



536208

LEGISLATIVE ACTION

Senate

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House

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The Committee on Appropriations (Montford) recommended the following:

1           **Senate Substitute for Amendment (561354) (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Paragraph (x) is added to subsection (3) of  
7 section 11.45, Florida Statutes, to read:

8           11.45 Definitions; duties; authorities; reports; rules.—

9           (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor  
10 General may, pursuant to his or her own authority, or at the



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11 direction of the Legislative Auditing Committee, conduct audits  
12 or other engagements as determined appropriate by the Auditor  
13 General of:

14 (x) The Florida Tourism Industry Marketing Corporation.

15 Section 2. (1) The Florida Tourism Industry Marketing  
16 Corporation may enter into an agreement with the Department of  
17 Economic Opportunity to continue any existing program, activity,  
18 duty, or function necessary for the operation of the  
19 corporation.

20 (2) Any funds held in trust which were donated to or earned  
21 by the Florida Tourism Industry Marketing Corporation may be  
22 used by the corporation for the original purposes for which the  
23 funds were received.

24 (3) It is the intent of the Legislature that the changes  
25 made by this act be accomplished with minimal disruption of  
26 services provided to the public and with minimal disruption to  
27 employees of any organization.

28 Section 3. Section 272.11, Florida Statutes, is amended to  
29 read:

30 272.11 Capitol information center.—The Department of  
31 Economic Opportunity ~~Enterprise Florida, Inc.~~, shall establish,  
32 maintain, and operate a Capitol information center somewhere  
33 within the area of the Capitol Center and employ personnel or  
34 enter into contracts to maintain same. The department may  
35 contract with VISIT Florida for the management and operation of  
36 the Capitol information center.

37 Section 4. Subsections (1) and (3) of section 288.017,  
38 Florida Statutes, are amended to read:

39 288.017 Cooperative advertising matching grants program.—



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40           (1) The department ~~Enterprise Florida, Inc.~~ is authorized  
41 to establish a cooperative advertising matching grants program  
42 and, pursuant thereto, to make expenditures and enter into  
43 contracts with local governments and nonprofit corporations for  
44 the purpose of publicizing the tourism advantages of the state.  
45 The department, ~~based on recommendations from Enterprise~~  
46 ~~Florida, Inc.~~, shall have final approval of grants awarded  
47 through this program. The department ~~Enterprise Florida, Inc.~~  
48 may contract with VISIT Florida ~~its direct-support organization~~  
49 to administer the program.

50           (3) The department ~~Enterprise Florida, Inc.~~ shall conduct  
51 an annual competitive selection process for the award of grants  
52 under the program. In determining its recommendations for the  
53 grant awards, the department ~~commission~~ shall consider the  
54 demonstrated need of the applicant for advertising assistance,  
55 the feasibility and projected benefit of the applicant's  
56 proposal, the amount of nonstate funds that will be leveraged,  
57 and such other criteria as the department ~~commission~~ deems  
58 appropriate. ~~In evaluating grant applications, the department~~  
59 ~~shall consider recommendations from Enterprise Florida, Inc.~~ The  
60 department, ~~however~~, has final approval authority for any grant  
61 under this section.

62           Section 5. Section 288.1226, Florida Statutes, is amended  
63 to read:

64           288.1226 Florida Tourism Industry Marketing Corporation;  
65 use of property; board of directors; duties; audit.—

66           (1) DEFINITIONS.—For the purposes of this section, the term  
67 "corporation" means the Florida Tourism Industry Marketing  
68 Corporation.



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69 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing  
70 Corporation is a direct-support organization of the Department  
71 of Economic Opportunity ~~Enterprise Florida, Inc.~~

72 (a) The Florida Tourism Industry Marketing Corporation is a  
73 corporation not for profit, as defined in s. 501(c)(6) of the  
74 Internal Revenue Code of 1986, as amended, that is incorporated  
75 under the provisions of chapter 617 and approved by the  
76 Department of State.

77 (b) The corporation is organized and operated exclusively  
78 to request, receive, hold, invest, and administer property and  
79 to manage and make expenditures for the operation of the  
80 activities, services, functions, and programs of this state  
81 which relate to the statewide, national, and international  
82 promotion and marketing of tourism.

83 (c) 1. The corporation is not an agency for the purposes of  
84 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,  
85 relating to leasing of buildings; ss. 283.33 and 283.35,  
86 relating to bids for printing; s. 215.31; and parts I, II, and  
87 IV-VIII of chapter 112. However, the corporation shall comply  
88 with the per diem and travel expense provisions of s. 112.061.

89 2. It is not a violation of s. 112.3143(2) or (4) for the  
90 officers or members of the board of directors of the corporation  
91 to:

92 a. Vote on the 4-year marketing plan required under s.  
93 288.923 or vote on any individual component of or amendment to  
94 the plan.

95 b. Participate in the establishment or calculation of  
96 payments related to the private match requirements of subsection  
97 (6). The officer or member must file an annual disclosure



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98 describing the nature of his or her interests or the interests  
99 of his or her principals, including corporate parents and  
100 subsidiaries of his or her principals, in the private match  
101 requirements. This annual disclosure requirement satisfies the  
102 disclosure requirement of s. 112.3143(4). This disclosure must  
103 be placed on the corporation's website or included in the  
104 minutes of each meeting of the corporation's board of directors  
105 at which the private match requirements are discussed or voted  
106 upon.

107 (d) The corporation is subject to the provisions of chapter  
108 119, relating to public meetings, and those provisions of  
109 chapter 286 relating to public meetings and records.

110 (3) USE OF PROPERTY.—The Department of Economic Opportunity  
111 Enterprise Florida, Inc.:

112 (a) Is authorized to permit the use of property and  
113 facilities of the department Enterprise Florida, Inc., by the  
114 corporation, subject to the provisions of this section.

115 (b) Shall prescribe conditions with which the corporation  
116 must comply in order to use property and facilities of the  
117 department Enterprise Florida, Inc. Such conditions shall  
118 provide for budget and audit review and for oversight by the  
119 department Enterprise Florida, Inc.

120 (c) May not permit the use of property and facilities of  
121 the department Enterprise Florida, Inc., if the corporation does  
122 not provide equal employment opportunities to all persons,  
123 regardless of race, color, national origin, sex, age, or  
124 religion.

125 (4) BOARD OF DIRECTORS.—The board of directors of the  
126 corporation shall be composed of 31 tourism-industry-related



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127 members, appointed by the corporation Enterprise Florida, Inc.,  
128 in conjunction with the department. Board members shall serve  
129 without compensation, but are entitled to receive reimbursement  
130 for per diem and travel expenses pursuant to s. 112.061. Such  
131 expenses must be paid out of funds of the corporation.

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

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

139 2. Region 2, composed of Alachua, Baker, Bradford, Clay,  
140 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,  
141 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,  
142 Taylor, and Union Counties.

143 3. Region 3, composed of Brevard, Indian River, Lake,  
144 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and  
145 Volusia Counties.

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

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

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

152 (b) The 15 additional tourism-industry-related members  
153 shall include 1 representative from the statewide rental car  
154 industry; 7 representatives from tourist-related statewide  
155 associations, including those that represent hotels,



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156 | campgrounds, county destination marketing organizations,  
157 | museums, restaurants, retail, and attractions; 3 representatives  
158 | from county destination marketing organizations; 1  
159 | representative from the cruise industry; 1 representative from  
160 | an automobile and travel services membership organization that  
161 | has at least 2.8 million members in Florida; 1 representative  
162 | from the airline industry; and 1 representative from the space  
163 | tourism industry, who will each serve for a term of 2 years.

164 |       (5) POWERS AND DUTIES.—The corporation, in the performance  
165 | of its duties:

166 |       (a) May make and enter into contracts and assume such other  
167 | functions as are necessary to carry out the provisions of the 4-  
168 | year marketing plan required by s. 288.923, and the  
169 | corporation's contract with the department which Enterprise  
170 | Florida, Inc., which are not inconsistent with this or any other  
171 | provision of law. A proposed contract with a total cost of  
172 | \$750,000 or more is subject to the notice and review procedures  
173 | of s. 216.177. If the chair or vice chair of the Legislative  
174 | Budget Commission, the President of the Senate, or the Speaker  
175 | of the House of Representatives timely advises the corporation  
176 | in writing that such proposed contract is contrary to  
177 | legislative policy and intent, the corporation may not execute  
178 | such proposed contract. The corporation may not enter into  
179 | multiple related contracts to avoid the requirements of this  
180 | paragraph.

181 |       (b) May develop a program to provide incentives and to  
182 | attract and recognize those entities which make significant  
183 | financial and promotional contributions towards the expanded  
184 | tourism promotion activities of the corporation.



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185 (c) May establish a cooperative marketing program with  
186 other public and private entities which allows the use of the  
187 VISIT Florida logo in tourism promotion campaigns which meet the  
188 standards of the department ~~Enterprise Florida, Inc.~~, for which  
189 the corporation may charge a reasonable fee.

190 (d) May sue and be sued and appear and defend in all  
191 actions and proceedings in its corporate name to the same extent  
192 as a natural person.

193 (e) May adopt, use, and alter a common corporate seal.  
194 However, such seal must always contain the words "corporation  
195 not for profit."

196 (f) Shall elect or appoint such officers and agents as its  
197 affairs shall require and allow them reasonable compensation.  
198 However, each officer or agent, including the president and  
199 chief executive officer of the corporation, may not receive  
200 public compensation that exceeds \$120,000 per year.

201 (g) Shall hire and establish salaries and personnel and  
202 employee benefit programs for such permanent and temporary  
203 employees as are necessary to carry out the provisions of the 4-  
204 year marketing plan and the corporation's contract with the  
205 department ~~Enterprise Florida, Inc.~~, which are not inconsistent  
206 with this or any other provision of law. However, an employee  
207 may not receive public compensation that exceeds \$120,000 per  
208 year. Any public payments of performance bonuses or severance  
209 pay to employees of the corporation are prohibited unless  
210 specifically authorized by law.

211 (h) Shall appoint a president and chief executive officer  
212 of the corporation, who shall serve subject to confirmation by  
213 the Senate ~~provide staff support to the Division of Tourism~~





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214 ~~Promotion of Enterprise Florida, Inc. The president and chief~~  
215 ~~executive officer of the Florida Tourism Industry Marketing~~  
216 ~~Corporation shall serve without compensation as the director of~~  
217 ~~the division.~~

218 (i) May adopt, change, amend, and repeal bylaws, not  
219 inconsistent with law or its articles of incorporation, for the  
220 administration of the provisions of the 4-year marketing plan  
221 and the corporation's contract with the department ~~Enterprise~~  
222 ~~Florida, Inc.~~

223 (j) May conduct its affairs, carry on its operations, and  
224 have offices and exercise the powers granted by this act in any  
225 state, territory, district, or possession of the United States  
226 or any foreign country. When ~~Where~~ feasible, appropriate, and  
227 recommended by the 4-year marketing plan ~~developed by the~~  
228 ~~Division of Tourism Promotion of Enterprise Florida, Inc.~~, the  
229 corporation may collocate the programs of foreign tourism  
230 offices in cooperation with any foreign office operated by any  
231 agency of this state.

232 (k) May appear on its own behalf before boards,  
233 commissions, departments, or other agencies of municipal,  
234 county, state, or federal government.

235 (l) May request or accept any grant, payment, or gift, of  
236 funds or property made by this state or by the United States or  
237 any department or agency thereof or by any individual, firm,  
238 corporation, municipality, county, or organization for any or  
239 all of the purposes of the 4-year marketing plan and the  
240 corporation's contract with the department which ~~Enterprise~~  
241 ~~Florida, Inc.~~, ~~that~~ are not inconsistent with this or any other  
242 provision of law. Such funds shall be deposited in a bank



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243 account established by the corporation's board of directors. The  
244 corporation may expend such funds in accordance with the terms  
245 and conditions of any such grant, payment, or gift, in the  
246 pursuit of its administration or in support of the programs it  
247 administers. The corporation shall separately account for the  
248 public funds and the private funds deposited into the  
249 corporation's bank account.

250 (m) Shall establish a plan for participation in the  
251 corporation which will provide additional funding for the  
252 administration and duties of the corporation.

253 (n) In the performance of its duties, may undertake, or  
254 contract for, marketing projects and advertising research  
255 projects.

256 (o) In addition to any indemnification available under  
257 chapter 617, ~~the corporation~~ may indemnify, and purchase and  
258 maintain insurance on behalf of, directors, officers, and  
259 employees of the corporation against any personal liability or  
260 accountability by reason of actions taken while acting within  
261 the scope of their authority.

262 (p) May not create or establish any other entity,  
263 corporation, or direct-support organization.

264 (q) May not expend funds, public or private, which directly  
265 or indirectly benefit only one company, corporation, or business  
266 entity.

267 (6) MATCHING REQUIREMENTS.-

268 (a) A one-to-one match is required of private to public  
269 contributions to the corporation. Public contributions include  
270 all state appropriations to the corporation.

271 (b) For purposes of calculating the required one-to-one



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272 match, the corporation shall receive matching private  
273 contributions in one of four private match categories. The  
274 corporation shall maintain documentation of such categorized  
275 contributions on file and make such documentation available for  
276 inspection upon reasonable notice during its regular business  
277 hours. Contribution details shall be included in the quarterly  
278 reports required under subsection (8). The private match  
279 categories are:

280 1. Direct cash contributions from private sources, which  
281 include, but are not limited to, cash derived from strategic  
282 alliances, contributions of stocks and bonds, and partnership  
283 contributions.

284 2. Fees for services, which include, but are not limited  
285 to, event participation, research, and brochure placement and  
286 transparencies.

287 3. Cooperative advertising, which is limited to partner  
288 expenditures for paid media placement, partner expenditures for  
289 collateral material distribution, and the actual market value of  
290 contributed productions, air time, and print space.

291 4. In-kind contributions, which is limited to the actual  
292 market value of promotional contributions of partner-supplied  
293 benefits to target audiences that would otherwise require  
294 tourist promotion expenditures by the corporation for air  
295 travel, rental car fees, hotel rooms, RV or campsite space  
296 rental, on-site guest services, and admission tickets.

297  
298 Contributions from a governmental entity or from an entity that  
299 received more than 50 percent of its revenue in the previous  
300 fiscal year from public sources, including revenue derived from



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301 taxes, fees, or other government revenues, are not considered  
302 private contributions for purposes of calculating the required  
303 one-to-one match.

304 (c) If the corporation fails to meet the one-to-one match  
305 requirements of this subsection, the corporation shall revert  
306 all unmatched public contributions to the State Treasury by June  
307 30 of each fiscal year.

308 (7) ~~(6)~~ ANNUAL AUDIT.—The corporation shall provide for an  
309 annual financial audit in accordance with s. 215.981. The annual  
310 audit report shall be submitted to the Auditor General, the  
311 Office of Program Policy Analysis and Government  
312 Accountability, ~~Enterprise Florida, Inc.~~ and the department  
313 for review. The Office of Program Policy Analysis and Government  
314 Accountability, ~~Enterprise Florida, Inc.~~ the department, the and  
315 the Auditor General have the authority to require and receive  
316 from the corporation or from its independent auditor any detail  
317 or supplemental data relative to the operation of the  
318 corporation. The department shall annually certify whether the  
319 corporation is operating in a manner and achieving the  
320 objectives that are consistent with the policies and goals of  
321 the department ~~Enterprise Florida, Inc.~~, and its long-range  
322 marketing plan. The identity of a donor or prospective donor to  
323 the corporation who desires to remain anonymous and all  
324 information identifying such donor or prospective donor are  
325 confidential and exempt from the provisions of s. 119.07(1) and  
326 s. 24(a), Art. I of the State Constitution. Such anonymity shall  
327 be maintained in the auditor's report.

328 (8) ~~(7)~~ REPORT.—The corporation shall provide a quarterly  
329 report to the department ~~Enterprise Florida, Inc.~~, which shall:



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330 (a) Measure the current vitality of the visitor industry of  
331 this state as compared to the vitality of such industry for the  
332 year to date and for comparable quarters of past years.

333 Indicators of vitality shall be determined by the department  
334 ~~Enterprise Florida, Inc.,~~ and shall include, but not be limited  
335 to, estimated visitor count and party size, length of stay,  
336 average expenditure per party, and visitor origin and  
337 destination.

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

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

342 (d) Review all pertinent research findings.

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

345  
346 The corporation must take all steps necessary to provide all  
347 data that is used to develop the report, including source data,  
348 to the Office of Economic and Demographic Research.

349 (9)(8) PROHIBITIONS; CORPORATE FUNDS; GIFTS.—  
350 Notwithstanding per diem and travel expenses authorized pursuant  
351 s. 112.061, funds of the corporation may not be expended for  
352 food, beverages, lodging, entertainment, or gifts for employees  
353 of the corporation, board members of the corporation, or  
354 employees of a tourist or economic development entity that  
355 receives revenue from a tax imposed pursuant to s. 125.0104, s.  
356 125.0108, or s. 212.0305. An employee or board member of the  
357 corporation may not accept or receive food, beverages, lodging,  
358 entertainment, or gifts from a tourist or economic development



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359 entity that receives revenue from a tax imposed pursuant to s.  
360 125.0104, s. 125.0108, or s. 212.0305 ~~PUBLIC RECORDS EXEMPTION.~~

361 ~~The identity of any person who responds to a marketing project~~  
362 ~~or advertising research project conducted by the corporation in~~  
363 ~~the performance of its duties on behalf of Enterprise Florida,~~  
364 ~~Inc., or trade secrets as defined by s. 812.081 obtained~~  
365 ~~pursuant to such activities, are exempt from s. 119.07(1) and s.~~  
366 ~~24(a), Art. I of the State Constitution. This subsection is~~  
367 ~~subject to the Open Government Sunset Review Act in accordance~~  
368 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~  
369 ~~unless reviewed and saved from repeal through reenactment by the~~  
370 ~~Legislature.~~

371 (10) ~~(9)~~ LODGING EXPENSES.—Lodging expenses for an employee  
372 of the corporation may not exceed \$150 per day, excluding taxes.  
373 However, an employee of the corporation may expend his or her  
374 own funds for any lodging expenses in excess of \$150 per day.

375 (11) TRANSPARENCY.—

376 (a) The corporation is a governmental entity as defined in  
377 s. 215.985 and, therefore, is subject to the Transparency  
378 Florida Act.

379 (b) A contract entered into between the corporation and any  
380 other entity that received more than 50 percent of its revenue  
381 in the previous fiscal year from funds derived from a tax  
382 imposed pursuant to s. 125.0104, s. 125.0108, or s. 212.0305  
383 must include all of the following information:

- 384 1. The purpose of the contract.  
385 2. Specific performance standards and responsibilities for  
386 each entity.  
387 3. A detailed project or contract budget, if applicable.



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388       4. The value of any services provided.  
389       5. The salaries of all employees and board members of the  
390 entity and the projected travel and entertainment expenses for  
391 such employees and board members.  
392       (c)1. If a marketing partner received more than 50 percent  
393 of its revenue in the previous fiscal year from funds from the  
394 corporation or from a tax imposed pursuant to s. 125.0104, s.  
395 125.0108, or s. 212.0305, the marketing partner shall annually  
396 report all public and private financial data to the corporation.  
397       2. The financial data must include:  
398       a. The total amount of revenue received from public and  
399 private sources.  
400       b. The operating budget.  
401       c. Employee and board member salary and benefit details  
402 from public and private funds.  
403       d. An itemized account of all funds spent by a third party  
404 on behalf of the corporation or a board member or an employee of  
405 the corporation.  
406       e. Itemized travel and entertainment expenditures.  
407       (d) The following information must be posted on the  
408 corporation's website:  
409       1. A plain language version of each proposed and executed  
410 contract with a private entity, municipality, or vendor  
411 exceeding \$35,000 for services, supplies, or programs, including  
412 marketing, or for the purchase or lease or use of lands,  
413 facilities, or properties.  
414       2. Any contract entered into between the corporation and  
415 any other entity, including a local government, private entity,  
416 or nonprofit entity, which receives public funds or funds from a



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417 tax imposed pursuant to s. 125.0104, s. 125.0108, or s.  
418 212.0305.

419 3. The contracts and the required information pursuant to  
420 paragraph (b) and the financial data submitted to the  
421 corporation pursuant to paragraph (c).

422 4. Video recordings of each board meeting.

423 5. A detailed report of expenditures following each  
424 marketing event paid for with the corporation's funds. Such  
425 report must be posted within 10 business days after the event.

426 6. An annual itemized accounting of the total amount of  
427 funds spent by any third party on behalf of the corporation or  
428 any board member or employee of the corporation.

429 7. An annual itemized accounting of the total amount of  
430 travel and entertainment expenditures by the corporation.

431 (e) The corporation's website must:

432 1. Allow users to navigate to related sites to view  
433 supporting details.

434 2. Enable a taxpayer to send questions via e-mail to the  
435 corporation and make such questions and the corporation's  
436 responses publicly viewable.

437 (12) REPEAL.—This section is repealed October 1, 2019,  
438 unless reviewed and saved from repeal by the Legislature.

439 Section 6. Section 288.12265, Florida Statutes, is amended  
440 to read:

441 288.12265 Welcome centers.—

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





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446           (2) The Department of Economic Opportunity ~~Enterprise~~  
447 ~~Florida, Inc.,~~ shall administer and operate the welcome centers.  
448 Pursuant to a contract with the Department of Transportation,  
449 the Department of Economic Opportunity ~~Enterprise Florida, Inc.,~~  
450 shall be responsible for routine repair, replacement, or  
451 improvement and the day-to-day management of interior areas  
452 occupied by the welcome centers. All other repairs,  
453 replacements, or improvements to the welcome centers shall be  
454 the responsibility of the Department of Transportation. The  
455 Department of Economic Opportunity ~~Enterprise Florida, Inc.,~~ may  
456 contract with the Florida Tourism Industry Marketing Corporation  
457 for the management and operation of the welcome centers.

458           Section 7. Section 288.124, Florida Statutes, is amended to  
459 read:

460           288.124 Convention grants program.—VISIT Florida ~~Enterprise~~  
461 ~~Florida, Inc.,~~ is authorized to establish a convention grants  
462 program and, pursuant to that program, to recommend to the  
463 department expenditures and contracts with local governments and  
464 nonprofit corporations or organizations for the purpose of  
465 attracting national conferences and conventions to Florida.  
466 Preference shall be given to local governments and nonprofit  
467 corporations or organizations seeking to attract minority  
468 conventions to Florida. Minority conventions are events that  
469 primarily involve minority persons, as defined in s. 288.703,  
470 who are residents or nonresidents of the state. VISIT Florida  
471 ~~Enterprise Florida, Inc.,~~ shall establish guidelines governing  
472 the award of grants and the administration of this program. The  
473 department has final approval authority for any grants under  
474 this section. The total annual allocation of funds for this



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475 program shall not exceed \$40,000.

476 Section 8. Subsection (5) of section 288.901, Florida  
477 Statutes, is amended to read:

478 288.901 Enterprise Florida, Inc.—

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

480 (a) In addition to the Governor or his or her designee, the  
481 board of directors shall consist of the following appointed  
482 members:

483 1. The Commissioner of Education or his or her designee.

484 2. The Chief Financial Officer or his or her designee.

485 3. The Attorney General or his or her designee.

486 4. The Commissioner of Agriculture or his or her designee.

487 5. The chairperson of the board of directors of  
488 CareerSource Florida, Inc.

489 6. The Secretary of State or his or her designee.

490 7. Twelve members from the private sector, six of whom  
491 shall be appointed by the Governor, three of whom shall be  
492 appointed by the President of the Senate, and three of whom  
493 shall be appointed by the Speaker of the House of  
494 Representatives. Members appointed by the Governor are subject  
495 to Senate confirmation.

496 (b) In making their appointments, the Governor, the  
497 President of the Senate, and the Speaker of the House of  
498 Representatives shall ensure that the composition of the board  
499 of directors reflects the diversity of Florida's business  
500 community and is representative of the economic development  
501 goals in subsection (2). The board must include at least one  
502 director for each of the following areas of expertise:  
503 international business, tourism marketing, the space or



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504 aerospace industry, managing or financing a minority-owned  
505 business, manufacturing, finance and accounting, and sports  
506 marketing.

507 (c) The Governor, the President of the Senate, and the  
508 Speaker of the House of Representatives also shall consider  
509 appointees who reflect Florida's racial, ethnic, and gender  
510 diversity. Efforts shall be taken to ensure participation from  
511 all geographic areas of the state, including representation from  
512 urban and rural communities.

513 (d) Appointed members shall be appointed to 4-year terms,  
514 except that initially, to provide for staggered terms, the  
515 Governor, the President of the Senate, and the Speaker of the  
516 House of Representatives shall each appoint one member to serve  
517 a 2-year term and one member to serve a 3-year term, with the  
518 remaining initial appointees serving 4-year terms. All  
519 subsequent appointments shall be for 4-year terms.

520 (e) Initial appointments must be made by October 1, 2011,  
521 and be eligible for confirmation at the earliest available  
522 Senate session. Terms end on September 30.

523 (f) Any member is eligible for reappointment, except that a  
524 member may not serve more than two terms.

525 (g) A vacancy on the board of directors shall be filled for  
526 the remainder of the unexpired term. Vacancies on the board  
527 shall be filled by appointment by the Governor, the President of  
528 the Senate, or the Speaker of the House of Representatives,  
529 respectively, depending on who appointed the member whose  
530 vacancy is to be filled or whose term has expired.

531 (h) Appointed members may be removed by the Governor, the  
532 President of the Senate, or the Speaker of the House of



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533 Representatives, respectively, for cause. Absence from three  
534 consecutive meetings results in automatic removal.

535  
536 All board members shall serve without compensation, but are  
537 entitled to receive reimbursement for per diem and travel  
538 expenses pursuant to s. 112.061. Such expenses must be paid out  
539 of funds of Enterprise Florida, Inc.

540 Section 9. Subsections (7), (8), and (9) are added to  
541 section 288.903, Florida Statutes, to read:

542 288.903 Duties of Enterprise Florida, Inc.—Enterprise  
543 Florida, Inc., shall have the following duties:

544 (7) Submit all proposed contracts with a total cost of  
545 \$750,000 or more in accordance with the notice and review  
546 procedures of s. 216.177. If the chair or vice chair of the  
547 Legislative Budget Commission, the President of the Senate, or  
548 the Speaker of the House of Representatives timely advises  
549 Enterprise Florida, Inc., in writing that such proposed contract  
550 is contrary to legislative policy and intent, Enterprise  
551 Florida, Inc., may not execute such proposed contract.

552 Enterprise Florida, Inc., may not enter into multiple related  
553 contracts to avoid the requirements of this paragraph. This  
554 paragraph does not apply to contracts for the award of a  
555 statutorily authorized incentive program.

556 (8) May not create or establish any other entity,  
557 corporation, or direct-support organization, unless authorized  
558 by law.

559 (9) Comply with the per diem and travel expenses pursuant  
560 to s. 112.061.

561 Section 10. Section 288.904, Florida Statutes, is amended



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562 to read:

563 288.904 Funding for Enterprise Florida, Inc.; performance  
564 and return on the public's investment.—

565 (1) (a) The Legislature may annually appropriate to  
566 Enterprise Florida, Inc., a sum of money for its operations, and  
567 separate line-item appropriations for each of the divisions  
568 listed in s. 288.92.

569 (b) The state's operating investment in Enterprise Florida,  
570 Inc., and its divisions is the budget contracted by the  
571 department to Enterprise Florida, Inc., less any funding that is  
572 directed by the Legislature to be subcontracted to a specific  
573 recipient entity.

574 (c) The board of directors of Enterprise Florida, Inc.,  
575 shall adopt for each upcoming fiscal year an operating budget  
576 for the organization, including its divisions, which specifies  
577 the intended uses of the state's operating investment and a plan  
578 for securing private sector support.

579 (2) (a) The Legislature finds that it is a priority to  
580 maximize private sector support in operating Enterprise Florida,  
581 Inc., and its divisions, as an endorsement of its value and as  
582 an enhancement of its efforts. Thus, the state appropriations  
583 must be matched with private sector support equal to at least  
584 100 percent of the state operational funding.

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

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

590 2. Cash donations from organizations assisted by the



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591 divisions;

592 3. Cash jointly raised by Enterprise Florida, Inc., and a  
593 private local economic development organization, a group of such  
594 organizations, or a statewide private business organization that  
595 supports collaborative projects;

596 4. Cash generated by fees charged for products or services  
597 of Enterprise Florida, Inc., and its divisions by sponsorship of  
598 events, missions, programs, and publications; and

599 5. Copayments, stock, warrants, royalties, or other private  
600 resources dedicated to Enterprise Florida, Inc., or its  
601 divisions.

602

603 Contributions from a governmental entity or from an entity that  
604 received more than 50 percent of its revenue in the previous  
605 fiscal year from public sources, including revenue derived from  
606 taxes, fees, or other government revenues, are not considered  
607 private contributions for purposes of calculating the required  
608 match.

609 ~~(3) (a) Specifically for the marketing and advertising~~  
610 ~~activities of the Division of Tourism Marketing or as contracted~~  
611 ~~through the Florida Tourism Industry Corporation, a one-to-one~~  
612 ~~match is required of private to public contributions within 4~~  
613 ~~calendar years after the implementation date of the marketing~~  
614 ~~plan pursuant to s. 288.923.~~

615 ~~(b) For purposes of calculating the required one-to-one~~  
616 ~~match, matching private funds shall be divided into four~~  
617 ~~categories. Documentation for the components of the four private~~  
618 ~~match categories shall be kept on file for inspection as~~  
619 ~~determined necessary. The four private match categories are:~~



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620 ~~1. Direct cash contributions, which include, but are not~~  
621 ~~limited to, cash derived from strategic alliances, contributions~~  
622 ~~of stocks and bonds, and partnership contributions.~~

623 ~~2. Fees for services, which include, but are not limited~~  
624 ~~to, event participation, research, and brochure placement and~~  
625 ~~transparencies.~~

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

628 ~~4. In-kind contributions, which include, but are not~~  
629 ~~limited to, the value of strategic alliance services~~  
630 ~~contributed, the value of loaned employees, discounted service~~  
631 ~~fees, items contributed for use in promotions, and radio or~~  
632 ~~television air time or print space for promotions. The value of~~  
633 ~~air time or print space shall be calculated by taking the actual~~  
634 ~~time or space and multiplying by the nonnegotiated unit price~~  
635 ~~for that specific time or space which is known as the media~~  
636 ~~equivalency value. In order to avoid duplication in determining~~  
637 ~~media equivalency value, only the value of the promotion itself~~  
638 ~~shall be included; the value of the items contributed for the~~  
639 ~~promotion may not be included.~~

640 ~~(3)(4)~~ Enterprise Florida, Inc., shall fully comply with  
641 the performance measures, standards, and sanctions in its  
642 contract with the department, under s. 20.60. The department  
643 shall ensure, to the maximum extent possible, that the contract  
644 performance measures are consistent with performance measures  
645 that it is required to develop and track under performance-based  
646 program budgeting. The contract shall also include performance  
647 measures for the divisions.

648 ~~(4)(5)~~ The Legislature intends to review the performance of



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649 Enterprise Florida, Inc., in achieving the performance goals  
650 stated in its annual contract with the department to determine  
651 whether the public is receiving a positive return on its  
652 investment in Enterprise Florida, Inc., and its divisions. It  
653 also is the intent of the Legislature that Enterprise Florida,  
654 Inc., coordinate its operations with local economic development  
655 organizations to maximize the state and local return on  
656 investment to create jobs for Floridians.

657 (5) (a) For purposes of this section, Enterprise Florida,  
658 Inc., is a governmental entity as defined in s. 215.985 and,  
659 therefore, is subject to the Transparency Florida Act.

660 (b) A contract entered into between Enterprise Florida,  
661 Inc., and any other entity, including a local government,  
662 private, or nonprofit entity, which receives public funds from  
663 the state or from a tax imposed pursuant to s. 125.0104, s.  
664 125.0108, or s. 212.0305 must include all of the following  
665 information:

- 666 1. The purpose of the contract.  
667 2. Specific performance standards and responsibilities for  
668 each entity.  
669 3. A detailed project or contract budget, if applicable.  
670 4. The value of any services provided.  
671 5. The salaries of all employees and board members of the  
672 entity and the projected travel and entertainment expenses for  
673 employees and board members.

674 (c) 1. If a partner entity received more than 50 percent of  
675 its revenue in the previous fiscal year from funds from  
676 Enterprise Florida, Inc., or from a tax imposed pursuant to s.  
677 125.0104, s. 125.0108, or s. 212.0305, the partner entity shall





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678 annually report all public and private financial data to  
679 Enterprise Florida, Inc.

680 2. The financial data must include:

681 a. The total amount of revenue received from public and  
682 private sources.

683 b. The operating budget.

684 c. Employee and board member salary and benefit details  
685 from public and private funds.

686 d. An itemized account of all funds spent by a third party  
687 on behalf of Enterprise Florida, Inc., or a board member or an  
688 employee of Enterprise Florida, Inc.

689 e. Itemized travel and entertainment expenditures.

690 (d) The following information must be posted on the website  
691 of Enterprise Florida, Inc.:

692 1. A plain language version of each proposed and executed  
693 contract with a private entity, municipality, or vendor  
694 exceeding \$35,000 for services, supplies, or programs, including  
695 marketing, or for the purchase or lease or use of lands,  
696 facilities, or properties.

697 2. Any contract entered into between Enterprise Florida,  
698 Inc., and any other entity, including a local government,  
699 private entity, or nonprofit entity, which receives public funds  
700 or funds from a tax imposed pursuant to s. 125.0104, s.  
701 125.0108, or s. 212.0305.

702 3. The contracts and the required information under  
703 paragraph (b) and the financial data submitted to Enterprise  
704 Florida, Inc., under paragraph (c).

705 4. Video recordings of each board meeting.

706 5. A detailed report of expenditures following each



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707 marketing event paid for with Enterprise Florida, Inc., funds.  
708 Such report must be posted within 10 business days after the  
709 event.

710 6. An annual itemized accounting of the total amount of  
711 funds spent by any third party on behalf of Enterprise Florida,  
712 Inc., or any board member or employee of Enterprise Florida,  
713 Inc.

714 7. An annual itemized accounting of the total amount of  
715 travel and entertainment expenditures by Enterprise Florida,  
716 Inc.

717 (e) The Enterprise Florida, Inc., website must:

718 1. Allow users to navigate to related sites to view  
719 supporting details.

720 2. Enable a taxpayer to send questions via e-mail to  
721 Enterprise Florida, Inc., and make such questions and Enterprise  
722 Florida, Inc., responses publicly viewable.

723 Section 11. Section 288.905, Florida Statutes, is amended  
724 to read:

725 288.905 President and employees of Enterprise Florida,  
726 Inc.—

727 (1) The board of directors of Enterprise Florida, Inc.,  
728 shall appoint a president, who shall serve subject to  
729 confirmation by the Senate ~~at the pleasure of the Governor~~. The  
730 president shall also be known as the "secretary of commerce" and  
731 shall serve as the Governor's chief negotiator for business  
732 recruitment and business expansion.

733 (2) The president is the chief administrative and  
734 operational officer of the board of directors and of Enterprise  
735 Florida, Inc., and shall direct and supervise the administrative



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736 affairs of the board of directors and any divisions, councils,  
737 or boards. The board of directors may delegate to the president  
738 those powers and responsibilities it deems appropriate,  
739 including hiring and management of all staff, except for the  
740 appointment of a president.

741 (3) The board of directors shall establish and adjust the  
742 president's compensation.

743 (4) No employee of Enterprise Florida, Inc., including an  
744 officer or agent, the president, and the chief executive  
745 officer, may receive public compensation for employment which  
746 ~~that exceeds \$120,000 per year the salary paid to the Governor,~~  
747 ~~unless the board of directors and the employee have executed a~~  
748 ~~contract that prescribes specific, measurable performance~~  
749 ~~outcomes for the employee, the satisfaction of which provides~~  
750 ~~the basis for the award of incentive payments that increase the~~  
751 ~~employee's total compensation to a level above the salary paid~~  
752 ~~to the Governor.~~ Any public payments of performance bonuses or  
753 severance pay to employees are prohibited unless specifically  
754 authorized by law.

755 (5) Lodging expenses for an employee may not exceed \$150  
756 per day, excluding taxes, unless participating in a negotiated  
757 group rate discount or providing documentation of at least three  
758 comparable alternatives demonstrating the unavoidable higher  
759 expense. However, an employee may expend his or her own funds  
760 for any lodging expenses in excess of \$150 per day.

761 (6) Notwithstanding per diem and travel expenses authorized  
762 pursuant s. 112.061, funds of Enterprise Florida, Inc., may not  
763 be expended for food, beverages, lodging, entertainment, or  
764 gifts for employees of Enterprise Florida, Inc., board members



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765 of Enterprise Florida, Inc., or employees of a tourist or  
766 economic development entity that receives revenue from a tax  
767 imposed pursuant to s. 125.0104, s. 125.0108, or s. 212.0305. An  
768 employee or board member of Enterprise Florida, Inc., may not  
769 accept or receive food, beverages, lodging, entertainment, or  
770 gifts from a tourist or economic development entity that  
771 receives revenue from a tax imposed pursuant to s. 125.0104, s.  
772 125.0108, or s. 212.0305, or from any private or public vendor.

773 Section 12. Subsection (1) and paragraph (b) of subsection  
774 (2) of section 288.92, Florida Statutes, are amended to read:

775 288.92 Divisions of Enterprise Florida, Inc.—

776 (1) Enterprise Florida, Inc., may create and dissolve  
777 divisions as necessary to carry out its mission. Each division  
778 shall have distinct responsibilities and complementary missions.  
779 At a minimum, Enterprise Florida, Inc., shall have divisions  
780 related to the following areas:

781 (a) International Trade and Business Development;

782 (b) Business Retention and Recruitment;

783 ~~(c) Tourism Marketing;~~

784 (c)~~(d)~~ Minority Business Development; and

785 (d)~~(e)~~ Sports Industry Development.

786 (2)

787 (b)1. The following officers and board members are subject  
788 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
789 112.3143(2):

790 a. Officers and members of the board of directors of the  
791 divisions of Enterprise Florida, Inc.

792 b. Officers and members of the board of directors of  
793 subsidiaries of Enterprise Florida, Inc.



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794 c. Officers and members of the board of directors of  
795 corporations created to carry out the missions of Enterprise  
796 Florida, Inc.

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

800 2. For purposes of applying ss. 112.313(1)-(8), (10), (12),  
801 and (15); 112.3135; and 112.3143(2) to activities of the  
802 officers and members of the board of directors specified in  
803 subparagraph 1., those persons shall be considered public  
804 officers or employees and the corporation shall be considered  
805 their agency.

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

809 ~~a. Vote on the 4-year marketing plan required under s.~~  
810 ~~288.923 or vote on any individual component of or amendment to~~  
811 ~~the plan.~~

812 ~~b. Participate in the establishment or calculation of~~  
813 ~~payments related to the private match requirements of s.~~  
814 ~~288.904(3). The officer or member must file an annual disclosure~~  
815 ~~describing the nature of his or her interests or the interests~~  
816 ~~of his or her principals, including corporate parents and~~  
817 ~~subsidiaries of his or her principal, in the private match~~  
818 ~~requirements. This annual disclosure requirement satisfies the~~  
819 ~~disclosure requirement of s. 112.3143(4). This disclosure must~~  
820 ~~be placed either on the Florida Tourism Industry Marketing~~  
821 ~~Corporation's website or included in the minutes of each meeting~~  
822 ~~of the Florida Tourism Industry Marketing Corporation's board of~~



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823 ~~directors at which the private match requirements are discussed~~  
824 ~~or voted upon.~~

825 Section 13. Section 288.923, Florida Statutes, is amended  
826 to read:

827 288.923 ~~Division of~~ Tourism marketing; definitions;  
828 responsibilities.-

829 (1) ~~There is created within Enterprise Florida, Inc., the~~  
830 ~~Division of Tourism Marketing.~~

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

832 (a) "Tourism marketing" means any effort exercised to  
833 attract domestic and international visitors from outside the  
834 state to destinations in this state and to stimulate Florida  
835 resident tourism to areas within the state.

836 (b) "Tourist" means any person who participates in trade or  
837 recreation activities outside the county of his or her permanent  
838 residence or who rents or leases transient living quarters or  
839 accommodations as described in s. 125.0104(3) (a).

840 (c) "County destination marketing organization" means a  
841 public or private agency that is funded by local option tourist  
842 development tax revenues under s. 125.0104, or local option  
843 convention development tax revenues under s. 212.0305, and is  
844 officially designated by a county commission to market and  
845 promote the area for tourism or convention business or, in any  
846 county that has not levied such taxes, a public or private  
847 agency that is officially designated by the county commission to  
848 market and promote the area for tourism or convention business.

849 (d) "Direct-support organization" means the Florida Tourism  
850 Industry Marketing Corporation.

851 ~~(2)(3)~~ The Department of Economic Opportunity ~~Enterprise~~



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852 ~~Florida, Inc.,~~ shall contract with the Florida Tourism Industry  
853 Marketing Corporation, a direct-support organization established  
854 in s. 288.1226, to execute tourism promotion and marketing  
855 services, functions, and programs for the state, including, but  
856 not limited to, the activities prescribed by the 4-year  
857 marketing plan. ~~The division shall assist to maintain and~~  
858 ~~implement the contract.~~

859 (3) ~~(4)~~ The department's ~~division's~~ responsibilities and  
860 duties include, but are not limited to:

861 (a) Maintaining and implementing the contract with the  
862 Florida Tourism Industry Marketing Corporation.

863 (b) Ensuring that the corporation develops ~~Advising the~~  
864 ~~department and Enterprise Florida, Inc., on development of~~  
865 domestic and international tourism marketing campaigns featuring  
866 Florida.

867 (c) Developing, in collaboration with the corporation, a 4-  
868 year marketing plan.

869 1. At a minimum, the marketing plan shall discuss the  
870 following:

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

872 b. Expansion to new or under-represented tourist markets.

873 c. Maintenance of traditional and loyal tourist markets.

874 d. Coordination of efforts with county destination  
875 marketing organizations, other local government marketing  
876 groups, privately owned attractions and destinations, and other  
877 private sector partners to create a seamless, four-season  
878 advertising campaign for the state and its regions.

879 e. Development of innovative techniques or promotions to  
880 build repeat visitation by targeted segments of the tourist



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881 population.

882 f. Consideration of innovative sources of state funding for  
883 tourism marketing.

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

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

887 2. The plan shall be annual in construction and ongoing in  
888 nature. Any annual revisions of the plan shall carry forward the  
889 concepts of the remaining 3-year portion of the plan and  
890 consider a continuum portion to preserve the 4-year timeframe of  
891 the plan. The plan also shall include recommendations for  
892 specific performance standards and measurable outcomes for the  
893 ~~division and direct-support organization. The department, in~~  
894 ~~consultation with the board of directors of Enterprise Florida,~~  
895 ~~Inc.,~~ shall base the actual performance metrics on these  
896 recommendations.

897 3. The 4-year marketing plan shall be developed in  
898 collaboration with the Florida Tourism Industry Marketing  
899 Corporation. The plan shall be annually reviewed and approved by  
900 the department ~~board of directors of Enterprise Florida, Inc.~~

901 (d) Drafting and submitting an annual report ~~required by s.~~  
902 ~~288.92.~~ The annual report shall set forth for the department  
903 ~~division~~ and the direct-support organization:

904 1. Operations and accomplishments during the fiscal year,  
905 including the economic benefit of the state's investment and  
906 effectiveness of the marketing plan.

907 2. The 4-year marketing plan, including recommendations on  
908 methods for implementing and funding the plan.

909 3. The assets and liabilities of the direct-support





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910 organization at the end of its most recent fiscal year.

911 4. A copy of the annual financial and compliance audit  
912 conducted under s. 288.1226(7) ~~288.1226(6)~~.

913 ~~(5) Notwithstanding s. 288.92, the division shall be~~  
914 ~~staffed by the Florida Tourism Industry Marketing Corporation.~~  
915 ~~Such staff shall not be considered to be employees of the~~  
916 ~~division and shall remain employees of the Florida Tourism~~  
917 ~~Industry Marketing Corporation. Section 288.905 does not apply~~  
918 ~~to the Florida Tourism Industry Marketing Corporation.~~

919 (4)(6) This section is repealed October 1, 2019, unless  
920 reviewed and saved from repeal by the Legislature.

921 Section 14. Notwithstanding s. 290.016, Florida Statutes,  
922 enterprise zone boundaries in existence before December 31,  
923 2015, are preserved for the purpose of allowing local  
924 governments to administer local incentive programs within these  
925 boundaries through December 31, 2020, except for eligible  
926 contiguous multi-phase projects in which at least one  
927 certificate of use or occupancy has been issued before December  
928 31, 2015 and which project will then vest the remaining project  
929 phases until completion, but no later than December 31, 2025.

930 Section 15. This act shall take effect July 1, 2017.

931  
932 ===== T I T L E A M E N D M E N T =====

933 And the title is amended as follows:

934 Delete everything before the enacting clause  
935 and insert:

936 A bill to be entitled  
937 An act relating to economic programs; amending s.  
938 11.45, F.S.; authorizing the Auditor General to audit



939 the corporation; authorizing the corporation to enter  
940 into an agreement with the Department of Economic  
941 Opportunity for certain purposes and to use certain  
942 funds; providing legislative intent; authorizing the  
943 Florida Tourism Industry Marketing Corporation to  
944 enter into an agreement with the Department of  
945 Economic Opportunity for specified purposes;  
946 authorizing the corporation to use certain funds for  
947 the original purposes for which the funds were  
948 received; providing legislative intent; amending s.  
949 272.11, F.S.; transferring responsibility for the  
950 Capitol information center from Enterprise Florida,  
951 Inc., to the department; authorizing the department to  
952 contract with VISIT Florida for the management and  
953 operation of the center; amending s. 288.017, F.S.;  
954 authorizing the department, rather than Enterprise  
955 Florida, Inc., to establish and operate a cooperative  
956 advertising matching grants program; authorizing the  
957 department to contract with VISIT Florida to  
958 administer such program; requiring the department,  
959 rather than Enterprise Florida, Inc., to conduct an  
960 annual competitive selection process for the award of  
961 program grants; removing a requirement that the  
962 department consider certain recommendations from  
963 Enterprise Florida, Inc., in evaluating program grant  
964 applications; amending s. 288.1226, F.S.; providing  
965 that the corporation is a direct-support organization  
966 of the department, rather than Enterprise Florida,  
967 Inc.; revising the purposes for which the corporation



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968 is an agency; requiring the corporation to comply with  
969 certain per diem and travel expense provisions;  
970 providing corporation board members and officers with  
971 certain voting authority; requiring such officers and  
972 members to file a certain annual disclosure; requiring  
973 that such disclosure be placed on the corporation's  
974 website; authorizing reimbursement for per diem and  
975 travel expenses for corporation board members;  
976 requiring such expenses to be paid out of corporation  
977 funds; subjecting certain contracts to specified  
978 notice and review procedures; prohibiting the  
979 execution of certain contracts; limiting the amount of  
980 compensation paid to corporation officers, agents, and  
981 employees; prohibiting certain performance bonuses and  
982 severance pay; requiring the corporation to appoint  
983 its president and chief executive officer, subject to  
984 Senate confirmation; prohibiting the corporation from  
985 creating or establishing certain entities and  
986 expending certain funds that benefit only one entity;  
987 requiring a one-to-one match of private to public  
988 contributions to the corporation; providing private  
989 contribution categories to use when calculating such  
990 match; prohibiting certain contributions from being  
991 considered private contributions for purposes of such  
992 match; requiring the reversion of unmatched public  
993 contributions to the state treasury by a certain date  
994 annually; requiring a quarterly report to the  
995 department; requiring the corporation to provide  
996 certain data to the Office of Economic and Demographic



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997 Research; prohibiting the expenditure of corporation  
998 funds for certain purposes; prohibiting the acceptance  
999 or receipt of certain items or services from certain  
1000 entities; removing a public records exemption;  
1001 limiting certain expenses of corporation employees;  
1002 providing an exception; specifying a procedure for the  
1003 release of appropriated funds; providing that the  
1004 corporation is a governmental entity and subject to  
1005 the Transparency Florida Act; requiring the inclusion  
1006 of specified information in certain corporation  
1007 contracts and on the corporation's website; requiring  
1008 specified functionality of the corporation's website;  
1009 requiring marketing partners to provide annual reports  
1010 containing specified financial data to the  
1011 corporation; conforming provisions to changes made by  
1012 the act; amending s. 288.12265, F.S.; transferring  
1013 responsibility for administering and operating welcome  
1014 centers from Enterprise Florida, Inc., to the  
1015 department; amending s. 288.124, F.S.; authorizing  
1016 VISIT Florida, rather than Enterprise Florida, Inc.,  
1017 to establish a convention grants program and  
1018 guidelines governing the award of program grants and  
1019 the administration of such program; amending s.  
1020 288.901, F.S.; providing that Enterprise Florida,  
1021 Inc., board members serve without compensation but are  
1022 entitled to certain per diem and travel expenses;  
1023 requiring such expenses to be paid from Enterprise  
1024 Florida, Inc., funds; amending s. 288.903, F.S.;

1025 requiring Enterprise Florida, Inc., to submit certain



1026 proposed contracts for notice and review; prohibiting  
1027 Enterprise Florida, Inc., from executing a proposed  
1028 contract under certain circumstances; providing  
1029 applicability; prohibiting Enterprise Florida, Inc.,  
1030 from creating or establishing any other entity,  
1031 corporation, or direct-support organization unless  
1032 authorized by law; requiring Enterprise Florida, Inc.,  
1033 to comply with certain per diem and travel expenses;  
1034 amending s. 288.904, F.S.; providing that certain  
1035 contributions from specified entities are not  
1036 considered private contributions for specified  
1037 purposes; deleting provisions relating to certain  
1038 marketing and advertising activities requiring a one-  
1039 to-one match of private to public contributions within  
1040 a certain timeframe; providing that Enterprise  
1041 Florida, Inc., is a governmental entity for specified  
1042 purposes and is subject to the Transparency Florida  
1043 Act; providing requirements for certain contracts  
1044 entered into between Enterprise Florida, Inc., and any  
1045 other entity; requiring certain partners of Enterprise  
1046 Florida, Inc., to annually report certain financial  
1047 data to Enterprise Florida, Inc.; requiring Enterprise  
1048 Florida, Inc., to post specified information on its  
1049 website; providing requirements for the website;  
1050 amending s. 288.905, F.S.; providing that the  
1051 president of the board of directors of Enterprise  
1052 Florida, Inc., serves subject to confirmation by the  
1053 Senate instead of the Governor; prohibiting employees,  
1054 including an officer, agent, the president, and the



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1055 chief executive officer of Enterprise Florida, Inc.,  
1056 from receiving public compensation for employment over  
1057 a certain amount; prohibiting certain payments and  
1058 performance bonuses or severance pay under certain  
1059 circumstances; limiting certain lodging expenses;  
1060 prohibiting funds of Enterprise Florida, Inc., from  
1061 being uses for certain expenses; prohibiting employees  
1062 and board members of Enterprise Florida, Inc., from  
1063 accepting or receiving certain gifts from certain  
1064 entities; amending s. 288.92, F.S.; removing a  
1065 requirement that Enterprise Florida, Inc., include a  
1066 division related to tourism marketing; conforming  
1067 provisions to changes made by the act; amending s.  
1068 288.923, F.S.; terminating the Division of Tourism  
1069 Marketing created within Enterprise Florida, Inc.;  
1070 transferring duties and authority to contract with the  
1071 corporation from Enterprise Florida, Inc., to the  
1072 department; conforming a provision to changes made by  
1073 the act; preserving certain enterprise zone boundaries  
1074 for a specified timeframe for specified purposes;  
1075 providing an effective date.