoint.

412 2. The plan must be annual in construction and ongoing in
413 nature. Any annual revision of the plan must carry forward the
414 concepts of the remaining portion of the plan and consider a
415 continuum portion to preserve the 4-year timeframe of the plan.
416 The plan must also include recommendations for specific
417 performance standards and measurable outcomes for the
418 corporation. The department shall base the actual performance
419 standards on these recommendations.

420 3. The 4-year marketing plan shall be annually reviewed and
421 approved by the department.

422 (d) Drafting and submitting an annual report as required by
423 s. 20.60(10). The annual report must set forth:

424 1. The 4-year marketing plan, including recommendations on
425 methods for implementing and funding the plan.

426 2. The corporation's operations and accomplishments during
427 the fiscal year, including the economic benefit of the state's
428 investment and effectiveness of the 4-year marketing plan.

429 3. The corporation's assets and liabilities at the end of
430 its most recent fiscal year.

431 4. A copy of the annual financial and audit reports of the
432 corporation conducted under subsection (7).

433 (e)-(a) Making ~~May make~~ and entering ~~enter~~ into contracts
434 and assuming ~~assume~~ such other functions as are necessary to
435 carry out ~~the provisions of~~ the 4-year marketing plan ~~required~~

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436 ~~by s. 288.923,~~ and the corporation's contract with the
437 department Enterprise Florida, Inc., which are not inconsistent
438 with this or any other ~~provision of~~ law. The board of directors
439 of the corporation may not enter into any contract with a person
440 or an organization if any one of the board of directors of the
441 corporation or any member of their immediate families would
442 receive a direct financial benefit from entering into such a
443 contract. As used in this paragraph, the term "immediate family"
444 includes parents, step-parents, spouses or domestic partners,
445 children, step-children, full or half siblings, parents-in-law,
446 siblings-in-law, grandparents, great-grandparents, step-great-
447 grandparents, aunts, uncles, nieces, nephews, and grandchildren.

448 ~~(f)(b)~~ Developing ~~May develop~~ a program to provide
449 incentives and to attract and recognize those entities that
450 ~~which~~ make significant financial and promotional contributions
451 towards the expanded tourism promotion activities of the
452 corporation.

453 ~~(g)(e)~~ Establishing ~~May establish~~ a cooperative marketing
454 program with other public and private entities which allows the
455 use of the VISIT Florida logo in tourism promotion campaigns
456 that ~~which~~ meet the standards of the department Enterprise
457 Florida, Inc., for which the corporation may charge a reasonable
458 fee.

459 ~~(h)(d)~~ Suing ~~May sue~~ and being ~~be~~ sued and appearing ~~appear~~
460 and defending ~~defend~~ in all actions and proceedings in its
461 corporate name to the same extent as a natural person.

462 ~~(i)(e)~~ Adopting, using ~~May adopt, use,~~ and altering ~~alter~~ a
463 common corporate seal. However, such seal must always contain
464 the words "corporation not for profit."

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465 (j)~~(f)~~ Electing ~~Shall elect~~ or appointing ~~appoint~~ such
466 officers and agents as its affairs shall require and allowing
467 ~~allow~~ them reasonable compensation.

468 (k)~~(g)~~ Hiring ~~Shall hire~~ and establishing ~~establish~~
469 salaries and personnel and employee benefit programs for such
470 permanent and temporary employees as are necessary to carry out
471 ~~the provisions of~~ the 4-year marketing plan and the
472 corporation's contract with the department ~~Enterprise Florida,~~
473 ~~Inc.~~, which are not inconsistent with this or any other
474 ~~provision of~~ law.

475 ~~(h) Shall provide staff support to the Division of Tourism~~
476 ~~Promotion of Enterprise Florida, Inc. The president and chief~~
477 ~~executive officer of the Florida Tourism Industry Marketing~~
478 ~~Corporation shall serve without compensation as the director of~~
479 ~~the division.~~

480 (l)~~(i)~~ Adopting, changing, amending ~~May adopt, change,~~
481 ~~amend,~~ and repealing ~~repeal~~ bylaws, not inconsistent with law or
482 its articles of incorporation, for the administration of the
483 ~~provisions of~~ the 4-year marketing plan and the corporation's
484 contract with the department ~~Enterprise Florida, Inc.~~

485 (m)~~(j)~~ Conducting ~~May conduct~~ its affairs, carrying ~~carry~~
486 on its operations, and having ~~have~~ offices and exercising
487 ~~exercise~~ the powers granted by this act in any state, territory,
488 district, or possession of the United States or any foreign
489 country. Where feasible, appropriate, and recommended by the 4-
490 year marketing plan ~~developed by the Division of Tourism~~
491 ~~Promotion of Enterprise Florida, Inc.~~, the corporation may
492 collocate the programs of foreign tourism offices in cooperation
493 with any foreign office operated by any agency of this state.

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494 (n) ~~(k)~~ Appearing ~~May appear~~ on its own behalf before
495 boards, commissions, departments, or other agencies of
496 municipal, county, state, or federal government.

497 (o) ~~(l)~~ Requesting ~~May request~~ or accepting ~~accept~~ any
498 grant, payment, or gift, of funds or property made by this state
499 or by the United States or any department or agency thereof or
500 by any individual, firm, corporation, municipality, county, or
501 organization for any or all of the purposes of the 4-year
502 marketing plan and the corporation's contract with the
503 department which ~~Enterprise Florida, Inc., that~~ are not
504 inconsistent with this or any other ~~provision of~~ law. Such funds
505 shall be deposited in a bank account established by the
506 corporation's board of directors. The corporation may expend
507 such funds in accordance with the terms and conditions of any
508 such grant, payment, or gift, in the pursuit of its
509 administration or in support of the programs it administers. The
510 corporation shall separately account for the public funds and
511 the private funds deposited into the corporation's bank account.

512 (p) ~~(m)~~ Establishing ~~Shall establish~~ a plan for
513 participation in the corporation which will provide additional
514 funding for the administration and duties of the corporation.

515 (q) ~~(n)~~ In the performance of its duties, undertaking ~~may~~
516 ~~undertake~~, or contracting ~~contract~~ for, marketing projects and
517 advertising research projects.

518 (r) ~~(o)~~ In addition to any indemnification available under
519 chapter 617, indemnifying ~~the corporation may indemnify~~, and
520 purchasing ~~purchase~~ and maintaining ~~maintain~~ insurance on behalf
521 of, directors, officers, and employees of the corporation
522 against any personal liability or accountability by reason of

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523 actions taken while acting within the scope of their authority.

524 (6) MATCHING REQUIREMENTS.—Specifically for the tourism
525 marketing activities of the corporation:

526 (a) A one-to-one match is required of private to public
527 contributions within 4 calendar years after the implementation
528 date of the 4-year marketing plan.

529 (b) For purposes of calculating the required one-to-one
530 match, matching private funds shall be divided into four
531 categories. Documentation for the components of the four private
532 match categories shall be kept on file for inspection as
533 determined necessary. The four private match categories are:

534 1. Direct cash contributions, which include, but are not
535 limited to, cash derived from strategic alliances, contributions
536 of stocks and bonds, and partnership contributions.

537 2. Fees for services, which include, but are not limited
538 to, event participation, research, and brochure placement and
539 transparencies.

540 3. Cooperative advertising, which is the value based on
541 cost of contributed productions, air time, and print space.

542 4. In-kind contributions, which include, but are not
543 limited to, the value of strategic alliance services
544 contributed, the value of loaned employees, discounted service
545 fees, items contributed for use in promotions, and radio or
546 television air time or print space for promotions. The value of
547 air time or print space shall be calculated by taking the actual
548 time or space and multiplying by the nonnegotiated unit price
549 for that specific time or space which is known as the media
550 equivalency value. In order to avoid duplication in determining
551 media equivalency value, only the value of the promotion itself

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552 shall be included; the value of the items contributed for the
553 promotion may not be included.

554 (7)~~(6)~~ ANNUAL AUDIT.—The corporation shall provide for an
555 annual financial audit in accordance with s. 215.981. The annual
556 audit report shall be submitted to the Auditor General,† the
557 Office of Program Policy Analysis and Government
558 Accountability,† ~~Enterprise Florida, Inc.;~~ and the department
559 for review. The Office of Program Policy Analysis and Government
560 Accountability,† ~~Enterprise Florida, Inc.;~~ the department,† and
561 the Auditor General have the authority to require and receive
562 from the corporation or from its independent auditor any detail
563 or supplemental data relative to the operation of the
564 corporation. The department shall annually certify whether the
565 corporation is operating in a manner and achieving the
566 objectives that are consistent with the policies and goals of
567 the corporation's ~~Enterprise Florida, Inc., and its~~ long-range
568 marketing plan. The identity of a donor or prospective donor to
569 the corporation who desires to remain anonymous and all
570 information identifying such donor or prospective donor are
571 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
572 s. 24(a), Art. I of the State Constitution. Such anonymity shall
573 be maintained in the auditor's report.

574 (8)~~(7)~~ REPORT.—The corporation shall provide a quarterly
575 report to the department ~~Enterprise Florida, Inc.~~, which shall:

576 (a) Measure the current vitality of the visitor industry of
577 this state as compared to the vitality of such industry for the
578 year to date and for comparable quarters of past years.
579 Indicators of vitality shall be determined by the department
580 ~~Enterprise Florida, Inc.~~, and shall include, but not be limited

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581 to, estimated visitor count and party size, length of stay,
582 average expenditure per party, and visitor origin and
583 destination.

584 (b) Provide detailed, unaudited financial statements of
585 sources and uses of public and private funds.

586 (c) Measure progress towards annual goals and objectives
587 set forth in the 4-year marketing plan.

588 (d) Review all pertinent research findings.

589 (e) Provide other measures of accountability as requested
590 by the department ~~Enterprise Florida, Inc.~~

591 (9) PUBLIC ACCESS TO INFORMATION.—In keeping with the
592 public disclosure requirements placed upon other Florida
593 governmental entities under the Transparency Florida Act, the
594 corporation shall establish and maintain on its website public
595 access to the following information:

596 (a) Disbursement data consistent with the level required by
597 s. 215.985(4) (a)1. for state agencies.

598 (b) Contract data consistent with the requirements of s.
599 215.985(14) (a) for state agencies.

600 (c) All reports that include metrics and return on
601 investment calculations.

602 (d) Public versions of independent business evaluation
603 reports which highlight project-specific performance.

604 (e) Employee positions and salary information.

605 (f) Organizational charts.

606 (g) Audits, tax returns, and financial reports and
607 summaries.

608 (h) All statutorily required reports.

609 (10) ~~(8)~~ PUBLIC RECORDS EXEMPTION.—The identity of any

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610 person who responds to a marketing project or advertising
611 research project conducted by the corporation in the performance
612 of its duties on behalf of the department ~~Enterprise Florida,~~
613 ~~Inc.~~, or trade secrets as defined by s. 812.081 obtained
614 pursuant to such activities, are exempt from s. 119.07(1) and s.
615 24(a), Art. I of the State Constitution. This subsection is
616 subject to the Open Government Sunset Review Act in accordance
617 with s. 119.15 and shall stand repealed on October 2, 2021,
618 unless reviewed and saved from repeal through reenactment by the
619 Legislature.

620 (11) ~~(9)~~ REPEAL.—This section is repealed October 1, 2019,
621 unless reviewed and saved from repeal by the Legislature.

622 Section 6. Section 288.12265, Florida Statutes, is amended
623 to read:

624 288.12265 Welcome centers.—

625 (1) Responsibility for the welcome centers is assigned to
626 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~,
627 which shall contract with the Florida Tourism Industry Marketing
628 Corporation to employ all welcome center staff.

629 (2) The corporation ~~Enterprise Florida, Inc.~~, shall
630 administer and operate the welcome centers. Pursuant to a
631 contract with the Department of Transportation, the corporation
632 ~~Enterprise Florida, Inc.~~, shall be responsible for routine
633 repair, replacement, or improvement and the day-to-day
634 management of interior areas occupied by the welcome centers.
635 All other repairs, replacements, or improvements to the welcome
636 centers shall be the responsibility of the Department of
637 Transportation. ~~Enterprise Florida, Inc., may contract with the~~
638 ~~Florida Tourism Industry Marketing Corporation for the~~

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639 ~~management and operation of the welcome centers.~~

640 Section 7. Notwithstanding the repeal of section 288.1229,
641 Florida Statutes, in section 485 of chapter 2011-142, Laws of
642 Florida, section 288.1229, Florida Statutes, is revived,
643 readopted, and amended to read:

644 288.1229 Promotion and development of sports-related
645 industries and amateur athletics; direct-support organization
646 established; powers and duties.—

647 (1) The Department of Economic Opportunity shall establish
648 a direct-support organization known as the Florida Sports
649 Foundation. The foundation shall ~~The Office of Tourism, Trade,~~
650 ~~and Economic Development may authorize a direct support~~
651 ~~organization to assist the~~ department office in:

652 (a) The promotion and development of the sports industry
653 and related industries for the purpose of improving the economic
654 presence of these industries in Florida.

655 (b) The promotion of amateur athletic participation for the
656 citizens of Florida and the promotion of Florida as a host for
657 national and international amateur athletic competitions for the
658 purpose of encouraging and increasing the direct and ancillary
659 economic benefits of amateur athletic events and competitions.

660 (c) The retention of professional sports franchises,
661 including the spring training operations of Major League
662 Baseball.

663 (2) The foundation shall ~~To be authorized as a direct-~~
664 ~~support organization, an organization must:~~

665 (a) Be incorporated as a corporation not for profit
666 pursuant to chapter 617.

667 (b) Be governed by a board of directors, not to exceed 20

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668 ~~which must consist of up to 15 members,~~ appointed by the
669 Governor.

670 1. The appointed board members must be appointed as
671 follows:

672 a. Ten sustaining members representing Florida major league
673 franchises of Major League Baseball, the National Basketball
674 Association, the National Football League, the National Hockey
675 League, and Major League Soccer teams domiciled in this state.

676 b. Two members representing Florida regional sports
677 commissions.

678 c. One member representing the boating and fishing
679 industries of the state.

680 d. One member representing the golf industry of the state.

681 e. One member representing Major League Baseball spring
682 training.

683 f. One member representing the auto racing industry of the
684 state.

685 g. Four members-at-large ~~and up to 15 members appointed by~~
686 ~~the existing board of directors.~~ In making at-large
687 appointments, the Governor ~~board~~ must consider a potential
688 member's background in community service and sports activism in,
689 and financial support of, the sports industry, professional
690 sports, or organized amateur athletics. Members must be
691 residents of the state and highly knowledgeable about or active
692 in professional or organized amateur sports.

693 2. The board must contain representatives of all
694 geographical regions of the state and must represent ethnic and
695 gender diversity. With the exception of the sustaining members,
696 the terms of office of the members shall be 4 years. ~~No member~~

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697 ~~may serve more than two consecutive terms.~~ The Governor may
698 remove any member for cause and shall fill all vacancies that
699 occur.

700 (c) Have as its purpose, as stated in its articles of
701 incorporation, to receive, hold, invest, and administer
702 property; to raise funds and receive gifts; and to promote and
703 develop the sports industry and related industries for the
704 purpose of increasing the economic presence of these industries
705 in Florida.

706 (d) Have a prior determination by the department ~~Office of~~
707 ~~Tourism, Trade, and Economic Development~~ that the foundation
708 ~~organization~~ will benefit the department ~~office~~ and act in the
709 best interests of the state as a direct-support organization to
710 the department ~~office~~.

711 (e) Not enter into any contract with a person or an
712 organization if any one of the board of directors of the
713 foundation or any member of their immediate families would
714 receive a direct financial benefit from entering into such a
715 contract. As used in this paragraph, the term "immediate family"
716 includes parents, step-parents, spouses or domestic partners,
717 children, step-children, full or half siblings, parents-in-law,
718 siblings-in-law, grandparents, great-grandparents, step-great-
719 grandparents, aunts, uncles, nieces, nephews, and grandchildren.

720 (3) The foundation shall operate under contract with the
721 department. The department shall enter into a contract with the
722 foundation by July 1, 2017. The contract must provide ~~Office of~~
723 ~~Tourism, Trade, and Economic Development shall contract with the~~
724 ~~organization and shall include in the contract that:~~

725 (a) The department ~~office~~ may review the foundation's

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726 ~~organization's~~ articles of incorporation.

727 (b) The foundation ~~organization~~ shall submit an annual
728 budget proposal to the department ~~office~~, on a form provided by
729 the department ~~office~~, in accordance with department ~~office~~
730 procedures for filing budget proposals based upon the
731 recommendation of the department ~~office~~.

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

735 (d) The foundation ~~organization~~ is subject to an annual
736 financial and performance review by the department ~~office~~ to
737 determine whether the foundation ~~organization~~ is complying with
738 the terms of the contract and whether it is acting in a manner
739 consistent with the goals of the department ~~office~~ and in the
740 best interests of the state.

741 (e) The fiscal year of the foundation ~~organization~~
742 ~~will begin~~ July 1 of each year and ends ~~end~~ June 30 of the
743 following ~~next~~ ~~ensuing~~ year.

744 (4) The department ~~Office of Tourism, Trade, and Economic~~
745 ~~Development~~ may allow the foundation ~~organization~~ to use the
746 property, facilities, personnel, and services of the department
747 ~~office~~ if the foundation ~~organization~~ provides equal employment
748 opportunities to all persons regardless of race, color,
749 religion, sex, age, or national origin, subject to the approval
750 of the executive director of the department ~~office~~.

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

753 (6) The foundation ~~organization~~ is not granted any taxing
754 power.

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755 (7) The foundation shall draft and submit an annual report
756 as required by s. 20.60(10). The annual report must set forth:

757 (a) The foundation's operations and accomplishments during
758 the fiscal year, including the economic benefit of the state's
759 investment.

760 (b) The foundation's assets and liabilities at the end of
761 its most recent fiscal year.

762 (c) A copy of the annual financial and audit reports of the
763 foundation conducted under subsection (5).

764 (8) In keeping with the public disclosure requirements
765 placed upon other Florida governmental entities under the
766 Transparency Florida Act, the foundation shall establish and
767 maintain on its website public access to the following
768 information:

769 (a) Disbursement data consistent with the level required by
770 s. 215.985(4) (a)1. for state agencies.

771 (b) Contract data consistent with the requirements of s.
772 215.985(14) (a) for state agencies.

773 (c) All reports that include metrics and return on
774 investment calculations.

775 (d) Public versions of independent business evaluation
776 reports which highlight project-specific performance.

777 (e) Employee positions and salary information.

778 (f) Organizational charts.

779 (g) Audits, tax returns, and financial reports and
780 summaries.

781 (h) All statutorily required reports.

782 ~~(7) In exercising the power provided in this section, the~~
783 ~~Office of Tourism, Trade, and Economic Development may authorize~~

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784 ~~and contract with the direct support organization existing on~~
785 ~~June 30, 1996, and authorized by the former Florida Department~~
786 ~~of Commerce to promote sports-related industries. An appointed~~
787 ~~member of the board of directors of such direct support~~
788 ~~organization as of June 30, 1996, may serve the remainder of his~~
789 ~~or her unexpired term.~~

790 (9)~~(8)~~ To promote amateur sports and physical fitness, the
791 foundation ~~direct support organization~~ shall:

792 (a) ~~Develop, foster,~~ and coordinate services and programs
793 for amateur sports for the people of Florida.

794 (b) Sponsor amateur sports workshops, clinics, conferences,
795 and other similar activities.

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

798 (d) Encourage, support, and assist local governments and
799 communities in the development of or hosting of local amateur
800 athletic events and competitions that create economic growth in
801 this state.

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

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

807 (g) Continue the successful amateur sports programs
808 previously conducted by the Florida Governor's Council on
809 Physical Fitness and Amateur Sports created under former s.
810 14.22.

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

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813 (h)~~(i)~~ Develop, foster, and coordinate services and
814 programs designed to encourage the participation of Florida's
815 youth in Olympic sports activities and competitions.

816 (i)~~(j)~~ Foster and coordinate services and programs designed
817 to contribute to the physical fitness of the citizens of
818 Florida.

819 (10) (a)~~(9) (a)~~ The Florida Senior Games and the Sunshine
820 State Games shall both be patterned after the Summer Olympics
821 with variations as necessitated by availability of facilities,
822 equipment, and expertise. The games shall be designed to
823 encourage the participation of athletes representing a broad
824 range of age groups, skill levels, and Florida communities.
825 ~~Participants shall be residents of this state. Regional~~
826 ~~competitions shall be held throughout the state, and the top~~
827 ~~qualifiers in each sport shall proceed to the final competitions~~
828 ~~to be held at a site in the state with the necessary facilities~~
829 ~~and equipment for conducting the competitions.~~

830 (b) The department ~~Executive Office of the Governor~~ is
831 authorized to permit the use of property, facilities, and
832 personal services of or at any State University System facility
833 or institution by the direct-support organization operating the
834 Florida Senior Games and the Sunshine State Games. For the
835 purposes of this paragraph, personal services includes full-time
836 or part-time personnel as well as payroll processing.

837 Section 8. Section 288.124, Florida Statutes, is amended to
838 read:

839 288.124 Convention grants program.—The Florida Tourism
840 Industry Marketing Corporation Enterprise Florida, Inc., is
841 authorized to establish a convention grants program and,

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842 pursuant to that program, to recommend to the department
843 expenditures and contracts with local governments and nonprofit
844 corporations or organizations for the purpose of attracting
845 national conferences and conventions to Florida. Preference
846 shall be given to local governments and nonprofit corporations
847 or organizations seeking to attract minority conventions to
848 Florida. Minority conventions are events that primarily involve
849 minority persons, as defined in s. 288.703, who are residents or
850 nonresidents of the state. The department ~~Enterprise Florida,~~
851 ~~Inc.,~~ shall establish guidelines governing the award of grants
852 and the administration of this program. The department has final
853 approval authority for any grants under this section. The total
854 annual allocation of funds for this program may ~~shall~~ not exceed
855 \$40,000.

856 Section 9. Section 288.72, Florida Statutes, is created to
857 read:

858 288.72 Enterprise Florida, Inc., small business liaison
859 service.—

860 (1) Enterprise Florida, Inc., created by s. 288.901, shall
861 develop, maintain, and market a small business liaison service.
862 Upon request by a member of the public, Enterprise Florida,
863 Inc., under the auspices of the small business liaison service,
864 shall furnish any and all information it has available, or
865 direct the requester to appropriate local or online sources of
866 information, regarding how to start, maintain, or further
867 develop a small business in any location in this state. Such
868 information may include, but is not limited to:

869 (a) Business plan research and development.

870 (b) Marketing plan research and development.

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- 871 (c) Options for accessing capital.
- 872 (d) Location and workforce availability.
- 873 (e) Availability of shared support services and other local
- 874 support services, including, but not limited to, local business
- 875 incubators and accelerators.

876 (2) Enterprise Florida, Inc., shall collect and compile
 877 data on users of its small business liaison service, including,
 878 but not limited to, the number of users served, the type of
 879 information or assistance provided, and customer satisfaction
 880 with the service provided. Enterprise Florida, Inc., shall
 881 annually provide the data compiled for the small business
 882 liaison service pursuant to the requirements of s. 20.60(10).

883 Section 10. Subsection (2) and paragraph (b) of subsection
 884 (5) of section 288.901, Florida Statutes, are amended, and
 885 subsection (11) is added to that section, to read:

886 288.901 Enterprise Florida, Inc.—

887 (2) PURPOSES.—Enterprise Florida, Inc., shall act as the
 888 economic development organization for the state, utilizing
 889 private sector and public sector expertise in collaboration with
 890 the department to:

- 891 (a) Increase private investment in Florida;
- 892 (b) Advance international and domestic trade opportunities;
- 893 (c) Market the state ~~both~~ as a probusiness location for new
 894 investment ~~and as an unparalleled tourist destination;~~
- 895 (d) Revitalize Florida's space and aerospace industries,
 896 and promote emerging complementary industries;
- 897 (e) Promote opportunities for small and minority-owned
 898 businesses;
- 899 ~~(f) Assist and market professional and amateur sport teams~~

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900 ~~and sporting events in Florida; and~~

901 (f)~~(g)~~ Assist, promote, and enhance economic opportunities
902 in this state's rural and urban communities.

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

904 (b) In making their appointments, the Governor, the
905 President of the Senate, and the Speaker of the House of
906 Representatives shall ensure that the composition of the board
907 of directors reflects the diversity of Florida's business
908 community and is representative of the economic development
909 goals in subsection (2). The board must include at least one
910 director for each of the following areas of expertise:
911 international business, ~~tourism marketing~~, the space or
912 aerospace industry, managing or financing a small business,
913 managing or financing a minority-owned business, manufacturing,
914 and finance and accounting,~~and sports marketing.~~

915 (11) PUBLIC ACCESS TO INFORMATION.—In keeping with the
916 public disclosure requirements placed upon other Florida
917 governmental entities under the Transparency Florida Act,
918 Enterprise Florida, Inc., shall establish and maintain on its
919 website public access to the following information:

920 (a) Disbursement data consistent with the level required by
921 s. 215.985(4) (a)1. for state agencies.

922 (b) Contract data consistent with the requirements of s.
923 215.985(14) (a) for state agencies.

924 (c) All reports that include metrics and return on
925 investment calculations.

926 (d) Public versions of independent business evaluation
927 reports which highlight project-specific performance.

928 (e) Employee positions and salary information.

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929 (f) Organizational charts.

930 (g) Audits, tax returns, and financial reports and
931 summaries.

932 (h) All statutorily required reports.

933 Section 11. Subsection (1) and paragraph (c) of subsection
934 (2) of section 288.9015, Florida Statutes, are amended to read:

935 288.9015 Powers of Enterprise Florida, Inc.; board of
936 directors.—

937 (1) Enterprise Florida, Inc., shall integrate its efforts
938 in business recruitment and expansion, job creation, ~~marketing~~
939 ~~the state for tourism and sports~~, and promoting economic
940 opportunities for small and minority-owned businesses and
941 promoting economic opportunities for rural and distressed urban
942 communities with those of the department, to create an
943 aggressive, agile, and collaborative effort to reinvigorate the
944 state's economy.

945 (2) The board of directors of Enterprise Florida, Inc.,
946 may:

947 (c) Make and enter into contracts and other instruments
948 necessary or convenient for the exercise of its powers and
949 functions. A contract executed by Enterprise Florida, Inc., with
950 a person or organization under which such person or organization
951 agrees to perform economic development services or similar
952 business assistance services on behalf of Enterprise Florida,
953 Inc., or the state must include provisions requiring a
954 performance report on the contracted activities and must account
955 for the proper use of funds provided under the contract,
956 coordinate with other components of state and local economic
957 development systems, and avoid duplication of existing state and

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958 local services and activities. The board of directors of
959 Enterprise Florida, Inc., may not enter into any contract with a
960 person or an organization if any one of the board of directors
961 of Enterprise Florida, Inc., or any member of their immediate
962 families would receive a direct financial benefit from entering
963 into such a contract. As used in this paragraph, the term
964 "immediate family" includes parents, step-parents, spouses or
965 domestic partners, children, step-children, full or half
966 siblings, parents-in-law, siblings-in-law, grandparents, great-
967 grandparents, step-great-grandparents, aunts, uncles, nieces,
968 nephews and grandchildren.

969 Section 12. Paragraph (b) of subsection (2) and subsection
970 (3) of section 288.904, Florida Statutes, are amended to read:

971 288.904 Funding for Enterprise Florida, Inc.; performance
972 and return on the public's investment.-

973 (2)

974 (b) Private sector support in operating Enterprise Florida,
975 Inc., and its divisions includes:

976 1. Cash given directly to Enterprise Florida, Inc., for its
977 operations, including contributions from at-large members of the
978 board of directors;

979 2. Cash donations from organizations assisted by the
980 divisions;

981 3. Cash jointly raised by Enterprise Florida, Inc., and a
982 private local economic development organization, a group of such
983 organizations, or a statewide private business organization that
984 supports collaborative projects;

985 4. Cash generated by fees charged for products or services
986 of Enterprise Florida, Inc., and its divisions by sponsorship of

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987 events, missions, programs, and publications; ~~and~~

988 5. Copayments, stock, warrants, royalties, or other private
989 resources dedicated to Enterprise Florida, Inc., or its
990 divisions; and

991 6. In-kind contributions, which include, but are not
992 limited to, the value of strategic alliance services
993 contributed, the value of loaned employees, discounted service
994 fees, items contributed for use in promotions, and radio or
995 television air time or print space for promotions. The value of
996 air time or print space shall be calculated by taking the actual
997 time or space and multiplying by the nonnegotiated unit price
998 for that specific time or space which is known as the media
999 equivalency value. In order to avoid duplication in determining
1000 media equivalency value, only the value of the promotion itself
1001 shall be included; the value of the items contributed for the
1002 promotion may not be included.

1003 ~~(3) (a) Specifically for the marketing and advertising~~
1004 ~~activities of the Division of Tourism Marketing or as contracted~~
1005 ~~through the Florida Tourism Industry Corporation, a one-to-one~~
1006 ~~match is required of private to public contributions within 4~~
1007 ~~calendar years after the implementation date of the marketing~~
1008 ~~plan pursuant to s. 288.923.~~

1009 ~~(b) For purposes of calculating the required one-to-one~~
1010 ~~match, matching private funds shall be divided into four~~
1011 ~~categories. Documentation for the components of the four private~~
1012 ~~match categories shall be kept on file for inspection as~~
1013 ~~determined necessary. The four private match categories are:~~

1014 ~~1. Direct cash contributions, which include, but are not~~
1015 ~~limited to, cash derived from strategic alliances, contributions~~

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1016 ~~of stocks and bonds, and partnership contributions.~~

1017 ~~2. Fees for services, which include, but are not limited~~
1018 ~~to, event participation, research, and brochure placement and~~
1019 ~~transparencies.~~

1020 ~~3. Cooperative advertising, which is the value based on~~
1021 ~~cost of contributed productions, air time, and print space.~~

1022 ~~4. In-kind contributions, which include, but are not~~
1023 ~~limited to, the value of strategic alliance services~~
1024 ~~contributed, the value of loaned employees, discounted service~~
1025 ~~fees, items contributed for use in promotions, and radio or~~
1026 ~~television air time or print space for promotions. The value of~~
1027 ~~air time or print space shall be calculated by taking the actual~~
1028 ~~time or space and multiplying by the nonnegotiated unit price~~
1029 ~~for that specific time or space which is known as the media~~
1030 ~~equivalency value. In order to avoid duplication in determining~~
1031 ~~media equivalency value, only the value of the promotion itself~~
1032 ~~shall be included; the value of the items contributed for the~~
1033 ~~promotion may not be included.~~

1034 Section 13. Paragraphs (b) through (e) of subsection (1)
1035 and paragraph (b) of subsection (2) of section 288.92, Florida
1036 Statutes, are amended to read:

1037 288.92 Divisions of Enterprise Florida, Inc.—

1038 (1) Enterprise Florida, Inc., may create and dissolve
1039 divisions as necessary to carry out its mission. Each division
1040 shall have distinct responsibilities and complementary missions.
1041 At a minimum, Enterprise Florida, Inc., shall have divisions
1042 related to the following areas:

1043 (b) Business Retention and Recruitment; and

1044 ~~(c) Tourism Marketing;~~

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1045 (c)~~(d)~~ Small and Minority Business Development; and
1046 ~~(e) Sports Industry Development.~~

1047 (2)

1048 (b)1. The following officers and board members are subject
1049 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1050 112.3143(2):

1051 a. Officers and members of the board of directors of the
1052 divisions of Enterprise Florida, Inc.

1053 b. Officers and members of the board of directors of
1054 subsidiaries of Enterprise Florida, Inc.

1055 c. Officers and members of the board of directors of
1056 corporations created to carry out the missions of Enterprise
1057 Florida, Inc.

1058 d. Officers and members of the board of directors of
1059 corporations with which a division is required by law to
1060 contract to carry out its missions.

1061 2. For purposes of applying ss. 112.313(1)-(8), (10), (12),
1062 and (15); 112.3135; and 112.3143(2) to activities of the
1063 officers and members of the board of directors specified in
1064 subparagraph 1., those persons shall be considered public
1065 officers or employees and the corporation shall be considered
1066 their agency.

1067 ~~3. It is not a violation of s. 112.3143(2) or (4) for the~~
1068 ~~officers or members of the board of directors of the Florida~~
1069 ~~Tourism Industry Marketing Corporation to:~~

1070 ~~a. Vote on the 4-year marketing plan required under s.~~
1071 ~~288.923 or vote on any individual component of or amendment to~~
1072 ~~the plan.~~

1073 ~~b. Participate in the establishment or calculation of~~

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1074 ~~payments related to the private match requirements of s.~~
1075 ~~288.904(3). The officer or member must file an annual disclosure~~
1076 ~~describing the nature of his or her interests or the interests~~
1077 ~~of his or her principals, including corporate parents and~~
1078 ~~subsidiaries of his or her principal, in the private match~~
1079 ~~requirements. This annual disclosure requirement satisfies the~~
1080 ~~disclosure requirement of s. 112.3143(4). This disclosure must~~
1081 ~~be placed either on the Florida Tourism Industry Marketing~~
1082 ~~Corporation's website or included in the minutes of each meeting~~
1083 ~~of the Florida Tourism Industry Marketing Corporation's board of~~
1084 ~~directors at which the private match requirements are discussed~~
1085 ~~or voted upon.~~

1086 Section 14. Section 288.923, Florida Statutes, is repealed.

1087 Section 15. Subsection (12) is added to section 331.3051,
1088 Florida Statutes, to read:

1089 331.3051 Duties of Space Florida.—Space Florida shall:

1090 (12) In keeping with the public disclosure requirements
1091 placed upon other Florida governmental entities under the
1092 Transparency Florida Act, establish and maintain on its website
1093 public access to the following information:

1094 (a) Disbursement data consistent with the level required by
1095 s. 215.985(4) (a)1. for state agencies.

1096 (b) Contract data consistent with the requirements of s.
1097 215.985(14) (a) for state agencies.

1098 (c) All reports that include metrics and return on
1099 investment calculations.

1100 (d) Public versions of independent business evaluation
1101 reports which highlight project-specific performance.

1102 (e) Employee positions and salary information.

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1103 (f) Organizational charts.

1104 (g) Audits, tax returns, and financial reports and
1105 summaries.

1106 (h) All statutorily required reports.

1107 Section 16. Paragraph (b) of subsection (1) of section
1108 331.310, Florida Statutes, is amended to read:

1109 331.310 Powers and duties of the board of directors.—

1110 (1) The board of directors may:

1111 (b) Execute all contracts and other documents, adopt all
1112 proceedings, and perform all acts determined by the board to be
1113 necessary or desirable to carry out the purposes of this act.
1114 The board may authorize one or more members of the board to
1115 execute contracts and other documents on behalf of the board or
1116 Space Florida. The board of directors may not enter into any
1117 contract with a person or an organization if any one of the
1118 board of directors of Space Florida or any member of their
1119 immediate families would receive a direct financial benefit from
1120 entering into such a contract. As used in this paragraph, the
1121 term "immediate family" includes parents, step-parents, spouses
1122 or domestic partners, children, step-children, full or half
1123 siblings, parents-in-law, siblings-in-law, grandparents, great-
1124 grandparents, step-great-grandparents, aunts, uncles, nieces,
1125 nephews and grandchildren.

1126 Section 17. Subsection (9) is added to section 420.504,
1127 Florida Statutes, to read:

1128 420.504 Public corporation; creation, membership, terms,
1129 expenses.—

1130 (9) In keeping with the public disclosure requirements
1131 placed upon other Florida governmental entities under the

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1132 Transparency Florida Act, the corporation shall establish and
1133 maintain on its website public access to the following
1134 information:

1135 (a) Disbursement data consistent with the level required by
1136 s. 215.985(4) (a)1. for state agencies.

1137 (b) Contract data consistent with the requirements of s.
1138 215.985(14) (a) for state agencies.

1139 (c) All reports that include metrics and return on
1140 investment calculations.

1141 (d) Public versions of independent business evaluation
1142 reports which highlight project-specific performance.

1143 (e) Employee positions and salary information.

1144 (f) Organizational charts.

1145 (g) Audits, tax returns, and financial reports and
1146 summaries.

1147 (h) All statutorily required reports.

1148 Section 18. Subsection (20) of section 420.507, Florida
1149 Statutes, is amended to read:

1150 420.507 Powers of the corporation.—The corporation shall
1151 have all the powers necessary or convenient to carry out and
1152 effectuate the purposes and provisions of this part, including
1153 the following powers which are in addition to all other powers
1154 granted by other provisions of this part:

1155 (20) To make and execute agreements, contracts, and other
1156 instruments necessary or convenient in the exercise of the
1157 powers and functions of the corporation under this part,
1158 including contracts with any person, firm, corporation, local
1159 government, or other entity; and all local governments
1160 established under the laws of the state are hereby authorized to

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1161 enter into and do all things necessary to perform such contracts
1162 and otherwise cooperate with the corporation to facilitate the
1163 accomplishment of the purposes of this part. The board of
1164 directors of the corporation may not enter into any contract
1165 with a person or an organization if any one of the board of
1166 directors of the corporation or any member of their immediate
1167 families would receive a direct financial benefit from entering
1168 into such a contract. As used in this paragraph, the term
1169 "immediate family" includes parents, step-parents, spouses or
1170 domestic partners, children, step-children, full or half
1171 siblings, parents-in-law, siblings-in-law, grandparents, great-
1172 grandparents, step-great-grandparents, aunts, uncles, nieces,
1173 nephews and grandchildren.

1174 Section 19. Subsection (1) and paragraph (d) of subsection
1175 (5) of section 445.004, Florida Statutes, are amended to read:

1176 445.004 CareerSource Florida, Inc.; creation; purpose;
1177 membership; duties and powers.—

1178 (1) CareerSource Florida, Inc., is created as a not-for-
1179 profit corporation, which shall be registered, incorporated,
1180 organized, and operated in compliance with chapter 617.
1181 CareerSource Florida, Inc., is not a unit or entity of state
1182 government and is exempt from chapters 120 and 287. CareerSource
1183 Florida, Inc., shall apply the procurement and expenditure
1184 procedures required by federal law for the expenditure of
1185 federal funds. CareerSource Florida, Inc., shall be
1186 administratively housed within the Department of Economic
1187 Opportunity; however, CareerSource Florida, Inc., is not subject
1188 to control, supervision, or direction by the department in any
1189 manner. The Legislature finds that public policy dictates that

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1190 CareerSource Florida, Inc., operate in the most open and
1191 accessible manner consistent with its public purpose. To this
1192 end, the Legislature specifically declares that CareerSource
1193 Florida, Inc., its board, councils, and any advisory committees
1194 or similar groups created by CareerSource Florida, Inc., are
1195 subject to the provisions of chapter 119 relating to public
1196 records, and those provisions of chapter 286 relating to public
1197 meetings. In keeping with the public disclosure requirements
1198 placed upon other Florida governmental entities under the
1199 Transparency Florida Act, CareerSource Florida, Inc., shall
1200 establish and maintain on its website public access to the
1201 following information:

1202 (a) Disbursement data consistent with the level required by
1203 s. 215.985(4) (a)1. for state agencies.

1204 (b) Contract data consistent with the requirements of s.
1205 215.985(14) (a) for state agencies.

1206 (c) All reports that include metrics and return on
1207 investment calculations.

1208 (d) Public versions of independent business evaluation
1209 reports which highlight project-specific performance.

1210 (e) Employee positions and salary information.

1211 (f) Organizational charts.

1212 (g) Audits, tax returns, and financial reports and
1213 summaries.

1214 (h) All statutorily required reports.

1215 (5) CareerSource Florida, Inc., shall have all the powers
1216 and authority not explicitly prohibited by statute which are
1217 necessary or convenient to carry out and effectuate its purposes
1218 as determined by statute, Pub. L. No. 113-128, and the Governor,

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1219 as well as its functions, duties, and responsibilities,
1220 including, but not limited to, the following:

1221 (d) Contracting with public and private entities as
1222 necessary to further the directives of this section. All
1223 contracts executed by CareerSource Florida, Inc., must include
1224 specific performance expectations and deliverables. All
1225 CareerSource Florida, Inc., contracts, including those
1226 solicited, managed, or paid by the department pursuant to s.
1227 20.60(5)(c) are exempt from s. 112.061, but shall be governed by
1228 subsection (1). The board of directors of CareerSource Florida,
1229 Inc., may not enter into any contract with a person or an
1230 organization if any one of the board of directors or any member
1231 of their immediate families would receive a direct financial
1232 benefit from entering into such a contract. As used in this
1233 paragraph, the term "immediate family" includes parents, step-
1234 parents, spouses or domestic partners, children, step-children,
1235 full or half siblings, parents-in-law, siblings-in-law,
1236 grandparents, great-grandparents, step-great-grandparents,
1237 aunts, uncles, nieces, nephews and grandchildren.

1238 Section 20. This act shall take effect July 1, 2017.