

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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 WITHDRAWN _____ (Y/N)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

1 Committee/Subcommittee hearing bill: Rules & Policy Committee
 2 Representative Renner offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

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

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

9 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The
 10 Auditor General may, pursuant to his or her own authority, or at
 11 the direction of the Legislative Auditing Committee, conduct
 12 audits or other engagements as determined appropriate by the
 13 Auditor General of:

14 ~~(i) Enterprise Florida, Inc., including any of its boards,~~
 15 ~~advisory committees, or similar groups created by Enterprise~~
 16 ~~Florida, Inc., and programs. The audit report may not reveal the~~

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17 ~~identity of any person who has anonymously made a donation to~~
18 ~~Enterprise Florida, Inc., pursuant to this paragraph. The~~
19 ~~identity of a donor or prospective donor to Enterprise Florida,~~
20 ~~Inc., who desires to remain anonymous and all information~~
21 ~~identifying such donor or prospective donor are confidential and~~
22 ~~exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I~~
23 ~~of the State Constitution. Such anonymity shall be maintained in~~
24 ~~the auditor's report.~~

25 Section 2. Paragraph (a) of subsection (3) of section
26 14.32, Florida Statutes, is amended to read:

27 14.32 Office of Chief Inspector General.—

28 (3) Related to public-private partnerships, the Chief
29 Inspector General:

30 (a) Shall advise public-private partnerships, ~~including~~
31 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and
32 improvement of internal control measures necessary to ensure
33 fiscal accountability.

34 Section 3. Section 15.18, Florida Statutes, is amended to
35 read:

36 15.18 International and cultural relations.—The Divisions
37 of Cultural Affairs, Historical Resources, and Library and
38 Information Services of the Department of State promote programs
39 having substantial cultural, artistic, and indirect economic
40 significance that emphasize American creativity. The Secretary
41 of State, as the head administrator of these divisions, shall

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42 hereafter be known as "Florida's Chief Cultural Officer." As
43 this officer, the Secretary of State is encouraged to initiate
44 and develop relationships between the state and foreign cultural
45 officers, their representatives, and other foreign governmental
46 officials in order to promote Florida as the center of American
47 creativity. The Secretary of State shall coordinate
48 international activities pursuant to this section with
49 ~~Enterprise Florida, Inc., and any other~~ organization the
50 secretary deems appropriate. For the accomplishment of this
51 purpose, the Secretary of State shall have the power and
52 authority to:

53 (1) Disseminate any information pertaining to the State of
54 Florida which promotes the state's cultural assets.

55 (2) Plan and carry out activities designed to cause
56 improved cultural and governmental programs and exchanges with
57 foreign countries.

58 (3) Plan and implement cultural and social activities for
59 visiting foreign heads of state, diplomats, dignitaries, and
60 exchange groups.

61 (4) Encourage and cooperate with other public and private
62 organizations or groups in their efforts to promote the cultural
63 advantages of Florida.

64 (5) Serve as the liaison with all foreign consular and
65 ambassadorial corps, as well as international organizations,
66 that are consistent with the purposes of this section.

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67 (6) Provide, arrange, and make expenditures for the
68 achievement of any or all of the purposes specified in this
69 section.

70 Section 4. Subsection (2) of section 15.182, Florida
71 Statutes, is amended to read:

72 15.182 International travel by state-funded musical,
73 cultural, or artistic organizations; notification to the
74 Department of Economic Opportunity.—

75 (2) The Department of Economic Opportunity, ~~in conjunction~~
76 ~~with Enterprise Florida, Inc.,~~ shall act as an intermediary
77 between performing musical, cultural, and artistic organizations
78 and Florida businesses to encourage and coordinate joint
79 undertakings. Such coordination may include, but is not limited
80 to, encouraging business and industry to sponsor cultural
81 events, assistance with travel of such organizations, and
82 coordinating travel schedules of cultural performance groups and
83 international trade missions.

84 Section 5. Subsections (4) and (5), paragraph (b) of
85 subsection (9), and subsections (10) and (11) of section 20.60,
86 Florida Statutes, are amended to read:

87 20.60 Department of Economic Opportunity; creation; powers
88 and duties.—

89 (4) The purpose of the department is to assist the
90 Governor in working with the Legislature, state agencies,
91 business leaders, and economic development professionals to

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92 formulate and implement coherent and consistent policies and
93 strategies designed to promote economic opportunities for all
94 Floridians. To accomplish such purposes, the department shall:

95 (a) Facilitate the direct involvement of the Governor and
96 the Lieutenant Governor in economic development and workforce
97 development projects designed to create, expand, and retain
98 businesses in this state, to recruit business from around the
99 world, and to facilitate other job-creating efforts.

100 (b) Recruit new businesses to this state and promote the
101 expansion of existing businesses by expediting permitting and
102 location decisions, worker placement and training, and incentive
103 awards.

104 (c) Promote viable, sustainable communities by providing
105 technical assistance and guidance on growth and development
106 issues, grants, and other assistance to local communities.

107 (d) Ensure that the state's goals and policies relating to
108 economic development, workforce development, community planning
109 and development, and affordable housing are fully integrated
110 with appropriate implementation strategies.

111 (e) Manage the activities of public-private partnerships
112 and state agencies in order to avoid duplication and promote
113 coordinated and consistent implementation of programs in areas
114 including, but not limited to, tourism; international trade and
115 investment; business recruitment, creation, retention, and
116 expansion; minority and small business development; rural

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117 community development; commercialization of products, services,
118 or ideas developed in public universities or other public
119 institutions; and the development and promotion of professional
120 and amateur sporting events.

121 (f) Coordinate with state agencies on the processing of
122 state development approvals or permits to minimize the
123 duplication of information provided by the applicant and the
124 time before approval or disapproval.

125 ~~(5) The divisions within the department have specific~~
126 ~~responsibilities to achieve the duties, responsibilities, and~~
127 ~~goals of the department. Specifically:~~

128 ~~(a) The Division of Strategic Business Development shall:~~

129 ~~(g)1. Analyze and evaluate business prospects identified~~
130 ~~by the Governor and, the executive director of the department,~~
131 ~~and Enterprise Florida, Inc.~~

132 ~~(h)2. Administer certain tax refund, tax credit, and grant~~
133 ~~programs created in law. Notwithstanding any other provision of~~
134 ~~law, the department may expend interest earned from the~~
135 ~~investment of program funds deposited in the Grants and~~
136 ~~Donations Trust Fund to contract for the administration of those~~
137 ~~programs, or portions of the programs, assigned to the~~
138 ~~department by law, by the appropriations process, or by the~~
139 ~~Governor. Such expenditures shall be subject to review under~~
140 ~~chapter 216.~~

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141 ~~(i)3.~~ Develop measurement protocols for the state
142 incentive programs and for the contracted entities which will be
143 used to determine their performance and competitive value to the
144 state. Performance measures, benchmarks, and sanctions must be
145 developed in consultation with the legislative appropriations
146 committees and the appropriate substantive committees, and are
147 subject to the review and approval process provided in s.
148 216.177. The approved performance measures, standards, and
149 sanctions shall be included and made a part of the strategic
150 plan for contracts entered into for delivery of programs
151 authorized by this section.

152 ~~(j)4.~~ Develop a 5-year statewide strategic plan. The
153 strategic plan must include, but need not be limited to:

154 ~~1.a.~~ Strategies for the promotion of business formation,
155 expansion, recruitment, and retention through aggressive
156 marketing, international development, and export assistance,
157 which lead to more and better jobs and higher wages for all
158 geographic regions, disadvantaged communities, and populations
159 of the state, including rural areas, minority businesses, and
160 urban core areas.

161 ~~2.b.~~ The development of realistic policies and programs to
162 further the economic diversity of the state, its regions, and
163 their associated industrial clusters.

164 ~~3.e.~~ Specific provisions for the stimulation of economic
165 development and job creation in rural areas and midsize cities

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166 and counties of the state, including strategies for rural
167 marketing and the development of infrastructure in rural areas.

168 ~~4.d.~~ Provisions for the promotion of the successful long-
169 term economic development of the state with increased emphasis
170 in market research and information.

171 ~~5.e.~~ Plans for the generation of foreign investment in the
172 state which create jobs paying above-average wages and which
173 result in reverse investment in the state, including programs
174 that establish viable overseas markets, assist in meeting the
175 financing requirements of export-ready firms, broaden
176 opportunities for international joint venture relationships, use
177 the resources of academic and other institutions, coordinate
178 trade assistance and facilitation services, and facilitate
179 availability of and access to education and training programs
180 that assure requisite skills and competencies necessary to
181 compete successfully in the global marketplace.

182 ~~6.f.~~ The identification of business sectors that are of
183 current or future importance to the state's economy and to the
184 state's global business image, and development of specific
185 strategies to promote the development of such sectors.

186 ~~7.g.~~ Strategies for talent development necessary in the
187 state to encourage economic development growth, taking into
188 account factors such as the state's talent supply chain,
189 education and training opportunities, and available workforce.

190 ~~(k)5.~~ Update the strategic plan every 5 years.

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191 (1)6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource
192 Florida, Inc.; local governments; the general public; local and
193 regional economic development organizations; other local, state,
194 and federal economic, international, and workforce development
195 entities; the business community; and educational institutions
196 to assist with the strategic plan.

197 (5) The divisions within the department have specific
198 responsibilities to achieve the duties, responsibilities, and
199 goals of the department. Specifically:

200 (a)~~(b)~~ The Division of Community Development shall:

201 1. Assist local governments and their communities in
202 finding creative planning solutions to help them foster vibrant,
203 healthy communities, while protecting the functions of important
204 state resources and facilities.

205 2. Administer state and federal grant programs as provided
206 by law to provide community development and project planning
207 activities to maintain viable communities, revitalize existing
208 communities, and expand economic development and employment
209 opportunities, including:

210 a. The Community Services Block Grant Program.

211 b. The Community Development Block Grant Program in
212 chapter 290.

213 c. The Low-Income Home Energy Assistance Program in
214 chapter 409.

215 d. The Weatherization Assistance Program in chapter 409.

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216 e. The Neighborhood Stabilization Program.

217 f. The local comprehensive planning process and the
218 development of regional impact process.

219 g. The Front Porch Florida Initiative through the Office
220 of Urban Opportunity, which is created within the division. The
221 purpose of the office is to administer the Front Porch Florida
222 initiative, a comprehensive, community-based urban core
223 redevelopment program that enables urban core residents to craft
224 solutions to the unique challenges of each designated community.

225 3. Assist in developing the 5-year statewide strategic
226 plan required by this section.

227 (b)~~(e)~~ The Division of Workforce Services shall:

228 1. Prepare and submit a unified budget request for
229 workforce development in accordance with chapter 216 for, and in
230 conjunction with, CareerSource Florida, Inc., and its board.

231 2. Ensure that the state appropriately administers federal
232 and state workforce funding by administering plans and policies
233 of CareerSource Florida, Inc., under contract with CareerSource
234 Florida, Inc. The operating budget and midyear amendments
235 thereto must be part of such contract.

236 a. All program and fiscal instructions to local workforce
237 development boards shall emanate from the Department of Economic
238 Opportunity pursuant to plans and policies of CareerSource
239 Florida, Inc., which shall be responsible for all policy
240 directions to the local workforce development boards.

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241 b. Unless otherwise provided by agreement with
242 CareerSource Florida, Inc., administrative and personnel
243 policies of the Department of Economic Opportunity apply.

244 3. Implement the state's reemployment assistance program.
245 The Department of Economic Opportunity shall ensure that the
246 state appropriately administers the reemployment assistance
247 program pursuant to state and federal law.

248 4. Assist in developing the 5-year statewide strategic
249 plan required by this section.

250 (9) The executive director shall:

251 (b) Serve as the manager for the state with respect to
252 contracts with the Florida Tourism Industry Marketing
253 Corporation ~~Enterprise Florida, Inc., the Institute for the~~
254 ~~Commercialization of Public Research, and all applicable direct-~~
255 ~~support organizations.~~ To accomplish the provisions of this
256 section and applicable provisions of chapter 288, and
257 notwithstanding the provisions of part I of chapter 287, the
258 director shall enter into specific contracts with the Florida
259 Tourism Industry Marketing Corporation ~~Enterprise Florida, Inc.,~~
260 ~~the Institute for the Commercialization of Public Research, and~~
261 ~~other appropriate direct-support organizations.~~ Such contracts
262 may be for multiyear terms and shall include specific
263 performance measures for each year. ~~For purposes of this~~
264 ~~section, the Florida Tourism Industry Marketing Corporation is~~
265 ~~not an appropriate direct-support organization.~~

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266 (10) The department, ~~with assistance from Enterprise~~
267 ~~Florida, Inc.~~, shall, by November 1 of each year, submit an
268 annual report to the Governor, the President of the Senate, and
269 the Speaker of the House of Representatives on the condition of
270 the business climate and economic development in the state.

271 (a) The report must include the identification of problems
272 and a prioritized list of recommendations.

273 (b) The report must incorporate annual reports of other
274 programs, including:

275 1. The displaced homemaker program established under s.
276 446.50.

277 2. Information provided by the Department of Revenue under
278 s. 290.014.

279 3. Information provided by enterprise zone development
280 agencies under s. 290.0056 and an analysis of the activities and
281 accomplishments of each enterprise zone.

282 ~~4. The Economic Gardening Business Loan Pilot Program~~
283 ~~established under s. 288.1081 and the Economic Gardening~~
284 ~~Technical Assistance Pilot Program established under s.~~
285 ~~288.1082.~~

286 ~~4.5.~~ A detailed report of the performance of the Black
287 Business Loan Program and a cumulative summary of quarterly
288 report data required under s. 288.714.

289 ~~5.6.~~ The Rural Economic Development Initiative established
290 under s. 288.0656.

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291 ~~6.7.~~ The Florida Unique Abilities Partner Program.

292 (11) The department shall establish annual performance
293 standards for ~~Enterprise Florida, Inc.,~~ CareerSource Florida,
294 Inc., the Florida Tourism Industry Marketing Corporation, and
295 Space Florida and report annually on how these performance
296 measures are being met in the annual report required under
297 subsection (10).

298 Section 6. Section 20.601, Florida Statutes, is repealed.

299 Section 7. (1) All duties, functions, records, pending
300 issues, existing contracts, administrative authority,
301 administrative rules, and unexpended balances of appropriations,
302 allocations, and other public funds relating to the programs in
303 Enterprise Florida, Inc., are transferred by a type two transfer
304 to the Department of Economic Opportunity.

305 (2) (a) The Florida Sports Foundation, incorporated under
306 chapter 617, Florida Statutes, which was previously merged into
307 and transferred to Enterprise Florida, Inc., may enter into an
308 agreement with the Department of Economic Opportunity to
309 continue any existing program, activity, duty, or function
310 necessary for the operation of the foundation.

311 (b) Any funds held in trust which were donated to or
312 earned by the Florida Sports Foundation may be used by the
313 foundation for the original purposes for which the funds were
314 received.

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315 (3) (a) The Florida Tourism Industry Marketing Corporation
316 may enter into an agreement with the Department of Economic
317 Opportunity to continue any existing program, activity, duty, or
318 function necessary for the operation of the corporation.

319 (b) Any funds held in trust which were donated to or
320 earned by the Florida Tourism Industry Marketing Corporation may
321 be used by the corporation for the original purposes for which
322 the funds were received.

323 (4) It is the intent of the Legislature that the changes
324 made by this act be accomplished with minimal disruption of
325 services provided to the public and with minimal disruption to
326 employees of any organization.

327 Section 8. For programs established pursuant to ss.
328 212.08(5)q), 212.097, 220.1899, 220.191, 288.047, 288.1045,
329 288.106, 288.107, 288.108, 288.1081, 288.1082, 288.1088,
330 288.1089, 288.1162, 288.11621, 288.11625, 288.11631,
331 288.1254(11), 288.9916, and 339.2821, Florida Statutes, no new
332 or additional applications or certifications shall be approved,
333 no new letters of certification may be issued, no new contracts
334 or agreements may be executed, and no new awards may be made.
335 All certifications are rescinded except for those certified
336 applicants or projects that continue to meet the criteria in
337 effect before July 1, 2017. Any existing contracts or agreements
338 authorized under any of these programs shall continue in full
339 force and effect in accordance with the statutory requirements

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340 in effect when the contract or agreement was executed or last
341 modified. However, no further modifications, extensions, or
342 waivers may be made or granted relating to such contracts or
343 agreements except computations by the Department of Revenue of
344 the income generated by or arising out of the qualifying
345 project.

346 Section 9. Paragraph (n) of subsection (3) of section
347 125.0104, Florida Statutes, is amended to read:

348 125.0104 Tourist development tax; procedure for levying;
349 authorized uses; referendum; enforcement.—

350 (3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.—

351 (n) In addition to any other tax that is imposed under
352 this section, a county that has imposed the tax under paragraph
353 (1) may impose an additional tax that is no greater than 1
354 percent on the exercise of the privilege described in paragraph
355 (a) by a majority plus one vote of the membership of the board
356 of county commissioners in order to:

357 1. Pay the debt service on bonds issued to finance:

358 a. The construction, reconstruction, or renovation of a
359 facility either publicly owned and operated, or publicly owned
360 and operated by the owner of a professional sports franchise or
361 other lessee with sufficient expertise or financial capability
362 to operate such facility, and to pay the planning and design
363 costs incurred prior to the issuance of such bonds for a new
364 professional sports franchise ~~as defined in s. 288.1162.~~ As used

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365 in this sub-subparagraph, the term "new professional sports
366 franchise" means a professional sports franchise that was not
367 based in this state before April 1, 1987.

368 b. The acquisition, construction, reconstruction, or
369 renovation of a facility either publicly owned and operated, or
370 publicly owned and operated by the owner of a professional
371 sports franchise or other lessee with sufficient expertise or
372 financial capability to operate such facility, and to pay the
373 planning and design costs incurred prior to the issuance of such
374 bonds for a retained spring training franchise.

375 2. Promote and advertise tourism in the State of Florida
376 and nationally and internationally; however, if tax revenues are
377 expended for an activity, service, venue, or event, the
378 activity, service, venue, or event shall have as one of its main
379 purposes the attraction of tourists as evidenced by the
380 promotion of the activity, service, venue, or event to tourists.

381
382 A county that imposes the tax authorized in this paragraph may
383 not expend any ad valorem tax revenues for the acquisition,
384 construction, reconstruction, or renovation of a facility for
385 which tax revenues are used pursuant to subparagraph 1. The
386 provision of paragraph (b) which prohibits any county authorized
387 to levy a convention development tax pursuant to s. 212.0305
388 from levying more than the 2-percent tax authorized by this
389 section shall not apply to the additional tax authorized by this

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390 paragraph in counties which levy convention development taxes
391 pursuant to s. 212.0305(4)(a). Subsection (4) does not apply to
392 the adoption of the additional tax authorized in this paragraph.
393 The effective date of the levy and imposition of the tax
394 authorized under this paragraph is the first day of the second
395 month following approval of the ordinance by the board of county
396 commissioners or the first day of any subsequent month specified
397 in the ordinance. A certified copy of such ordinance shall be
398 furnished by the county to the Department of Revenue within 10
399 days after approval of the ordinance.

400 Section 10. Subsection (11) of section 159.803, Florida
401 Statutes, is amended to read:

402 159.803 Definitions.—As used in this part, the term:

403 (11) "Florida First Business project" means any project
404 which is certified by the Department of Economic Opportunity as
405 eligible to receive an allocation from the Florida First
406 Business allocation pool established pursuant to s. 159.8083.
407 The Department of Economic Opportunity may certify ~~these~~
408 ~~projects meeting the criteria set forth in s. 288.106(4)(b) or~~
409 any project providing a substantial economic benefit to this
410 state.

411 Section 11. Paragraph (a) of subsection (8) of section
412 166.231, Florida Statutes, is amended to read:

413 166.231 Municipalities; public service tax.—

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414 (8) (a) Beginning July 1, 1995, a municipality may by
415 ordinance exempt not less than 50 percent of the tax imposed
416 under this section on purchasers of electrical energy who are
417 determined to be eligible for the exemption provided by s.
418 212.08(14) ~~212.08(15)~~ by the Department of Revenue. The
419 exemption shall be administered as provided in that section. A
420 copy of any ordinance adopted pursuant to this subsection shall
421 be provided to the Department of Revenue not less than 14 days
422 prior to its effective date.

423 Section 12. Section 189.033, Florida Statutes, is amended
424 to read:

425 189.033 Independent special district services in
426 disproportionally affected county; rate reduction for providers
427 providing economic benefits.—If the governing body of an
428 independent special district that provides water, wastewater,
429 and sanitation services in a disproportionally affected county,
430 ~~as defined in s. 288.106(8)~~, determines that a new user or the
431 expansion of an existing user of one or more of its utility
432 systems will provide a significant benefit to the community in
433 terms of increased job opportunities, economies of scale, or
434 economic development in the area, the governing body may
435 authorize a reduction of its rates, fees, or charges for that
436 user for a specified period of time. A governing body that
437 exercises this power must do so by resolution that states the
438 anticipated economic benefit justifying the reduction as well as

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439 the period of time that the reduction will remain in place. As
440 used in this section, the term "disproportionally affected
441 county" means Bay County, Escambia County, Franklin County, Gulf
442 County, Okaloosa County, Santa Rosa County, Walton County, or
443 Wakulla County.

444 Section 13. Subsections (11) through (19) of section
445 196.012, Florida Statutes, are renumbered as subsections (12)
446 through (20), respectively, a new subsection (11) is added to
447 that section, and paragraph (a) of present subsection (14),
448 paragraph (a) of present subsection (15), and present subsection
449 (16) of that section are amended to read:

450 196.012 Definitions.—For the purpose of this chapter, the
451 following terms are defined as follows, except where the context
452 clearly indicates otherwise:

453 (11) "Target industry business" means a corporate
454 headquarters business or any business that is engaged in one of
455 the target industries identified pursuant to the following
456 criteria developed by the Department of Economic Opportunity:

457 (a) Future growth.—The industry forecast indicates strong
458 expectation for future growth in employment and output,
459 according to the most recent available data. Special
460 consideration should be given to businesses that export goods
461 to, or provide services in, international markets and businesses
462 that replace domestic and international imports of goods or
463 services.

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464 (b) Stability.—The industry is not subject to periodic
465 layoffs, whether due to seasonality or sensitivity to volatile
466 economic variables such as weather. The industry is also
467 relatively resistant to recession, so that the demand for
468 products of this industry is not typically subject to decline
469 during an economic downturn.

470 (c) High wage.—The industry pays relatively high wages
471 compared to statewide or area averages.

472 (d) Market and resource independent.—The industry business
473 location is not dependent on markets or resources in the state
474 as indicated by industry analysis, except for businesses in the
475 renewable energy industry.

476 (e) Industrial base diversification and strengthening.—The
477 industry contributes toward expanding or diversifying the
478 state's or area's economic base, as indicated by analysis of
479 employment and output shares compared to national and regional
480 trends. Special consideration should be given to industries that
481 strengthen regional economies by adding value to basic products
482 or building regional industrial clusters as indicated by
483 industry analysis. Special consideration should also be given to
484 the development of strong industrial clusters that include
485 defense and homeland security businesses.

486 (f) Positive economic impact.—The industry has strong
487 positive economic impacts on or benefits to the state or
488 regional economies. Special consideration should be given to

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489 industries that facilitate the development of the state as a hub
490 for domestic and global trade and logistics.

491
492 The term does not include any business engaged in retail
493 industry activities; any electrical utility company as defined
494 in s. 366.02(2); any phosphate or other solid minerals
495 severance, mining, or processing operation; any oil or gas
496 exploration or production operation; or any business subject to
497 regulation by the Division of Hotels and Restaurants of the
498 Department of Business and Professional Regulation. Any business
499 within NAICS code 5611 or 5614, office administrative services
500 and business support services, respectively, may be considered a
501 target industry business only after the local governing body and
502 the Department of Economic Opportunity determine that the
503 community in which the business may locate has conditions
504 affecting the fiscal and economic viability of the local
505 community or area, including, but not limited to, low per capita
506 income, high unemployment, high underemployment, and a lack of
507 year-round stable employment opportunities, and such conditions
508 may be improved by the business locating in such community. By
509 January 1 of every 3rd year, beginning January 1, 2011, the
510 Department of Economic Opportunity, in consultation with
511 economic development organizations, the State University System,
512 local governments, employee and employer organizations, market
513 analysts, and economists, shall review and, as appropriate,

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514 revise the list of target industries and submit the list to the
515 Governor, the President of the Senate, and the Speaker of the
516 House of Representatives.

517 ~~(15)-(14)~~ "New business" means:

518 (a)1. A business or organization establishing 10 or more
519 new jobs to employ 10 or more full-time employees in this state,
520 paying an average wage for such new jobs that is above the
521 average wage in the area, which principally engages in any one
522 or more of the following operations:

523 a. manufactures, processes, compounds, fabricates, or
524 produces for sale items of tangible personal property at a fixed
525 location and which comprises an industrial or manufacturing
526 plant; or

527 b. Is a target industry business as defined in subsection
528 (11) ~~s. 288.106(2)(q)~~;

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

535 3. An office space in this state owned and used by a
536 business or organization newly domiciled in this state; provided
537 such office space houses 50 or more full-time employees of such
538 business or organization; provided that such business or

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539 organization office first begins operation on a site clearly
540 separate from any other commercial or industrial operation owned
541 by the same business or organization.

542 ~~(16)~~~~(15)~~ "Expansion of an existing business" means:

543 (a)1. A business or organization establishing 10 or more
544 new jobs to employ 10 or more full-time employees in this state,
545 paying an average wage for such new jobs that is above the
546 average wage in the area, which principally engages in any of
547 the operations referred to in subparagraph (15) (a)1. ~~(14) (a)1.~~;
548 or

549 2. A business or organization establishing 25 or more new
550 jobs to employ 25 or more full-time employees in this state, the
551 sales factor of which, as defined by s. 220.15(5), for the
552 facility with respect to which it requests an economic
553 development ad valorem tax exemption is less than 0.50 for each
554 year the exemption is claimed; provided that such business
555 increases operations on a site located within the same county,
556 municipality, or both colocated with a commercial or industrial
557 operation owned by the same business or organization under
558 common control with the same business or organization, resulting
559 in a net increase in employment of not less than 10 percent or
560 an increase in productive output or sales of not less than 10
561 percent.

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562 ~~(17)~~~~(16)~~ "Permanent resident" means a person who has
563 established a permanent residence as defined in subsection (18)
564 ~~(17)~~.

565 Section 14. Subsection (2) of section 196.101, Florida
566 Statutes, is amended to read:

567 196.101 Exemption for totally and permanently disabled
568 persons.—

569 (2) Any real estate used and owned as a homestead by a
570 paraplegic, hemiplegic, or other totally and permanently
571 disabled person, as defined in s. 196.012(12) ~~196.012(11)~~, who
572 must use a wheelchair for mobility or who is legally blind, is
573 exempt from taxation.

574 Section 15. Subsection (2) of section 196.121, Florida
575 Statutes, is amended to read:

576 196.121 Homestead exemptions; forms.—

577 (2) The forms shall require the taxpayer to furnish
578 certain information to the property appraiser for the purpose of
579 determining that the taxpayer is a permanent resident as defined
580 in s. 196.012(17) ~~196.012(16)~~. Such information may include, but
581 need not be limited to, the factors enumerated in s. 196.015.

582 Section 16. Subsections (6) and (11) of section 196.1995,
583 Florida Statutes, are amended to read:

584 196.1995 Economic development ad valorem tax exemption.—

585 (6) With respect to a new business as defined in ~~by~~ s.
586 196.012(15)(c) ~~196.012(14)(e)~~, the municipality annexing the

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587 property on which the business is situated may grant an economic
588 development ad valorem tax exemption under this section to that
589 business for a period that will expire upon the expiration of
590 the exemption granted by the county. If the county renews the
591 exemption under subsection (7), the municipality may also extend
592 its exemption. A municipal economic development ad valorem tax
593 exemption granted under this subsection may not extend beyond
594 the duration of the county exemption.

595 (11) An ordinance granting an exemption under this section
596 shall be adopted in the same manner as any other ordinance of
597 the county or municipality and shall include the following:

598 (a) The name and address of the new business or expansion
599 of an existing business to which the exemption is granted;

600 (b) The total amount of revenue available to the county or
601 municipality from ad valorem tax sources for the current fiscal
602 year, the total amount of revenue lost to the county or
603 municipality for the current fiscal year by virtue of economic
604 development ad valorem tax exemptions currently in effect, and
605 the estimated revenue loss to the county or municipality for the
606 current fiscal year attributable to the exemption of the
607 business named in the ordinance;

608 (c) The period of time for which the exemption will remain
609 in effect and the expiration date of the exemption, which may be
610 any period of time up to 10 years, or up to 20 years for a data
611 center; and

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612 (d) A finding that the business named in the ordinance
613 meets the requirements of s. 196.012(15) or (16) ~~196.012(14) or~~
614 ~~(15)~~.

615 Section 17. Paragraphs (a), (c), and (d) of subsection (4)
616 of section 201.15, Florida Statutes, are amended to read:

617 201.15 Distribution of taxes collected.—All taxes
618 collected under this chapter are hereby pledged and shall be
619 first made available to make payments when due on bonds issued
620 pursuant to s. 215.618 or s. 215.619, or any other bonds
621 authorized to be issued on a parity basis with such bonds. Such
622 pledge and availability for the payment of these bonds shall
623 have priority over any requirement for the payment of service
624 charges or costs of collection and enforcement under this
625 section. All taxes collected under this chapter, except taxes
626 distributed to the Land Acquisition Trust Fund pursuant to
627 subsections (1) and (2), are subject to the service charge
628 imposed in s. 215.20(1). Before distribution pursuant to this
629 section, the Department of Revenue shall deduct amounts
630 necessary to pay the costs of the collection and enforcement of
631 the tax levied by this chapter. The costs and service charge may
632 not be levied against any portion of taxes pledged to debt
633 service on bonds to the extent that the costs and service charge
634 are required to pay any amounts relating to the bonds. All of
635 the costs of the collection and enforcement of the tax levied by
636 this chapter and the service charge shall be available and

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637 transferred to the extent necessary to pay debt service and any
638 other amounts payable with respect to bonds authorized before
639 January 1, 2017, secured by revenues distributed pursuant to
640 this section. All taxes remaining after deduction of costs shall
641 be distributed as follows:

642 (4) After the required distributions to the Land
643 Acquisition Trust Fund pursuant to subsections (1) and (2) and
644 deduction of the service charge imposed pursuant to s.
645 215.20(1), the remainder shall be distributed as follows:

646 (a) The lesser of 24.18442 percent of the remainder or
647 \$541.75 million in each fiscal year shall be paid into the State
648 Treasury to the credit of the State Transportation Trust Fund.
649 Of such funds, \$75 million for each fiscal year shall be
650 transferred to the General Revenue Fund ~~State Economic~~
651 ~~Enhancement and Development Trust Fund~~ within the Department of
652 ~~Economic Opportunity~~. Notwithstanding any other law, the
653 remaining amount credited to the State Transportation Trust Fund
654 shall be used for:

655 1. Capital funding for the New Starts Transit Program,
656 authorized by Title 49, U.S.C. s. 5309 and specified in s.
657 341.051, in the amount of 10 percent of the funds;

658 2. The Small County Outreach Program specified in s.
659 339.2818, in the amount of 10 percent of the funds;

660 3. The Strategic Intermodal System specified in ss.
661 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent

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662 of the funds after deduction of the payments required pursuant
663 to subparagraphs 1. and 2.; and

664 4. The Transportation Regional Incentive Program specified
665 in s. 339.2819, in the amount of 25 percent of the funds after
666 deduction of the payments required pursuant to subparagraphs 1.
667 and 2. The first \$60 million of the funds allocated pursuant to
668 this subparagraph shall be allocated annually to the Florida
669 Rail Enterprise for the purposes established in s. 341.303(5).

670 (c) Eleven and twenty-four hundredths percent of the
671 remainder in each fiscal year shall be paid into the State
672 Treasury to the credit of the State Housing Trust Fund. Of such
673 funds, the first \$35 million shall be transferred annually,
674 subject to any distribution required under subsection (5), to
675 the General Revenue Fund ~~State Economic Enhancement and~~
676 ~~Development Trust Fund within the Department of Economic~~
677 ~~Opportunity~~. The remainder shall be used as follows:

678 1. Half of that amount shall be used for the purposes for
679 which the State Housing Trust Fund was created and exists by
680 law.

681 2. Half of that amount shall be paid into the State
682 Treasury to the credit of the Local Government Housing Trust
683 Fund and used for the purposes for which the Local Government
684 Housing Trust Fund was created and exists by law.

685 (d) Twelve and ninety-three hundredths percent of the
686 remainder in each fiscal year shall be paid into the State

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687 Treasury to the credit of the State Housing Trust Fund. Of such
688 funds, the first \$40 million shall be transferred annually,
689 subject to any distribution required under subsection (5), to
690 the General Revenue Fund ~~State Economic Enhancement and~~
691 ~~Development Trust Fund within the Department of Economic~~
692 ~~Opportunity~~. The remainder shall be used as follows:

693 1. Twelve and one-half percent of that amount shall be
694 deposited into the State Housing Trust Fund and expended by the
695 Department of Economic Opportunity and the Florida Housing
696 Finance Corporation for the purposes for which the State Housing
697 Trust Fund was created and exists by law.

698 2. Eighty-seven and one-half percent of that amount shall
699 be distributed to the Local Government Housing Trust Fund and
700 used for the purposes for which the Local Government Housing
701 Trust Fund was created and exists by law. Funds from this
702 category may also be used to provide for state and local
703 services to assist the homeless.

704 Section 18. Paragraph (a) of subsection (1) of section
705 212.031, Florida Statutes, is amended to read:

706 212.031 Tax on rental or license fee for use of real
707 property.—

708 (1)(a) It is declared to be the legislative intent that
709 every person is exercising a taxable privilege who engages in
710 the business of renting, leasing, letting, or granting a license
711 for the use of any real property unless such property is:

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- 712 1. Assessed as agricultural property under s. 193.461.
713 2. Used exclusively as dwelling units.
714 3. Property subject to tax on parking, docking, or storage
715 spaces under s. 212.03(6).
716 4. Recreational property or the common elements of a
717 condominium when subject to a lease between the developer or
718 owner thereof and the condominium association in its own right
719 or as agent for the owners of individual condominium units or
720 the owners of individual condominium units. However, only the
721 lease payments on such property shall be exempt from the tax
722 imposed by this chapter, and any other use made by the owner or
723 the condominium association shall be fully taxable under this
724 chapter.
725 5. A public or private street or right-of-way and poles,
726 conduits, fixtures, and similar improvements located on such
727 streets or rights-of-way, occupied or used by a utility or
728 provider of communications services, as defined by s. 202.11,
729 for utility or communications or television purposes. For
730 purposes of this subparagraph, the term "utility" means any
731 person providing utility services as defined in s. 203.012. This
732 exception also applies to property, wherever located, on which
733 the following are placed: towers, antennas, cables, accessory
734 structures, or equipment, not including switching equipment,
735 used in the provision of mobile communications services as
736 defined in s. 202.11. For purposes of this chapter, towers used

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737 in the provision of mobile communications services, as defined
738 in s. 202.11, are considered to be fixtures.

739 6. A public street or road which is used for
740 transportation purposes.

741 7. Property used at an airport exclusively for the purpose
742 of aircraft landing or aircraft taxiing or property used by an
743 airline for the purpose of loading or unloading passengers or
744 property onto or from aircraft or for fueling aircraft.

745 8.a. Property used at a port authority, as defined in s.
746 315.02(2), exclusively for the purpose of oceangoing vessels or
747 tugs docking, or such vessels mooring on property used by a port
748 authority for the purpose of loading or unloading passengers or
749 cargo onto or from such a vessel, or property used at a port
750 authority for fueling such vessels, or to the extent that the
751 amount paid for the use of any property at the port is based on
752 the charge for the amount of tonnage actually imported or
753 exported through the port by a tenant.

754 b. The amount charged for the use of any property at the
755 port in excess of the amount charged for tonnage actually
756 imported or exported shall remain subject to tax except as
757 provided in sub-subparagraph a.

758 ~~9. Property used as an integral part of the performance of~~
759 ~~qualified production services. As used in this subparagraph, the~~
760 ~~term "qualified production services" means any activity or~~
761 ~~service performed directly in connection with the production of~~

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762 ~~a qualified motion picture, as defined in s. 212.06(1)(b), and~~
763 ~~includes:~~

764 ~~a. Photography, sound and recording, casting, location~~
765 ~~managing and scouting, shooting, creation of special and optical~~
766 ~~effects, animation, adaptation (language, media, electronic, or~~
767 ~~otherwise), technological modifications, computer graphics, set~~
768 ~~and stage support (such as electricians, lighting designers and~~
769 ~~operators, greensmen, prop managers and assistants, and grips),~~
770 ~~wardrobe (design, preparation, and management), hair and makeup~~
771 ~~(design, production, and application), performing (such as~~
772 ~~acting, dancing, and playing), designing and executing stunts,~~
773 ~~coaching, consulting, writing, scoring, composing,~~
774 ~~choreographing, script supervising, directing, producing,~~
775 ~~transmitting dailies, dubbing, mixing, editing, cutting,~~
776 ~~looping, printing, processing, duplicating, storing, and~~
777 ~~distributing;~~

778 ~~b. The design, planning, engineering, construction,~~
779 ~~alteration, repair, and maintenance of real or personal property~~
780 ~~including stages, sets, props, models, paintings, and facilities~~
781 ~~principally required for the performance of those services~~
782 ~~listed in sub-subparagraph a.; and~~

783 ~~c. Property management services directly related to~~
784 ~~property used in connection with the services described in sub-~~
785 ~~subparagraphs a. and b.~~

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787 ~~This exemption will inure to the taxpayer upon presentation of~~
788 ~~the certificate of exemption issued to the taxpayer under the~~
789 ~~provisions of s. 288.1258.~~

790 9.10. Leased, subleased, licensed, or rented to a person
791 providing food and drink concessionaire services within the
792 premises of a convention hall, exhibition hall, auditorium,
793 stadium, theater, arena, civic center, performing arts center,
794 publicly owned recreational facility, or any business operated
795 under a permit issued pursuant to chapter 550. A person
796 providing retail concessionaire services involving the sale of
797 food and drink or other tangible personal property within the
798 premises of an airport shall be subject to tax on the rental of
799 real property used for that purpose, but shall not be subject to
800 the tax on any license to use the property. For purposes of this
801 subparagraph, the term "sale" shall not include the leasing of
802 tangible personal property.

803 10.11. Property occupied pursuant to an instrument calling
804 for payments which the department has declared, in a Technical
805 Assistance Advisement issued on or before March 15, 1993, to be
806 nontaxable pursuant to rule 12A-1.070(19)(c), Florida
807 Administrative Code; provided that this subparagraph shall only
808 apply to property occupied by the same person before and after
809 the execution of the subject instrument and only to those
810 payments made pursuant to such instrument, exclusive of renewals
811 and extensions thereof occurring after March 15, 1993.

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812 ~~11.12.~~ Property used or occupied predominantly for space
813 flight business purposes. As used in this subparagraph, "space
814 flight business" means the manufacturing, processing, or
815 assembly of a space facility, space propulsion system, space
816 vehicle, satellite, or station of any kind possessing the
817 capacity for space flight, as defined by s. 212.02(23), or
818 components thereof, and also means the following activities
819 supporting space flight: vehicle launch activities, flight
820 operations, ground control or ground support, and all
821 administrative activities directly related thereto. Property
822 shall be deemed to be used or occupied predominantly for space
823 flight business purposes if more than 50 percent of the
824 property, or improvements thereon, is used for one or more space
825 flight business purposes. Possession by a landlord, lessor, or
826 licensor of a signed written statement from the tenant, lessee,
827 or licensee claiming the exemption shall relieve the landlord,
828 lessor, or licensor from the responsibility of collecting the
829 tax, and the department shall look solely to the tenant, lessee,
830 or licensee for recovery of such tax if it determines that the
831 exemption was not applicable.

832 ~~12.13.~~ Rented, leased, subleased, or licensed to a person
833 providing telecommunications, data systems management, or
834 Internet services at a publicly or privately owned convention
835 hall, civic center, or meeting space at a public lodging
836 establishment as defined in s. 509.013. This subparagraph

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837 applies only to that portion of the rental, lease, or license
838 payment that is based upon a percentage of sales, revenue
839 sharing, or royalty payments and not based upon a fixed price.
840 This subparagraph is intended to be clarifying and remedial in
841 nature and shall apply retroactively. This subparagraph does not
842 provide a basis for an assessment of any tax not paid, or create
843 a right to a refund of any tax paid, pursuant to this section
844 before July 1, 2010.

845 Section 19. Paragraph (b) of subsection (1) of section
846 212.06, Florida Statutes, is amended to read:

847 212.06 Sales, storage, use tax; collectible from dealers;
848 "dealer" defined; dealers to collect from purchasers;
849 legislative intent as to scope of tax.-

850 (1)

851 (b) Except as otherwise provided, any person who
852 manufactures, produces, compounds, processes, or fabricates in
853 any manner tangible personal property for his or her own use
854 shall pay a tax upon the cost of the product manufactured,
855 produced, compounded, processed, or fabricated without any
856 deduction therefrom on account of the cost of material used,
857 labor or service costs, or transportation charges,
858 notwithstanding the provisions of s. 212.02 defining "cost
859 price." However, the tax levied under this paragraph shall not
860 be imposed upon any person who manufactures or produces
861 electrical power or energy, steam energy, or other energy at a

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862 single location, when such power or energy is used directly and
863 exclusively at such location, or at other locations if the
864 energy is transferred through facilities of the owner in the
865 operation of machinery or equipment that is used to manufacture,
866 process, compound, produce, fabricate, or prepare for shipment
867 tangible personal property for sale or to operate pollution
868 control equipment, maintenance equipment, or monitoring or
869 control equipment used in such operations. The manufacture or
870 production of electrical power or energy that is used for space
871 heating, lighting, office equipment, or air-conditioning or any
872 other, nonprocessing, noncompounding, nonproducing,
873 nonfabricating, or nonshipping activity is taxable. Electrical
874 power or energy consumed or dissipated in the transmission or
875 distribution of electrical power or energy for resale is also
876 not taxable. ~~Fabrication labor shall not be taxable when a~~
877 ~~person is using his or her own equipment and personnel, for his~~
878 ~~or her own account, as a producer, subproducer, or coproducer of~~
879 ~~a qualified motion picture. For purposes of this chapter, the~~
880 ~~term "qualified motion picture" means all or any part of a~~
881 ~~series of related images, either on film, tape, or other~~
882 ~~embodiment, including, but not limited to, all items comprising~~
883 ~~part of the original work and film-related products derived~~
884 ~~therefrom as well as duplicates and prints thereof and all sound~~
885 ~~recordings created to accompany a motion picture, which is~~
886 ~~produced, adapted, or altered for exploitation in, on, or~~

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887 ~~through any medium or device and at any location, primarily for~~
888 ~~entertainment, commercial, industrial, or educational purposes.~~
889 ~~This exemption for fabrication labor associated with production~~
890 ~~of a qualified motion picture will inure to the taxpayer upon~~
891 ~~presentation of the certificate of exemption issued to the~~
892 ~~taxpayer under the provisions of s. 288.1258. A person who~~
893 manufactures factory-built buildings for his or her own use in
894 the performance of contracts for the construction or improvement
895 of real property shall pay a tax only upon the person's cost
896 price of items used in the manufacture of such buildings.

897 Section 20. Section 212.0602, Florida Statutes, is
898 repealed.

899 Section 21. Paragraph (a) of subsection (3) of section
900 212.0606, Florida Statutes, is amended to read:

901 212.0606 Rental car surcharge.—

902 (3) (a) Notwithstanding s. 212.20, and less the costs of
903 administration, 80 percent of the proceeds of this surcharge
904 shall be deposited in the State Transportation Trust Fund, ~~15.75~~
905 ~~percent of the proceeds of this surcharge shall be deposited in~~
906 ~~the Tourism Promotional Trust Fund created in s. 288.122, and 20~~
907 ~~4.25~~ percent of the proceeds of this surcharge shall be
908 deposited in the General Revenue Fund ~~Florida International~~
909 ~~Trade and Promotion Trust Fund~~. For the purposes of this
910 subsection, "proceeds" of the surcharge means all funds
911 collected and received by the department under this section,

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912 including interest and penalties on delinquent surcharges. The
913 department shall provide the Department of Transportation rental
914 car surcharge revenue information for the previous state fiscal
915 year by September 1 of each year.

916 Section 22. Paragraphs (g) through (q) of subsection (5)
917 of section 212.08, Florida Statutes, are redesignated as
918 paragraphs (f) through (p), respectively, subsections (12)
919 through (18) are renumbered as subsections (11) through (17),
920 respectively, and paragraph (f) and present paragraphs (h) and
921 (j) of subsection (5), subsection (12), and paragraph (f) of
922 present subsection (15) of that section are amended to read:

923 212.08 Sales, rental, use, consumption, distribution, and
924 storage tax; specified exemptions.—The sale at retail, the
925 rental, the use, the consumption, the distribution, and the
926 storage to be used or consumed in this state of the following
927 are hereby specifically exempt from the tax imposed by this
928 chapter.

929 (5) EXEMPTIONS; ACCOUNT OF USE.—

930 ~~(f) Motion picture or video equipment used in motion~~
931 ~~picture or television production activities and sound recording~~
932 ~~equipment used in the production of master tapes and master~~
933 ~~records.—~~

934 ~~1. Motion picture or video equipment and sound recording~~
935 ~~equipment purchased or leased for use in this state in~~
936 ~~production activities is exempt from the tax imposed by this~~

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937 ~~chapter. The exemption provided by this paragraph shall inure to~~
938 ~~the taxpayer upon presentation of the certificate of exemption~~
939 ~~issued to the taxpayer under the provisions of s. 288.1258.~~

940 ~~2. For the purpose of the exemption provided in~~
941 ~~subparagraph 1.:~~

942 ~~a. "Motion picture or video equipment" and "sound~~
943 ~~recording equipment" includes only tangible personal property or~~
944 ~~other property that has a depreciable life of 3 years or more~~
945 ~~and that is used by the lessee or purchaser exclusively as an~~
946 ~~integral part of production activities; however, motion picture~~
947 ~~or video equipment and sound recording equipment does not~~
948 ~~include supplies, tape, records, film, or video tape used in~~
949 ~~productions or other similar items; vehicles or vessels; or~~
950 ~~general office equipment not specifically suited to production~~
951 ~~activities. In addition, the term does not include equipment~~
952 ~~purchased or leased by television or radio broadcasting or cable~~
953 ~~companies licensed by the Federal Communications Commission.~~
954 ~~Furthermore, a building and its structural components are not~~
955 ~~motion picture or video equipment and sound recording equipment~~
956 ~~unless the building or structural component is so closely~~
957 ~~related to the motion picture or video equipment and sound~~
958 ~~recording equipment that it houses or supports that the building~~
959 ~~or structural component can be expected to be replaced when the~~
960 ~~motion picture or video equipment and sound recording equipment~~
961 ~~are replaced. Heating and air-conditioning systems are not~~

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962 ~~motion picture or video equipment and sound recording equipment~~
963 ~~unless the sole justification for their installation is to meet~~
964 ~~the requirements of the production activities, even though the~~
965 ~~system may provide incidental comfort to employees or serve, to~~
966 ~~an insubstantial degree, nonproduction activities.~~

967 ~~b. "Production activities" means activities directed~~
968 ~~toward the preparation of a:~~

969 ~~(I) Master tape or master record embodying sound; or~~

970 ~~(II) Motion picture or television production which is~~
971 ~~produced for theatrical, commercial, advertising, or educational~~
972 ~~purposes and utilizes live or animated actions or a combination~~
973 ~~of live and animated actions. The motion picture or television~~
974 ~~production shall be commercially produced for sale or for~~
975 ~~showing on screens or broadcasting on television and may be on~~
976 ~~film or video tape.~~

977 ~~(g) (h)~~ Business property used in an enterprise zone.-

978 1. Business property purchased for use by businesses
979 located in an enterprise zone which is subsequently used in an
980 enterprise zone shall be exempt from the tax imposed by this
981 chapter. This exemption inures to the business only through a
982 refund of previously paid taxes. A refund shall be authorized
983 upon an affirmative showing by the taxpayer to the satisfaction
984 of the department that the requirements of this paragraph have
985 been met.

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986 2. To receive a refund, the business must file under oath
987 with the governing body or enterprise zone development agency
988 having jurisdiction over the enterprise zone where the business
989 is located, as applicable, an application which includes:

990 a. The name and address of the business claiming the
991 refund.

992 b. The identifying number assigned pursuant to s. 290.0065
993 to the enterprise zone in which the business is located.

994 c. A specific description of the property for which a
995 refund is sought, including its serial number or other permanent
996 identification number.

997 d. The location of the property.

998 e. The sales invoice or other proof of purchase of the
999 property, showing the amount of sales tax paid, the date of
1000 purchase, and the name and address of the sales tax dealer from
1001 whom the property was purchased.

1002 f. Whether the business is a small business as defined by
1003 s. 288.703.

1004 g. If applicable, the name and address of each permanent
1005 employee of the business, including, for each employee who is a
1006 resident of an enterprise zone, the identifying number assigned
1007 pursuant to s. 290.0065 to the enterprise zone in which the
1008 employee resides.

1009 3. Within 10 working days after receipt of an application,
1010 the governing body or enterprise zone development agency shall

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1011 review the application to determine if it contains all the
1012 information required pursuant to subparagraph 2. and meets the
1013 criteria set out in this paragraph. The governing body or agency
1014 shall certify all applications that contain the information
1015 required pursuant to subparagraph 2. and meet the criteria set
1016 out in this paragraph as eligible to receive a refund. If
1017 applicable, the governing body or agency shall also certify if
1018 20 percent of the employees of the business are residents of an
1019 enterprise zone, excluding temporary and part-time employees.
1020 The certification shall be in writing, and a copy of the
1021 certification shall be transmitted to the executive director of
1022 the Department of Revenue. The business shall be responsible for
1023 forwarding a certified application to the department within the
1024 time specified in subparagraph 4.

1025 4. An application for a refund pursuant to this paragraph
1026 must be submitted to the department within 6 months after the
1027 tax is due on the business property that is purchased.

1028 5. The amount refunded on purchases of business property
1029 under this paragraph shall be the lesser of 97 percent of the
1030 sales tax paid on such business property or \$5,000, or, if no
1031 less than 20 percent of the employees of the business are
1032 residents of an enterprise zone, excluding temporary and part-
1033 time employees, the amount refunded on purchases of business
1034 property under this paragraph shall be the lesser of 97 percent
1035 of the sales tax paid on such business property or \$10,000. A

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1036 refund approved pursuant to this paragraph shall be made within
1037 30 days after formal approval by the department of the
1038 application for the refund. A refund may not be granted under
1039 this paragraph unless the amount to be refunded exceeds \$100 in
1040 sales tax paid on purchases made within a 60-day time period.

1041 6. The department shall adopt rules governing the manner
1042 and form of refund applications and may establish guidelines as
1043 to the requisites for an affirmative showing of qualification
1044 for exemption under this paragraph.

1045 7. If the department determines that the business property
1046 is used outside an enterprise zone within 3 years from the date
1047 of purchase, the amount of taxes refunded to the business
1048 purchasing such business property shall immediately be due and
1049 payable to the department by the business, together with the
1050 appropriate interest and penalty, computed from the date of
1051 purchase, in the manner provided by this chapter.

1052 Notwithstanding this subparagraph, business property used
1053 exclusively in:

- 1054 a. Licensed commercial fishing vessels,
- 1055 b. Fishing guide boats, or
- 1056 c. Ecotourism guide boats

1057
1058 that leave and return to a fixed location within an area
1059 designated under s. 379.2353, Florida Statutes 2010, are
1060 eligible for the exemption provided under this paragraph if all

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1061 requirements of this paragraph are met. Such vessels and boats
1062 must be owned by a business that is eligible to receive the
1063 exemption provided under this paragraph. This exemption does not
1064 apply to the purchase of a vessel or boat.

1065 8. The department shall deduct an amount equal to 10
1066 percent of each refund granted under this paragraph from the
1067 amount transferred into the Local Government Half-cent Sales Tax
1068 Clearing Trust Fund pursuant to s. 212.20 for the county area in
1069 which the business property is located and shall transfer that
1070 amount to the General Revenue Fund.

1071 9. For the purposes of this exemption, "business property"
1072 means new or used property defined as "recovery property" in s.
1073 168(c) of the Internal Revenue Code of 1954, as amended, except:

1074 a. Property classified as 3-year property under s.
1075 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended;

1076 b. Industrial machinery and equipment as defined in sub-
1077 subparagraph (b)6.a. and eligible for exemption under paragraph
1078 (b);

1079 c. Building materials as defined in sub-subparagraph
1080 (f)8.a. ~~(g)8.a.~~; and

1081 d. Business property having a sales price of under \$5,000
1082 per unit.

1083 10. This paragraph expires on the date specified in s.
1084 290.016 for the expiration of the Florida Enterprise Zone Act.

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1085 ~~(i)-(j)~~ Machinery and equipment used in semiconductor,
1086 defense, or space technology production.—

1087 1.a. Industrial machinery and equipment used in
1088 semiconductor technology facilities certified under subparagraph
1089 5. to manufacture, process, compound, or produce semiconductor
1090 technology products for sale or for use by these facilities are
1091 exempt from the tax imposed by this chapter. For purposes of
1092 this paragraph, industrial machinery and equipment includes
1093 molds, dies, machine tooling, other appurtenances or accessories
1094 to machinery and equipment, testing equipment, test beds,
1095 computers, and software, whether purchased or self-fabricated,
1096 and, if self-fabricated, includes materials and labor for
1097 design, fabrication, and assembly.

1098 b. Industrial machinery and equipment used in defense or
1099 space technology facilities certified under subparagraph 5. to
1100 design, manufacture, assemble, process, compound, or produce
1101 defense technology products or space technology products for
1102 sale or for use by these facilities are exempt from the tax
1103 imposed by this chapter.

1104 2. Building materials purchased for use in manufacturing
1105 or expanding clean rooms in semiconductor-manufacturing
1106 facilities are exempt from the tax imposed by this chapter.

1107 3. In addition to meeting the criteria mandated by
1108 subparagraph 1. or subparagraph 2., a business must be certified

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1109 by the Department of Economic Opportunity in order to qualify
1110 for exemption under this paragraph.

1111 4. For items purchased tax-exempt pursuant to this
1112 paragraph, possession of a written certification from the
1113 purchaser, certifying the purchaser's entitlement to the
1114 exemption, relieves the seller of the responsibility of
1115 collecting the tax on the sale of such items, and the department
1116 shall look solely to the purchaser for recovery of the tax if it
1117 determines that the purchaser was not entitled to the exemption.

1118 5.a. To be eligible to receive the exemption provided by
1119 subparagraph 1. or subparagraph 2., a qualifying business entity
1120 shall initially apply to the Department of Economic Opportunity
1121 ~~Enterprise Florida, Inc.~~ The original certification is valid for
1122 a period of 2 years. In lieu of submitting a new application,
1123 the original certification may be renewed biennially by
1124 submitting to the Department of Economic Opportunity a
1125 statement, certified under oath, that there has not been a
1126 material change in the conditions or circumstances entitling the
1127 business entity to the original certification. The initial
1128 application and the certification renewal statement shall be
1129 developed by the Department of Economic Opportunity.

1130 b. ~~The Division of Strategic Business Development of the~~
1131 Department of Economic Opportunity shall review each submitted
1132 initial application and determine whether or not the application
1133 is complete within 5 working days. Once complete, the department

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1134 ~~division~~ shall, within 10 working days, evaluate the application
1135 and recommend approval or disapproval ~~to the Department of~~
1136 ~~Economic Opportunity.~~

1137 c. Upon receipt of the initial application and
1138 recommendation ~~from the division~~ or upon receipt of a
1139 certification renewal statement, the Department of Economic
1140 Opportunity shall certify within 5 working days those applicants
1141 who are found to meet the requirements of this section and
1142 notify the applicant of the original certification or
1143 certification renewal. If the Department of Economic Opportunity
1144 finds that the applicant does not meet the requirements, it
1145 shall notify the applicant ~~and Enterprise Florida, Inc.,~~ within
1146 10 working days that the application for certification has been
1147 denied and the reasons for denial. The Department of Economic
1148 Opportunity has final approval authority for certification under
1149 this section.

1150 d. The initial application and certification renewal
1151 statement must indicate, for program evaluation purposes only,
1152 the average number of full-time equivalent employees at the
1153 facility over the preceding calendar year, the average wage and
1154 benefits paid to those employees over the preceding calendar
1155 year, the total investment made in real and tangible personal
1156 property over the preceding calendar year, and the total value
1157 of tax-exempt purchases and taxes exempted during the previous
1158 year. The department shall assist the Department of Economic

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1159 Opportunity in evaluating and verifying information provided in
1160 the application for exemption.

1161 e. The Department of Economic Opportunity may use the
1162 information reported on the initial application and
1163 certification renewal statement for evaluation purposes only.

1164 6. A business certified to receive this exemption may
1165 elect to designate one or more state universities or community
1166 colleges as recipients of up to 100 percent of the amount of the
1167 exemption. To receive these funds, the institution must agree to
1168 match the funds with equivalent cash, programs, services, or
1169 other in-kind support on a one-to-one basis for research and
1170 development projects requested by the certified business. The
1171 rights to any patents, royalties, or real or intellectual
1172 property must be vested in the business unless otherwise agreed
1173 to by the business and the university or community college.

1174 7. As used in this paragraph, the term:

1175 a. "Semiconductor technology products" means raw
1176 semiconductor wafers or semiconductor thin films that are
1177 transformed into semiconductor memory or logic wafers, including
1178 wafers containing mixed memory and logic circuits; related
1179 assembly and test operations; active-matrix flat panel displays;
1180 semiconductor chips; semiconductor lasers; optoelectronic
1181 elements; and related semiconductor technology products as
1182 determined by the Department of Economic Opportunity.

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1183 b. "Clean rooms" means manufacturing facilities enclosed
1184 in a manner that meets the clean manufacturing requirements
1185 necessary for high-technology semiconductor-manufacturing
1186 environments.

1187 c. "Defense technology products" means products that have
1188 a military application, including, but not limited to, weapons,
1189 weapons systems, guidance systems, surveillance systems,
1190 communications or information systems, munitions, aircraft,
1191 vessels, or boats, or components thereof, which are intended for
1192 military use and manufactured in performance of a contract with
1193 the United States Department of Defense or the military branch
1194 of a recognized foreign government or a subcontract thereunder
1195 which relates to matters of national defense.

1196 d. "Space technology products" means products that are
1197 specifically designed or manufactured for application in space
1198 activities, including, but not limited to, space launch
1199 vehicles, space flight vehicles, missiles, satellites or
1200 research payloads, avionics, and associated control systems and
1201 processing systems and components of any of the foregoing. The
1202 term does not include products that are designed or manufactured
1203 for general commercial aviation or other uses even though those
1204 products may also serve an incidental use in space applications.

1205 ~~(12) PARTIAL EXEMPTION; MASTER TAPES, RECORDS, FILMS, OR~~
1206 ~~VIDEO TAPES.—~~

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1207 ~~(a) There are exempt from the taxes imposed by this~~
1208 ~~chapter the gross receipts from the sale or lease of, and the~~
1209 ~~storage, use, or other consumption in this state of, master~~
1210 ~~tapes or master records embodying sound, or master films or~~
1211 ~~master video tapes; except that amounts paid to recording~~
1212 ~~studios or motion picture or television studios for the tangible~~
1213 ~~elements of such master tapes, records, films, or video tapes~~
1214 ~~are taxable as otherwise provided in this chapter. This~~
1215 ~~exemption will inure to the taxpayer upon presentation of the~~
1216 ~~certificate of exemption issued to the taxpayer under the~~
1217 ~~provisions of s. 288.1258.~~

1218 ~~(b) For the purposes of this subsection, the term:~~

1219 ~~1. "Amounts paid for the tangible elements" does not~~
1220 ~~include any amounts paid for the copyrightable, artistic, or~~
1221 ~~other intangible elements of such master tapes, records, films,~~
1222 ~~or video tapes, whether designated as royalties or otherwise,~~
1223 ~~including, but not limited to, services rendered in producing,~~
1224 ~~fabricating, processing, or imprinting tangible personal~~
1225 ~~property or any other services or production expenses in~~
1226 ~~connection therewith which may otherwise be construed as~~
1227 ~~constituting a "sale" under s. 212.02.~~

1228 ~~2. "Master films or master video tapes" means films or~~
1229 ~~video tapes utilized by the motion picture and television~~
1230 ~~production industries in making visual images for reproduction.~~

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1231 ~~3. "Master tapes or master records embodying sound" means~~
1232 ~~tapes, records, and other devices utilized by the recording~~
1233 ~~industry in making recordings embodying sound.~~

1234 ~~4. "Motion picture or television studio" means a facility~~
1235 ~~in which film or video tape productions or parts of productions~~
1236 ~~are made and which contains the necessary equipment and~~
1237 ~~personnel for this purpose and includes a mobile unit or vehicle~~
1238 ~~that is equipped in much the same manner as a stationary studio~~
1239 ~~and used in the making of film or video tape productions.~~

1240 ~~5. "Recording studio" means a place where, by means of~~
1241 ~~mechanical or electronic devices, voices, music, or other sounds~~
1242 ~~are transmitted to tapes, records, or other devices capable of~~
1243 ~~reproducing sound.~~

1244 ~~6. "Recording industry" means any person engaged in an~~
1245 ~~occupation or business of making recordings embodying sound for~~
1246 ~~a livelihood or for a profit.~~

1247 ~~7. "Motion picture or television production industry"~~
1248 ~~means any person engaged in an occupation or business for a~~
1249 ~~livelihood or for profit of making visual motion picture or~~
1250 ~~television visual images for showing on screen or television for~~
1251 ~~theatrical, commercial, advertising, or educational purposes.~~

1252 ~~(14)-(15) ELECTRICAL ENERGY USED IN AN ENTERPRISE ZONE.-~~

1253 (f) For the purpose of the exemption provided in this
1254 subsection, the term "qualified business" means a business which
1255 is:

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1256 1. First occupying a new structure to which electrical
1257 service, other than that used for construction purposes, has not
1258 been previously provided or furnished;

1259 2. Newly occupying an existing, remodeled, renovated, or
1260 rehabilitated structure to which electrical service, other than
1261 that used for remodeling, renovation, or rehabilitation of the
1262 structure, has not been provided or furnished in the three
1263 preceding billing periods; or

1264 3. Occupying a new, remodeled, rebuilt, renovated, or
1265 rehabilitated structure for which a refund has been granted
1266 pursuant to paragraph (5) (f) ~~(5) (g)~~.

1267 Section 23. Section 212.097, Florida Statutes, is
1268 repealed.

1269 Section 24. Paragraph (a) of subsection (1) of section
1270 212.098, Florida Statutes, is amended to read:

1271 212.098 Rural Job Tax Credit Program.—

1272 (1) As used in this section, the term:

1273 (a) "Eligible business" means any sole proprietorship,
1274 firm, partnership, or corporation that is located in a qualified
1275 county and is predominantly engaged in, or is headquarters for a
1276 business predominantly engaged in, activities usually provided
1277 for consideration by firms classified within the following
1278 standard industrial classifications: SIC 01-SIC 09 (agriculture,
1279 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422
1280 (public warehousing and storage); SIC 70 (hotels and other

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1281 lodging places); SIC 7391 (research and development); SIC 781
1282 (motion picture production and allied services); SIC 7992
1283 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~
1284 ~~targeted industry eligible for the qualified target industry~~
1285 ~~business tax refund under s. 288.106.~~ A call center or similar
1286 customer service operation that services a multistate market or
1287 an international market is also an eligible business. In
1288 addition, the Department of Economic Opportunity may, as part of
1289 its final budget request submitted pursuant to s. 216.023,
1290 recommend additions to or deletions from the list of standard
1291 industrial classifications used to determine an eligible
1292 business, and the Legislature may implement such
1293 recommendations. Excluded from eligible receipts are receipts
1294 from retail sales, except such receipts for hotels and other
1295 lodging places classified in SIC 70, public golf courses in SIC
1296 7992, and amusement parks in SIC 7996. For purposes of this
1297 paragraph, the term "predominantly" means that more than 50
1298 percent of the business's gross receipts from all sources is
1299 generated by those activities usually provided for consideration
1300 by firms in the specified standard industrial classification.
1301 The determination of whether the business is located in a
1302 qualified county and the tier ranking of that county must be
1303 based on the date of application for the credit under this
1304 section. Commonly owned and controlled entities are to be
1305 considered a single business entity.

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1306 Section 25. Paragraph (d) of subsection (6) of section
1307 212.20, Florida Statutes, is amended to read:

1308 212.20 Funds collected, disposition; additional powers of
1309 department; operational expense; refund of taxes adjudicated
1310 unconstitutionally collected.—

1311 (6) Distribution of all proceeds under this chapter and
1312 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1313 (d) The proceeds of all other taxes and fees imposed
1314 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
1315 and (2)(b) shall be distributed as follows:

1316 1. In any fiscal year, the greater of \$500 million, minus
1317 an amount equal to 4.6 percent of the proceeds of the taxes
1318 collected pursuant to chapter 201, or 5.2 percent of all other
1319 taxes and fees imposed pursuant to this chapter or remitted
1320 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
1321 monthly installments into the General Revenue Fund.

1322 2. After the distribution under subparagraph 1., 8.9744
1323 percent of the amount remitted by a sales tax dealer located
1324 within a participating county pursuant to s. 218.61 shall be
1325 transferred into the Local Government Half-cent Sales Tax
1326 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
1327 transferred shall be reduced by 0.1 percent, and the department
1328 shall distribute this amount to the Public Employees Relations
1329 Commission Trust Fund less \$5,000 each month, which shall be

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1330 added to the amount calculated in subparagraph 3. and
1331 distributed accordingly.

1332 3. After the distribution under subparagraphs 1. and 2.,
1333 0.0966 percent shall be transferred to the Local Government
1334 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
1335 to s. 218.65.

1336 4. After the distributions under subparagraphs 1., 2., and
1337 3., 2.0810 percent of the available proceeds shall be
1338 transferred monthly to the Revenue Sharing Trust Fund for
1339 Counties pursuant to s. 218.215.

1340 5. After the distributions under subparagraphs 1., 2., and
1341 3., 1.3653 percent of the available proceeds shall be
1342 transferred monthly to the Revenue Sharing Trust Fund for
1343 Municipalities pursuant to s. 218.215. If the total revenue to
1344 be distributed pursuant to this subparagraph is at least as
1345 great as the amount due from the Revenue Sharing Trust Fund for
1346 Municipalities and the former Municipal Financial Assistance
1347 Trust Fund in state fiscal year 1999-2000, no municipality shall
1348 receive less than the amount due from the Revenue Sharing Trust
1349 Fund for Municipalities and the former Municipal Financial
1350 Assistance Trust Fund in state fiscal year 1999-2000. If the
1351 total proceeds to be distributed are less than the amount
1352 received in combination from the Revenue Sharing Trust Fund for
1353 Municipalities and the former Municipal Financial Assistance
1354 Trust Fund in state fiscal year 1999-2000, each municipality

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1355 shall receive an amount proportionate to the amount it was due
1356 in state fiscal year 1999-2000.

1357 6. Of the remaining proceeds:

1358 a. In each fiscal year, the sum of \$29,915,500 shall be
1359 divided into as many equal parts as there are counties in the
1360 state, and one part shall be distributed to each county. The
1361 distribution among the several counties must begin each fiscal
1362 year on or before January 5th and continue monthly for a total
1363 of 4 months. If a local or special law required that any moneys
1364 accruing to a county in fiscal year 1999-2000 under the then-
1365 existing provisions of s. 550.135 be paid directly to the
1366 district school board, special district, or a municipal
1367 government, such payment must continue until the local or
1368 special law is amended or repealed. The state covenants with
1369 holders of bonds or other instruments of indebtedness issued by
1370 local governments, special districts, or district school boards
1371 before July 1, 2000, that it is not the intent of this
1372 subparagraph to adversely affect the rights of those holders or
1373 relieve local governments, special districts, or district school
1374 boards of the duty to meet their obligations as a result of
1375 previous pledges or assignments or trusts entered into which
1376 obligated funds received from the distribution to county
1377 governments under then-existing s. 550.135. This distribution
1378 specifically is in lieu of funds distributed under s. 550.135
1379 before July 1, 2000.

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1380 b. The department shall distribute \$166,667 monthly to
1381 each applicant certified as a facility for a new or retained
1382 professional sports franchise pursuant to former s. 288.1162. Up
1383 to \$41,667 shall be distributed monthly by the department to
1384 each certified applicant as defined in former s. 288.11621 for a
1385 facility for a spring training franchise. However, not more than
1386 \$416,670 may be distributed monthly in the aggregate to all
1387 certified applicants for facilities for spring training
1388 franchises. Distributions begin 60 days after such certification
1389 and continue for not more than 30 years, except as otherwise
1390 provided in former s. 288.11621. A certified applicant
1391 identified in this sub-subparagraph may not receive more in
1392 distributions than expended by the applicant for the public
1393 purposes provided in former s. 288.1162(5) or former s.
1394 288.11621(3).

1395 c. Beginning 30 days after notice by the Department of
1396 Economic Opportunity to the Department of Revenue that an
1397 applicant has been certified as the professional golf hall of
1398 fame pursuant to s. 288.1168 and is open to the public, \$166,667
1399 shall be distributed monthly, for up to 300 months, to the
1400 applicant.

1401 ~~d. Beginning 30 days after notice by the Department of~~
1402 ~~Economic Opportunity to the Department of Revenue that the~~
1403 ~~applicant has been certified as the International Game Fish~~
1404 ~~Association World Center facility pursuant to s. 288.1169, and~~

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1405 ~~the facility is open to the public, \$83,333 shall be distributed~~
1406 ~~monthly, for up to 168 months, to the applicant. This~~
1407 ~~distribution is subject to reduction pursuant to s. 288.1169. A~~
1408 ~~lump sum payment of \$999,996 shall be made after certification~~
1409 ~~and before July 1, 2000.~~

1410 ~~d.e.~~ The department shall distribute up to \$83,333 monthly
1411 to each certified applicant as defined in former s. 288.11631
1412 for a facility used by a single spring training franchise, or up
1413 to \$166,667 monthly to each certified applicant as defined in
1414 former s. 288.11631 for a facility used by more than one spring
1415 training franchise. Monthly distributions begin 60 days after
1416 such certification or July 1, 2016, whichever is later, and
1417 continue for not more than 20 years to each certified applicant
1418 as defined in former s. 288.11631 for a facility used by a
1419 single spring training franchise or not more than 25 years to
1420 each certified applicant as defined in former s. 288.11631 for a
1421 facility used by more than one spring training franchise. A
1422 certified applicant identified in this sub-subparagraph may not
1423 receive more in distributions than expended by the applicant for
1424 the public purposes provided in former s. 288.11631(3).

1425 ~~f.~~ ~~Beginning 45 days after notice by the Department of~~
1426 ~~Economic Opportunity to the Department of Revenue that an~~
1427 ~~applicant has been approved by the Legislature and certified by~~
1428 ~~the Department of Economic Opportunity under s. 288.11625 or~~
1429 ~~upon a date specified by the Department of Economic Opportunity~~

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1430 ~~as provided under s. 288.11625(6)(d), the department shall~~
1431 ~~distribute each month an amount equal to one twelfth of the~~
1432 ~~annual distribution amount certified by the Department of~~
1433 ~~Economic Opportunity for the applicant. The department may not~~
1434 ~~distribute more than \$7 million in the 2014-2015 fiscal year or~~
1435 ~~more than \$13 million annually thereafter under this sub-~~
1436 ~~subparagraph.~~

1437 ~~e.g.~~ Beginning December 1, 2015, and ending June 30, 2016,
1438 the department shall distribute \$26,286 monthly to the State
1439 Transportation Trust Fund. Beginning July 1, 2016, the
1440 department shall distribute \$15,333 monthly to the State
1441 Transportation Trust Fund.

1442 7. All other proceeds must remain in the General Revenue
1443 Fund.

1444 Section 26. Subsection (2) of section 218.61, Florida
1445 Statutes, is amended to read:

1446 218.61 Local government half-cent sales tax; designated
1447 proceeds; trust fund.-

1448 (2) Money remitted by a sales tax dealer located within
1449 the county and transferred into the Local Government Half-cent
1450 Sales Tax Clearing Trust Fund shall be earmarked for
1451 distribution to the governing body of that county and of each
1452 municipality within that county. ~~Such distributions shall be~~
1453 ~~made after funding is provided pursuant to s. 218.64(3), if~~

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1454 ~~applicable.~~ Such moneys shall be known as the "local government
1455 half-cent sales tax."

1456 Section 27. Subsection (4) of section 218.64, Florida
1457 Statutes, is renumbered as subsection (3), and present
1458 subsections (2) and (3) of that section are amended to read:

1459 218.64 Local government half-cent sales tax; uses;
1460 limitations.—

1461 (2) Municipalities shall expend their portions of the
1462 local government half-cent sales tax only for municipality-wide
1463 programs, ~~for reimbursing the state as required pursuant to s.~~
1464 ~~288.11625,~~ or for municipality-wide property tax or municipal
1465 utility tax relief. All utility tax rate reductions afforded by
1466 participation in the local government half-cent sales tax shall
1467 be applied uniformly across all types of taxed utility services.

1468 (3) Subject to ordinances enacted by the majority of the
1469 members of the county governing authority and by the majority of
1470 the members of the governing authorities of municipalities
1471 representing at least 50 percent of the municipal population of
1472 such county, counties may use up to \$3 million annually of the
1473 local government half-cent sales tax allocated to that county
1474 for ~~any of the following purposes:~~

1475 ~~(a) Funding a certified applicant as a facility for a new~~
1476 ~~or retained professional sports franchise under s. 288.1162 or a~~
1477 ~~certified applicant as defined in s. 288.11621 for a facility~~
1478 ~~for a spring training franchise. It is the Legislature's intent~~

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1479 ~~that the provisions of s. 288.1162, including, but not limited~~
1480 ~~to, the evaluation process by the Department of Economic~~
1481 ~~Opportunity except for the limitation on the number of certified~~
1482 ~~applicants or facilities as provided in that section and the~~
1483 ~~restrictions set forth in s. 288.1162(8), shall apply to an~~
1484 ~~applicant's facility to be funded by local government as~~
1485 ~~provided in this subsection.~~

1486 ~~(b)~~ funding a certified applicant as a "motorsport
1487 entertainment complex," as provided for in s. 288.1171. Funding
1488 for each franchise or motorsport complex shall begin 60 days
1489 after certification and shall continue for not more than 30
1490 years.

1491 ~~(c) Reimbursing the state as required under s. 288.11625.~~
1492 Section 28. Subsection (8) of section 220.02, Florida
1493 Statutes, is amended to read:

1494 220.02 Legislative intent.—

1495 (8) It is the intent of the Legislature that credits
1496 against either the corporate income tax or the franchise tax be
1497 applied in the following order: those enumerated in s. 631.828,
1498 those enumerated in former s. 220.191, those enumerated in s.
1499 220.181, those enumerated in s. 220.183, those enumerated in s.
1500 220.182, those enumerated in s. 220.1895, those enumerated in s.
1501 220.195, those enumerated in s. 220.184, those enumerated in s.
1502 220.186, those enumerated in s. 220.1845, those enumerated in s.
1503 220.19, those enumerated in s. 220.185, those enumerated in s.

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1504 220.1875, those enumerated in s. 220.192, those enumerated in s.
1505 220.193, those enumerated in former s. 288.9916, those
1506 enumerated in former s. 220.1899, those enumerated in s.
1507 220.194, and those enumerated in s. 220.196.

1508 Section 29. Paragraph (a) of subsection (1) of section
1509 220.13, Florida Statutes, is amended to read:

1510 220.13 "Adjusted federal income" defined.—

1511 (1) The term "adjusted federal income" means an amount
1512 equal to the taxpayer's taxable income as defined in subsection
1513 (2), or such taxable income of more than one taxpayer as
1514 provided in s. 220.131, for the taxable year, adjusted as
1515 follows:

1516 (a) Additions.—There shall be added to such taxable
1517 income:

1518 1. The amount of any tax upon or measured by income,
1519 excluding taxes based on gross receipts or revenues, paid or
1520 accrued as a liability to the District of Columbia or any state
1521 of the United States which is deductible from gross income in
1522 the computation of taxable income for the taxable year.

1523 2. The amount of interest which is excluded from taxable
1524 income under s. 103(a) of the Internal Revenue Code or any other
1525 federal law, less the associated expenses disallowed in the
1526 computation of taxable income under s. 265 of the Internal
1527 Revenue Code or any other law, excluding 60 percent of any
1528 amounts included in alternative minimum taxable income, as

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1529 defined in s. 55(b)(2) of the Internal Revenue Code, if the
1530 taxpayer pays tax under s. 220.11(3).

1531 3. In the case of a regulated investment company or real
1532 estate investment trust, an amount equal to the excess of the
1533 net long-term capital gain for the taxable year over the amount
1534 of the capital gain dividends attributable to the taxable year.

1535 4. That portion of the wages or salaries paid or incurred
1536 for the taxable year which is equal to the amount of the credit
1537 allowable for the taxable year under s. 220.181. This
1538 subparagraph shall expire on the date specified in s. 290.016
1539 for the expiration of the Florida Enterprise Zone Act.

1540 5. That portion of the ad valorem school taxes paid or
1541 incurred for the taxable year which is equal to the amount of
1542 the credit allowable for the taxable year under s. 220.182. This
1543 subparagraph shall expire on the date specified in s. 290.016
1544 for the expiration of the Florida Enterprise Zone Act.

1545 6. The amount taken as a credit under s. 220.195 which is
1546 deductible from gross income in the computation of taxable
1547 income for the taxable year.

1548 7. That portion of assessments to fund a guaranty
1549 association incurred for the taxable year which is equal to the
1550 amount of the credit allowable for the taxable year.

1551 8. In the case of a nonprofit corporation which holds a
1552 pari-mutuel permit and which is exempt from federal income tax
1553 as a farmers' cooperative, an amount equal to the excess of the

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1554 gross income attributable to the pari-mutuel operations over the
1555 attributable expenses for the taxable year.

1556 9. The amount taken as a credit for the taxable year under
1557 s. 220.1895.

1558 10. Up to nine percent of the eligible basis of any
1559 designated project which is equal to the credit allowable for
1560 the taxable year under s. 220.185.

1561 11. The amount taken as a credit for the taxable year
1562 under s. 220.1875. The addition in this subparagraph is intended
1563 to ensure that the same amount is not allowed for the tax
1564 purposes of this state as both a deduction from income and a
1565 credit against the tax. This addition is not intended to result
1566 in adding the same expense back to income more than once.

1567 12. The amount taken as a credit for the taxable year
1568 under s. 220.192.

1569 13. The amount taken as a credit for the taxable year
1570 under s. 220.193.

1571 ~~14. Any portion of a qualified investment, as defined in~~
1572 ~~s. 288.9913, which is claimed as a deduction by the taxpayer and~~
1573 ~~taken as a credit against income tax pursuant to s. 288.9916.~~

1574 ~~14.15.~~ The costs to acquire a tax credit pursuant to s.
1575 288.1254(5) that are deducted from or otherwise reduce federal
1576 taxable income for the taxable year.

1577 ~~15.16.~~ The amount taken as a credit for the taxable year
1578 pursuant to s. 220.194.

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1579 ~~16.17.~~ The amount taken as a credit for the taxable year
1580 under s. 220.196. The addition in this subparagraph is intended
1581 to ensure that the same amount is not allowed for the tax
1582 purposes of this state as both a deduction from income and a
1583 credit against the tax. The addition is not intended to result
1584 in adding the same expense back to income more than once.

1585 Section 30. Section 220.1895, Florida Statutes, is amended
1586 to read:

1587 220.1895 Rural Job Tax Credit ~~and Urban High-Crime Area~~
1588 ~~Job Tax Credit.~~—There shall be allowed a credit against the tax
1589 imposed by this chapter amounts approved by the Department of
1590 Economic Opportunity pursuant to the Rural Job Tax Credit
1591 Program in s. 212.098 ~~and the Urban High-Crime Area Job Tax~~
1592 ~~Credit Program in s. 212.097.~~ A corporation that uses its credit
1593 against the tax imposed by this chapter may not take the credit
1594 against the tax imposed by chapter 212. If any credit granted
1595 under this section is not fully used in the first year for which
1596 it becomes available, the unused amount may be carried forward
1597 for a period not to exceed 5 years. The carryover may be used in
1598 a subsequent year when the tax imposed by this chapter for such
1599 year exceeds the credit for such year under this section after
1600 applying the other credits and unused credit carryovers in the
1601 order provided in s. 220.02(8).

1602 Section 31. Section 220.1899, Florida Statutes, is
1603 repealed.

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1604 Section 32. Section 220.191, Florida Statutes, is
1605 repealed.

1606 Section 33. Subsection (9) of section 220.194, Florida
1607 Statutes, is amended to read:

1608 220.194 Corporate income tax credits for spaceflight
1609 projects.—

1610 (9) ANNUAL REPORT.—Beginning in 2014, the Department of
1611 Economic Opportunity, in cooperation with Space Florida and the
1612 department, shall include in the annual incentives report
1613 required under s. 288.0065 ~~288.907~~ a summary of activities
1614 relating to the Florida Space Business Incentives Act
1615 established under this section.

1616 Section 34. Subsection (1) and paragraph (a) of subsection
1617 (2) of section 220.196, Florida Statutes, are amended to read:

1618 220.196 Research and development tax credit.—

1619 (1) DEFINITIONS.—As used in this section, the term:

1620 (a) "Base amount" means the average of the business
1621 enterprise's qualified research expenses in this state allowed
1622 under 26 U.S.C. s. 41 for the 4 taxable years preceding the
1623 taxable year for which the credit is determined. The qualified
1624 research expenses taken into account in computing the base
1625 amount shall be determined on a basis consistent with the
1626 determination of qualified research expenses for the taxable
1627 year.

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1628 (b) "Business enterprise" means any corporation as defined
1629 in s. 220.03 which meets the definition of a target industry
1630 business as defined in paragraph (c) s. 288.106.

1631 (c) "Target industry business" means a corporate
1632 headquarters business or any business that is engaged in one of
1633 the target industries identified pursuant to the following
1634 criteria developed by the Department of Economic Opportunity:

1635 1. Future growth.—The industry forecast indicates strong
1636 expectation for future growth in employment and output,
1637 according to the most recent available data. Special
1638 consideration shall be given to businesses that export goods to,
1639 or provide services in, international markets and businesses
1640 that replace domestic and international imports of goods or
1641 services.

1642 2. Stability.—The industry is not subject to periodic
1643 layoffs, whether due to seasonality or sensitivity to volatile
1644 economic variables such as weather. The industry is also
1645 relatively resistant to recession, so that the demand for
1646 products of this industry is not typically subject to decline
1647 during an economic downturn.

1648 3. High wage.—The industry pays relatively high wages
1649 compared to statewide or area averages.

1650 4. Market and resource independent.—The industry business
1651 location is not dependent on markets or resources in the state

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1652 as indicated by industry analysis, except for businesses in the
1653 renewable energy industry.

1654 5. Industrial base diversification and strengthening.—The
1655 industry contributes toward expanding or diversifying the
1656 state's or area's economic base, as indicated by analysis of
1657 employment and output shares compared to national and regional
1658 trends. Special consideration shall be given to industries that
1659 strengthen regional economies by adding value to basic products
1660 or building regional industrial clusters as indicated by
1661 industry analysis. Special consideration shall also be given to
1662 the development of strong industrial clusters that include
1663 defense and homeland security businesses.

1664 6. Positive economic impact.—The industry has strong
1665 positive economic impacts on or benefits to the state or
1666 regional economies. Special consideration shall be given to
1667 industries that facilitate the development of the state as a hub
1668 for domestic and global trade and logistics.

1669
1670 The term does not include any business engaged in retail
1671 industry activities; any electrical utility company as defined
1672 in s. 366.02(2); any phosphate or other solid minerals
1673 severance, mining, or processing operation; any oil or gas
1674 exploration or production operation; or any business subject to
1675 regulation by the Division of Hotels and Restaurants of the
1676 Department of Business and Professional Regulation. Any business

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1677 within NAICS code 5611 or 5614, office administrative services
1678 and business support services, respectively, may be considered a
1679 target industry business only after the local governing body and
1680 the Department of Economic Opportunity determine that the
1681 community in which the business may locate has conditions
1682 affecting the fiscal and economic viability of the local
1683 community or area, including, but not limited to, low per capita
1684 income, high unemployment, high underemployment, and a lack of
1685 year-round stable employment opportunities, and such conditions
1686 may be improved by the business locating in such community. By
1687 January 1 of every 3rd year, beginning January 1, 2011, the
1688 Department of Economic Opportunity, in consultation with
1689 economic development organizations, the State University System,
1690 local governments, employee and employer organizations, market
1691 analysts, and economists, shall review and, as appropriate,
1692 revise the list of target industries and submit the list to the
1693 Governor, the President of the Senate, and the Speaker of the
1694 House of Representatives.

1695 (d) ~~(e)~~ "Qualified research expenses" means research
1696 expenses qualifying for the credit under 26 U.S.C. s. 41 for in-
1697 house research expenses incurred in this state or contract
1698 research expenses incurred in this state. The term does not
1699 include research conducted outside this state or research
1700 expenses that do not qualify for a credit under 26 U.S.C. s. 41.

1701 (2) TAX CREDIT.—

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1702 (a) As provided in this section, a business enterprise is
1703 eligible for a credit against the tax imposed by this chapter if
1704 it:

1705 1. Has qualified research expenses in this state in the
1706 taxable year exceeding the base amount;

1707 2. Claims and is allowed a research credit for such
1708 qualified research expenses under 26 U.S.C. s. 41 for the same
1709 taxable year as subparagraph 1.; and

1710 3. Is a ~~qualified~~ target industry business as defined in
1711 paragraph (c) s. 288.106(2)(n). Only ~~qualified~~ target industry
1712 businesses in the manufacturing, life sciences, information
1713 technology, aviation and aerospace, homeland security and
1714 defense, cloud information technology, marine sciences,
1715 materials science, and nanotechnology industries may qualify for
1716 a tax credit under this section. A business applying for a
1717 credit pursuant to this section shall include a letter from the
1718 Department of Economic Opportunity certifying whether the
1719 business meets the requirements of this subparagraph with its
1720 application for credit. The Department of Economic Opportunity
1721 shall provide such a letter upon receiving a request.

1722 Section 35. Section 272.11, Florida Statutes, is amended
1723 to read:

1724 272.11 Capitol information center.—The Department of
1725 Economic Opportunity Enterprise Florida, Inc., shall establish,
1726 maintain, and operate a Capitol information center somewhere

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1727 within the area of the Capitol Center and employ personnel or
1728 enter into contracts to maintain same.

1729 Section 36. Paragraph (f) of subsection (1) of section
1730 287.0947, Florida Statutes, is amended to read:

1731 287.0947 Florida Advisory Council on Small and Minority
1732 Business Development; creation; membership; duties.—

1733 (1) The Secretary of Management Services may create the
1734 Florida Advisory Council on Small and Minority Business
1735 Development with the purpose of advising and assisting the
1736 secretary in carrying out the secretary's duties with respect to
1737 minority businesses and economic and business development. It is
1738 the intent of the Legislature that the membership of such
1739 council include practitioners, laypersons, financiers, and
1740 others with business development experience who can provide
1741 invaluable insight and expertise for this state in the
1742 diversification of its markets and networking of business
1743 opportunities. The council shall initially consist of 19
1744 persons, each of whom is or has been actively engaged in small
1745 and minority business development, either in private industry,
1746 in governmental service, or as a scholar of recognized
1747 achievement in the study of such matters. Initially, the council
1748 shall consist of members representing all regions of the state
1749 and shall include at least one member from each group identified
1750 within the definition of "minority person" in s. 288.703(4),

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1751 considering also gender and nationality subgroups, and shall
1752 consist of the following:

1753 (f) A member from the Department of Economic Opportunity
1754 ~~board of directors of Enterprise Florida, Inc.~~

1755
1756 A candidate for appointment may be considered if eligible to be
1757 certified as an owner of a minority business enterprise, or if
1758 otherwise qualified under the criteria above. Vacancies may be
1759 filled by appointment of the secretary, in the manner of the
1760 original appointment.

1761 Section 37. Subsections (2) and (4) of section 288.0001,
1762 Florida Statutes, are amended to read:

1763 288.0001 Economic Development Programs Evaluation.—The
1764 Office of Economic and Demographic Research and the Office of
1765 Program Policy Analysis and Government Accountability (OPPAGA)
1766 shall develop and present to the Governor, the President of the
1767 Senate, the Speaker of the House of Representatives, and the
1768 chairs of the legislative appropriations committees the Economic
1769 Development Programs Evaluation.

1770 (2) The Office of Economic and Demographic Research and
1771 OPPAGA shall provide a detailed analysis of economic development
1772 programs as provided in the following schedule:

1773 (a) By January 1, 2014, and every 3 years thereafter, an
1774 analysis of the following:

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1775 ~~1. The capital investment tax credit established under s.~~
1776 ~~220.191.~~

1777 ~~2. The qualified target industry tax refund established~~
1778 ~~under s. 288.106.~~

1779 ~~3. The brownfield redevelopment bonus refund established~~
1780 ~~under s. 288.107.~~

1781 ~~4. High impact business performance grants established~~
1782 ~~under s. 288.108.~~

1783 ~~5. The Quick Action Closing Fund established under s.~~
1784 ~~288.1088.~~

1785 ~~6. The Innovation Incentive Program established under s.~~
1786 ~~288.1089.~~

1787 ~~1.7.~~ Enterprise Zone Program incentives established under
1788 ss. 212.08(5) and ~~(14)~~~~(15)~~, 212.096, 220.181, and 220.182.

1789 ~~2.8.~~ The New Markets Development Program established under
1790 ss. 288.991-288.9922.

1791 (b) By January 1, 2015, and every 3 years thereafter, an
1792 analysis of ~~the following~~:

1793 1. The entertainment industry financial incentive program
1794 established under s. 288.1254.

1795 ~~2. The entertainment industry sales tax exemption program~~
1796 ~~established under s. 288.1258.~~

1797 ~~2.3.~~ VISIT Florida and its programs established or funded
1798 under ss. ~~288.122~~, 288.1226, 288.12265, and 288.124.

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1799 ~~3.4.~~ The Florida Sports Foundation and related programs
1800 established under ss. ~~288.1162, 288.11621,~~ 288.1166, 288.1167,
1801 288.1168, ~~288.1169,~~ and 288.1171.

1802 (c) By January 1, 2016, and every 3 years thereafter, an
1803 analysis of the following:

1804 ~~1. The qualified defense contractor and space flight~~
1805 ~~business tax refund program established under s. 288.1045.~~

1806 ~~1.2.~~ The tax exemption for semiconductor, defense, or
1807 space technology sales established under s. 212.08(5)(i)
1808 ~~212.08(5)(j).~~

1809 ~~2.3.~~ The Military Base Protection Program established
1810 under s. 288.980.

1811 ~~3.4.~~ The Manufacturing and Spaceport Investment Incentive
1812 Program formerly established under s. 288.1083.

1813 ~~5. The Quick Response Training Program established under~~
1814 ~~s. 288.047.~~

1815 ~~4.6.~~ The Incumbent Worker Training Program established
1816 under s. 445.003.

1817 ~~7. International trade and business development programs~~
1818 ~~established or funded under s. 288.826.~~

1819 (d) By January 1, 2019, and every 3 years thereafter, an
1820 analysis of the grant and entrepreneur initiative programs
1821 established under s. 295.22(3)(d) and (e).

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1822 ~~(c) Beginning January 1, 2018, and every 3 years~~
1823 ~~thereafter, an analysis of the Sports Development Program~~
1824 ~~established under s. 288.11625.~~

1825 (4) Pursuant to the schedule established in subsection
1826 (2), OPPAGA shall evaluate each program over the previous 3
1827 years for its effectiveness and value to the taxpayers of this
1828 state and include recommendations on each program for
1829 consideration by the Legislature. The analysis may include
1830 relevant economic development reports or analyses prepared by
1831 the department of ~~Economic Opportunity, Enterprise Florida,~~
1832 ~~Inc.~~, or local or regional economic development organizations,†
1833 interviews with the parties involved,† or any other relevant
1834 data.

1835 Section 38. Section 288.001, Florida Statutes, is
1836 repealed.

1837 Section 39. Section 288.012, Florida Statutes, is
1838 repealed.

1839 Section 40. Subsections (1) and (3) of section 288.017,
1840 Florida Statutes, are amended to read:

1841 288.017 Cooperative advertising matching grants program.—

1842 (1) The department ~~Enterprise Florida, Inc.~~, is authorized
1843 to establish a cooperative advertising matching grants program
1844 and, pursuant thereto, to make expenditures and enter into
1845 contracts with local governments and nonprofit corporations for
1846 the purpose of publicizing the tourism advantages of the state.

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1847 The department, ~~based on recommendations from Enterprise~~
1848 ~~Florida, Inc.~~, shall have final approval of grants awarded
1849 through this program. The department ~~Enterprise Florida, Inc.~~,
1850 may contract with the Florida Tourism Industry Marketing
1851 Corporation ~~its direct support organization~~ to administer the
1852 program.

1853 (3) The department ~~Enterprise Florida, Inc.~~, shall conduct
1854 an annual competitive selection process for the award of grants
1855 under the program. In determining its recommendations for the
1856 grant awards, the department ~~commission~~ shall consider the
1857 demonstrated need of the applicant for advertising assistance,
1858 the feasibility and projected benefit of the applicant's
1859 proposal, the amount of nonstate funds that will be leveraged,
1860 and such other criteria as the department ~~commission~~ deems
1861 appropriate. ~~In evaluating grant applications, the department~~
1862 ~~shall consider recommendations from Enterprise Florida, Inc.~~ The
1863 department, ~~however~~, has final approval authority for any grant
1864 under this section.

1865 Section 41. Subsection (4) of section 288.018, Florida
1866 Statutes, is amended to read:

1867 288.018 Regional Rural Development Grants Program.—

1868 (4) The department may expend up to \$750,000 each fiscal
1869 year from funds appropriated to the Rural Community Development
1870 Revolving Loan Fund for the purposes outlined in this section.
1871 ~~The department may contract with Enterprise Florida, Inc., for~~

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1872 ~~the administration of the purposes specified in this section.~~
1873 ~~Funds released to Enterprise Florida, Inc., for this purpose~~
1874 ~~shall be released quarterly and shall be calculated based on the~~
1875 ~~applications in process.~~

1876 Section 42. Section 288.046, Florida Statutes, is
1877 repealed.

1878 Section 43. Section 288.047, Florida Statutes, is
1879 repealed.

1880 Section 44. Subsections (1) and (4) of section 288.061,
1881 Florida Statutes, are amended to read:

1882 288.061 Economic development incentive application
1883 process.—

1884 (1) Upon receiving a submitted economic development
1885 incentive application, ~~the Division of Strategic Business~~
1886 ~~Development of the department of Economic Opportunity and~~
1887 ~~designated staff of Enterprise Florida, Inc.,~~ shall review the
1888 application to ensure that the application is complete, whether
1889 and what type of state and local permits may be necessary for
1890 the applicant's project, whether it is possible to waive such
1891 permits, and what state incentives and amounts of such
1892 incentives may be available to the applicant. The department
1893 shall recommend to the executive director to approve or
1894 disapprove an applicant business. If review of the application
1895 demonstrates that the application is incomplete, the executive

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1896 director shall notify the applicant business within the first 5
1897 business days after receiving the application.

1898 (4) The department shall validate contractor performance
1899 and report such validation in the annual incentives report
1900 required under s. 288.0065 ~~288.907~~.

1901 Section 45. Subsection (5) of section 288.0655, Florida
1902 Statutes, is renumbered as subsection (4), and paragraph (e) of
1903 subsection (2) and subsections (3) and (4) of that section are
1904 amended to read:

1905 288.0655 Rural Infrastructure Fund.—

1906 (2)

1907 (e) To enable local governments to access the resources
1908 available pursuant to s. 403.973(17) ~~403.973(18)~~, the department
1909 may award grants for surveys, feasibility studies, and other
1910 activities related to the identification and preclearance review
1911 of land which is suitable for preclearance review. Authorized
1912 grants under this paragraph may not exceed \$75,000 each, except
1913 in the case of a project in a rural area of opportunity, in
1914 which case the grant may not exceed \$300,000. Any funds awarded
1915 under this paragraph must be matched at a level of 50 percent
1916 with local funds, except that any funds awarded for a project in
1917 a rural area of opportunity must be matched at a level of 33
1918 percent with local funds. If an application for funding is for a
1919 catalyst site, as defined in s. 288.0656, the requirement for
1920 local match may be waived pursuant to the process in s.

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1921 288.06561. In evaluating applications under this paragraph, the
1922 department shall consider the extent to which the application
1923 seeks to minimize administrative and consultant expenses.

1924 (3) The department, in consultation with ~~Enterprise~~
1925 ~~Florida, Inc.~~, the Florida Tourism Industry Marketing
1926 Corporation, the Department of Environmental Protection, and the
1927 Florida Fish and Wildlife Conservation Commission, as
1928 appropriate, shall review and certify applications pursuant to
1929 s. 288.061. The review shall include an evaluation of the
1930 economic benefit of the projects and their long-term viability.
1931 The department shall have final approval for any grant under
1932 this section.

1933 ~~(4) By September 1, 2012, the department shall, in~~
1934 ~~consultation with the organizations listed in subsection (3),~~
1935 ~~and other organizations, reevaluate existing guidelines and~~
1936 ~~criteria governing submission of applications for funding,~~
1937 ~~review and evaluation of such applications, and approval of~~
1938 ~~funding under this section. The department shall consider~~
1939 ~~factors including, but not limited to, the project's potential~~
1940 ~~for enhanced job creation or increased capital investment, the~~
1941 ~~demonstration and level of local public and private commitment,~~
1942 ~~whether the project is located in an enterprise zone, in a~~
1943 ~~community development corporation service area, or in an urban~~
1944 ~~high-crime area as designated under s. 212.097, the unemployment~~

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1945 ~~rate of the county in which the project would be located, and~~
1946 ~~the poverty rate of the community.~~

1947 Section 46. Paragraph (a) of subsection (6) and paragraphs
1948 (a) and (c) of subsection (7) of section 288.0656, Florida
1949 Statutes, are amended to read:

1950 288.0656 Rural Economic Development Initiative.—

1951 (6) (a) By August 1 of each year, the head of each of the
1952 following agencies and organizations shall designate a deputy
1953 secretary or higher-level staff person from within the agency or
1954 organization to serve as the REDI representative for the agency
1955 or organization:

- 1956 1. The Department of Transportation.
- 1957 2. The Department of Environmental Protection.
- 1958 3. The Department of Agriculture and Consumer Services.
- 1959 4. The Department of State.
- 1960 5. The Department of Health.
- 1961 6. The Department of Children and Families.
- 1962 7. The Department of Corrections.
- 1963 8. The Department of Education.
- 1964 9. The Department of Juvenile Justice.
- 1965 10. The Fish and Wildlife Conservation Commission.
- 1966 11. Each water management district.
- 1967 ~~12. Enterprise Florida, Inc.~~
- 1968 12.13. CareerSource Florida, Inc.
- 1969 13.14. VISIT Florida.

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1970 ~~14.15.~~ The Florida Regional Planning Council Association.
1971 ~~15.16.~~ The Agency for Health Care Administration.
1972 ~~16.17.~~ The Institute of Food and Agricultural Sciences
1973 (IFAS).

1974

1975 An alternate for each designee shall also be chosen, and the
1976 names of the designees and alternates shall be sent to the
1977 executive director of the department.

1978 (7)

1979 (a) REDI may recommend to the Governor up to three rural
1980 areas of opportunity. The Governor may by executive order
1981 designate up to three rural areas of opportunity which will
1982 establish these areas as priority assignments for REDI as well
1983 as to allow the Governor, acting through REDI, to waive
1984 criteria, requirements, or similar provisions of any economic
1985 development incentive. Such incentives shall include, but are
1986 not limited to, ~~the Qualified Target Industry Tax Refund Program~~
1987 ~~under s. 288.106, the Quick Response Training Program under s.~~
1988 ~~288.047, the Quick Response Training Program for participants in~~
1989 ~~the welfare transition program under s. 288.047(8),~~
1990 ~~transportation projects under s. 339.2821, the brownfield~~
1991 ~~redevelopment bonus refund under s. 288.107, and the rural job~~
1992 tax credit program under ss. 212.098 and 220.1895.

1993 (c) Each rural area of opportunity may designate catalyst
1994 projects, provided that each catalyst project is specifically

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1995 recommended by REDI, ~~identified as a catalyst project by~~
1996 ~~Enterprise Florida, Inc.,~~ and confirmed as a catalyst project by
1997 the department. All state agencies and departments shall use all
1998 available tools and resources to the extent permissible by law
1999 to promote the creation and development of each catalyst project
2000 and the development of catalyst sites.

2001 Section 47. Section 288.0658, Florida Statutes, is amended
2002 to read:

2003 288.0658 Nature-based recreation; promotion and other
2004 assistance by Fish and Wildlife Conservation Commission.—The
2005 Florida Fish and Wildlife Conservation Commission is directed to
2006 assist ~~Enterprise Florida, Inc.;~~ the Florida Tourism Industry
2007 Marketing Corporation, doing business as VISIT Florida;
2008 convention and visitor bureaus; tourist development councils;
2009 economic development organizations; and local governments
2010 through the provision of marketing advice, technical expertise,
2011 promotional support, and product development related to nature-
2012 based recreation and sustainable use of natural resources. In
2013 carrying out this responsibility, the Florida Fish and Wildlife
2014 Conservation Commission shall focus its efforts on fostering
2015 nature-based recreation in rural communities and regions
2016 encompassing rural communities. As used in this section, the
2017 term "nature-based recreation" means leisure activities related
2018 to the state's lands, waters, and fish and wildlife resources,
2019 including, but not limited to, wildlife viewing, fishing,

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2020 hiking, canoeing, kayaking, camping, hunting, backpacking, and
2021 nature photography.

2022 Section 48. Subsection (6) of section 288.075, Florida
2023 Statutes, is amended to read:

2024 288.075 Confidentiality of records.—

2025 (6) ECONOMIC INCENTIVE PROGRAMS.—

2026 (a) The following information held by an economic
2027 development agency pursuant to the administration of an economic
2028 incentive program for qualified businesses is confidential and
2029 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2030 Constitution for a period not to exceed the duration of the
2031 incentive agreement, including an agreement authorizing a tax
2032 refund or tax credit, or upon termination of the incentive
2033 agreement:

2034 1. The percentage of the business's sales occurring
2035 outside this state ~~and, for businesses applying under s.~~
2036 ~~288.1045, the percentage of the business's gross receipts~~
2037 ~~derived from Department of Defense contracts during the 5 years~~
2038 ~~immediately preceding the date the business's application is~~
2039 ~~submitted.~~

2040 2. An individual employee's personal identifying
2041 information that is held as evidence of the achievement or
2042 nonachievement of the wage requirements of the tax refund, tax
2043 credit, or incentive agreement programs or of the job creation
2044 requirements of such programs.

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- 2045 3. The amount of:
- 2046 a. Taxes on sales, use, and other transactions paid
- 2047 pursuant to chapter 212;
- 2048 b. Corporate income taxes paid pursuant to chapter 220;
- 2049 c. Intangible personal property taxes paid pursuant to
- 2050 chapter 199;
- 2051 d. Insurance premium taxes paid pursuant to chapter 624;
- 2052 e. Excise taxes paid on documents pursuant to chapter 201;
- 2053 f. Ad valorem taxes paid, as defined in s. 220.03(1); or
- 2054 g. State communications services taxes paid pursuant to
- 2055 chapter 202.

2056

2057 However, an economic development agency may disclose in the

2058 annual incentives report required under s. 288.0065 ~~288.907~~ the

2059 aggregate amount of each tax identified in this subparagraph and

2060 paid by all businesses participating in each economic incentive

2061 program.

2062 (b)~~1~~. The following information held by an economic

2063 development agency relating to a specific business participating

2064 in an economic incentive program is no longer confidential or

2065 exempt 180 days after a final project order for an economic

2066 incentive agreement is issued, until a date specified in the

2067 final project order, or if the information is otherwise

2068 disclosed, whichever occurs first:

2069 1.a. The name of the qualified business.

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2070 ~~2.b.~~ The total number of jobs the business committed to
2071 create or retain.

2072 ~~3.e.~~ The total number of jobs created or retained by the
2073 business.

2074 ~~4.d.~~ Notwithstanding s. 213.053(2), the amount of tax
2075 refunds, tax credits, or incentives awarded to, claimed by, or,
2076 if applicable, refunded to the state by the business.

2077 ~~5.e.~~ The anticipated total annual wages of employees the
2078 business committed to hire or retain.

2079 ~~2. For a business applying for certification under s.
2080 288.1045 which is based on obtaining a new Department of Defense
2081 contract, the total number of jobs expected and the amount of
2082 tax refunds claimed may not be released until the new Department
2083 of Defense contract is awarded.~~

2084 Section 49. Subsections (7) through (10) of section
2085 288.076, Florida Statutes, are renumbered as subsections (6)
2086 through (9), respectively, and paragraphs (a), (c), and (e) of
2087 subsection (1) and present subsections (6) and (7) of that
2088 section are amended to read:

2089 288.076 Return on investment reporting for economic
2090 development programs.—

2091 (1) As used in this section, the term:

2092 (a) "Jobs" means full-time equivalent positions,
2093 including, but not limited to, positions obtained from a
2094 temporary employment agency or employee leasing company or

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2095 through a union agreement or coemployment under a professional
2096 employer organization agreement that result directly from a
2097 project in this state. The term does not include temporary
2098 construction jobs involved with the construction of facilities
2099 for the project or any jobs previously included in any
2100 application for tax refunds ~~has the same meaning as provided in~~
2101 ~~s. 288.106(2)(i).~~

2102 (c) "Project" means the creation of a new business or
2103 expansion of an existing business ~~has the same meaning as~~
2104 ~~provided in s. 288.106(2)(m).~~

2105 (e) "State investment" means any state grants, tax
2106 exemptions, tax refunds, tax credits, or other state incentives
2107 provided to a business under a program administered by the
2108 department, ~~including the capital investment tax credit under s.~~
2109 ~~220.191.~~

2110 ~~(6) Annually, the department shall publish information~~
2111 ~~relating to the progress of Quick Action Closing Fund projects,~~
2112 ~~including the average number of days between the date the~~
2113 ~~department receives a completed application and the date on~~
2114 ~~which the application is approved.~~

2115 ~~(6)(7)(a)~~ Within 48 hours after expiration of the period
2116 of confidentiality provided under s. 288.075, the department
2117 shall publish the contract or agreement described in s. 288.061,
2118 redacted to protect the participant business from disclosure of
2119 information that remains confidential or exempt by law.

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2120 ~~(b) Within 48 hours after submitting any report of~~
2121 ~~findings and recommendations made pursuant to s. 288.106(7)(d)~~
2122 ~~concerning a business's failure to complete a tax refund~~
2123 ~~agreement pursuant to the tax refund program for qualified~~
2124 ~~target industry businesses, the department shall publish such~~
2125 ~~report.~~

2126 Section 50. Section 288.095, Florida Statutes, is amended
2127 to read:

2128 288.095 Economic Development Trust Fund.—

2129 (1) The Economic Development Trust Fund is created within
2130 the department ~~of Economic Opportunity~~. Moneys deposited into
2131 the fund must be used only to support the authorized activities
2132 and operations of the department.

2133 (2) There is created, within the Economic Development
2134 Trust Fund, the Economic Development Incentives Account. The
2135 Economic Development Incentives Account consists of moneys
2136 appropriated to the account for purposes of the tax incentives
2137 programs formerly authorized under ss. 288.1045 and 288.106, and
2138 local financial support provided under former ss. 288.1045 and
2139 288.106. Moneys in the Economic Development Incentives Account
2140 shall be subject to the provisions of s. 216.301(1)(a).

2141 (3)(a) ~~The department may approve applications for~~
2142 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~
2143 The total state share of tax refund payments may not exceed \$35
2144 million.

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2145 (b) The total amount of tax refund claims approved for
2146 payment by the department based on actual project performance
2147 may not exceed the amount appropriated to the Economic
2148 Development Incentives Account for such purposes for the fiscal
2149 year. Claims for tax refunds under former ss. 288.1045 and
2150 288.106 shall be paid in the order the claims are approved by
2151 the department. In the event the Legislature does not
2152 appropriate an amount sufficient to satisfy the tax refunds
2153 under former ss. 288.1045 and 288.106 in a fiscal year, the
2154 department shall pay the tax refunds from the appropriation for
2155 the following fiscal year. By March 1 of each year, the
2156 department shall notify the legislative appropriations
2157 committees of the Senate and House of Representatives of any
2158 anticipated shortfall in the amount of funds needed to satisfy
2159 claims for tax refunds from the appropriation for the current
2160 fiscal year.

2161 (c) Moneys in the Economic Development Incentives Account
2162 may be used only to pay tax refunds and make other payments on
2163 agreements executed prior to July 1, 2017, authorized under
2164 former s. 288.1045, s. 288.106, or s. 288.107.

2165 (d) The department may adopt rules necessary to carry out
2166 ~~the provisions of~~ this subsection, including rules providing for
2167 the use of moneys in the Economic Development Incentives Account
2168 and for the administration of the Economic Development
2169 Incentives Account.

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2170 Section 51. Section 288.1045, Florida Statutes, is
2171 repealed.

2172 Section 52. Section 288.106, Florida Statutes, is
2173 repealed.

2174 Section 53. Section 288.107, Florida Statutes, is
2175 repealed.

2176 Section 54. Section 288.108, Florida Statutes, is
2177 repealed.

2178 Section 55. Section 288.1081, Florida Statutes, is
2179 repealed.

2180 Section 56. Section 288.1082, Florida Statutes, is
2181 repealed.

2182 Section 57. Section 288.1088, Florida Statutes, is
2183 repealed.

2184 Section 58. Section 288.1089, Florida Statutes, is
2185 repealed.

2186 Section 59. Section 288.111, Florida Statutes, is amended
2187 to read:

2188 288.111 Information concerning local manufacturing
2189 development programs.—The department shall develop materials
2190 that identify each local government that establishes a local
2191 manufacturing development program under s. 163.3252. The
2192 materials, which the department may elect to develop and
2193 maintain in electronic format or in any other format deemed by
2194 the department to provide public access, must be updated at

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2195 least annually. ~~Enterprise Florida, Inc., shall, and other State~~
2196 agencies may, distribute the materials to prospective, new,
2197 expanding, and relocating businesses seeking to conduct business
2198 in this state.

2199 Section 60. Section 288.1162, Florida Statutes, is
2200 repealed.

2201 Section 61. Section 288.11621, Florida Statutes, is
2202 repealed.

2203 Section 62. Section 288.11625, Florida Statutes, is
2204 repealed.

2205 Section 63. Section 288.11631, Florida Statutes, is
2206 repealed.

2207 Section 64. Section 288.1169, Florida Statutes, is
2208 repealed.

2209 Section 65. Section 288.1201, Florida Statutes, is
2210 repealed.

2211 Section 66. (1) The State Economic Enhancement and
2212 Development Trust Fund, FLAIR number 40-2-041, within the
2213 Department of Economic Opportunity is terminated.

2214 (2) All current balances remaining in, and all revenues
2215 of, the trust fund shall be transferred to the General Revenue
2216 Fund.

2217 (3) The Department of Economic Opportunity shall pay any
2218 outstanding debts and obligations of the terminated fund as soon
2219 as practicable, and the Chief Financial Officer shall close out

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2220 and remove the terminated fund from various state accounting
2221 systems using generally accepted accounting principles
2222 concerning warrants outstanding, assets, and liabilities.

2223 Section 67. Section 288.122, Florida Statutes, is
2224 repealed.

2225 Section 68. (1) The Tourism Promotional Trust Fund, FLAIR
2226 number 40-2-722, within the Department of Economic Opportunity
2227 is terminated.

2228 (2) All current balances remaining in, and all revenues
2229 of, the trust fund shall be transferred to the General Revenue
2230 Fund.

2231 (3) The Department of Economic Opportunity shall pay any
2232 outstanding debts and obligations of the terminated fund as soon
2233 as practicable, and the Chief Financial Officer shall close out
2234 and remove the terminated fund from various state accounting
2235 systems using generally accepted accounting principles
2236 concerning warrants outstanding, assets, and liabilities.

2237 Section 69. Section 288.1226, Florida Statutes, is amended
2238 to read:

2239 288.1226 Florida Tourism Industry Marketing Corporation;
2240 use of property; board of directors; duties; audit.-

2241 (1) DEFINITIONS.—For the purposes of this section, the
2242 term "corporation" means the Florida Tourism Industry Marketing
2243 Corporation.

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2244 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
2245 Corporation is a direct-support organization of the Department
2246 of Economic Opportunity Enterprise Florida, Inc.

2247 (a) The Florida Tourism Industry Marketing Corporation is
2248 a corporation not for profit, as defined in s. 501(c)(6) of the
2249 Internal Revenue Code of 1986, as amended, that is incorporated
2250 under the provisions of chapter 617 and approved by the
2251 Department of State.

2252 (b) The corporation is organized and operated exclusively
2253 to request, receive, hold, invest, and administer property and
2254 to manage and make expenditures for the operation of the
2255 activities, services, functions, and programs of this state
2256 which relate to the statewide, national, and international
2257 promotion and marketing of tourism.

2258 (c) The corporation is not an agency for the purposes of
2259 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,
2260 relating to leasing of buildings; ss. 283.33 and 283.35,
2261 relating to bids for printing; s. 215.31; and parts I, II, and
2262 IV-VIII of chapter 112.

2263 (d) The corporation is subject to the provisions of
2264 chapter 119, relating to public meetings, and those provisions
2265 of chapter 286 relating to public meetings and records.

2266 (3) USE OF PROPERTY.—The Department of Economic
2267 Opportunity Enterprise Florida, Inc.:

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2268 (a) Is authorized to permit the use of property and
2269 facilities of the department ~~Enterprise Florida, Inc.~~, by the
2270 corporation, subject to the provisions of this section.

2271 (b) Shall prescribe conditions with which the corporation
2272 must comply in order to use property and facilities of the
2273 department ~~Enterprise Florida, Inc.~~. Such conditions shall
2274 provide for budget and audit review and for oversight by the
2275 department ~~Enterprise Florida, Inc.~~.

2276 (c) May not permit the use of property and facilities of
2277 the department ~~Enterprise Florida, Inc.~~, if the corporation does
2278 not provide equal employment opportunities to all persons,
2279 regardless of race, color, national origin, sex, age, or
2280 religion.

2281 (4) BOARD OF DIRECTORS.—The board of directors of the
2282 corporation shall be composed of 31 tourism-industry-related
2283 members, appointed by the corporation ~~Enterprise Florida, Inc.~~,
2284 in conjunction with the department.

2285 (a) The board shall consist of 16 members, appointed in
2286 such a manner as to equitably represent all geographic areas of
2287 the state, with no fewer than two members from any of the
2288 following regions:

2289 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,
2290 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
2291 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

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2292 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
2293 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
2294 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
2295 Taylor, and Union Counties.

2296 3. Region 3, composed of Brevard, Indian River, Lake,
2297 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
2298 Volusia Counties.

2299 4. Region 4, composed of Citrus, Hernando, Hillsborough,
2300 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

2301 5. Region 5, composed of Charlotte, Collier, DeSoto,
2302 Glades, Hardee, Hendry, Highlands, and Lee Counties.

2303 6. Region 6, composed of Broward, Martin, Miami-Dade,
2304 Monroe, and Palm Beach Counties.

2305 (b) The 15 additional tourism-industry-related members
2306 shall include 1 representative from the statewide rental car
2307 industry; 7 representatives from tourist-related statewide
2308 associations, including those that represent hotels,
2309 campgrounds, county destination marketing organizations,
2310 museums, restaurants, retail, and attractions; 3 representatives
2311 from county destination marketing organizations; 1
2312 representative from the cruise industry; 1 representative from
2313 an automobile and travel services membership organization that
2314 has at least 2.8 million members in Florida; 1 representative
2315 from the airline industry; and 1 representative from the space
2316 tourism industry, who will each serve for a term of 2 years.

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2317 (5) POWERS AND DUTIES.—The corporation, in the performance
2318 of its duties:

2319 (a) May make and enter into contracts and assume such
2320 other functions as are necessary to carry out the provisions of
2321 the 4-year marketing plan required by s. 288.923, and the
2322 corporation's contract with the department that ~~Enterprise~~
2323 ~~Florida, Inc.,~~ which are not inconsistent with this or any other
2324 provision of law.

2325 (b) May develop a program to provide incentives and to
2326 attract and recognize those entities which make significant
2327 financial and promotional contributions towards the expanded
2328 tourism promotion activities of the corporation.

2329 (c) May establish a cooperative marketing program with
2330 other public and private entities which allows the use of the
2331 VISIT Florida logo in tourism promotion campaigns which meet the
2332 standards of the department ~~Enterprise Florida, Inc.,~~ for which
2333 the corporation may charge a reasonable fee.

2334 (d) May sue and be sued and appear and defend in all
2335 actions and proceedings in its corporate name to the same extent
2336 as a natural person.

2337 (e) May adopt, use, and alter a common corporate seal.
2338 However, such seal must always contain the words "corporation
2339 not for profit."

2340 (f) Shall elect or appoint such officers and agents as its
2341 affairs shall require and allow them reasonable compensation.

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2342 (g) Shall hire and establish salaries and personnel and
2343 employee benefit programs for such permanent and temporary
2344 employees as are necessary to carry out the provisions of the 4-
2345 year marketing plan and the corporation's contract with the
2346 department that ~~Enterprise Florida, Inc.,~~ which are not
2347 inconsistent with this or any other provision of law.

2348 (h) ~~Shall provide staff support to the Division of Tourism~~
2349 ~~Promotion of Enterprise Florida, Inc. The president and chief~~
2350 ~~executive officer of the Florida Tourism Industry Marketing~~
2351 ~~Corporation shall serve without compensation as the director of~~
2352 ~~the division.~~

2353 (i) May adopt, change, amend, and repeal bylaws, not
2354 inconsistent with law or its articles of incorporation, for the
2355 administration of the provisions of the 4-year marketing plan
2356 and the corporation's contract with the department ~~Enterprise~~
2357 ~~Florida, Inc.~~

2358 (i)(j) May conduct its affairs, carry on its operations,
2359 and have offices and exercise the powers granted by this act in
2360 any state, territory, district, or possession of the United
2361 States or any foreign country. When ~~Where~~ feasible, appropriate,
2362 and recommended by the 4-year marketing plan ~~developed by the~~
2363 ~~Division of Tourism Promotion of Enterprise Florida, Inc.,~~ the
2364 corporation may collocate the programs of foreign tourism
2365 offices in cooperation with any foreign office operated by any
2366 agency of this state.

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2367 (j)~~(k)~~ May appear on its own behalf before boards,
2368 commissions, departments, or other agencies of municipal,
2369 county, state, or federal government.

2370 (k)~~(l)~~ May request or accept any grant, payment, or gift,
2371 of funds or property made by this state or by the United States
2372 or any department or agency thereof or by any individual, firm,
2373 corporation, municipality, county, or organization for any or
2374 all of the purposes of the 4-year marketing plan and the
2375 corporation's contract with the department ~~Enterprise Florida,~~
2376 ~~Inc.~~, that are not inconsistent with this or any other provision
2377 of law. Such funds shall be deposited in a bank account
2378 established by the corporation's board of directors. The
2379 corporation may expend such funds in accordance with the terms
2380 and conditions of any such grant, payment, or gift, in the
2381 pursuit of its administration or in support of the programs it
2382 administers. The corporation shall separately account for the
2383 public funds and the private funds deposited into the
2384 corporation's bank account.

2385 (l)~~(m)~~ Shall establish a plan for participation in the
2386 corporation which will provide additional funding for the
2387 administration and duties of the corporation.

2388 (m)~~(n)~~ In the performance of its duties, may undertake, or
2389 contract for, marketing projects and advertising research
2390 projects.

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2391 (n)~~(e)~~ In addition to any indemnification available under
2392 chapter 617, the corporation may indemnify, and purchase and
2393 maintain insurance on behalf of, directors, officers, and
2394 employees of the corporation against any personal liability or
2395 accountability by reason of actions taken while acting within
2396 the scope of their authority.

2397 (6) ANNUAL AUDIT.—The corporation shall provide for an
2398 annual financial audit in accordance with s. 215.981. The annual
2399 audit report shall be submitted to the Auditor General; the
2400 Office of Program Policy Analysis and Government Accountability;
2401 ~~Enterprise Florida, Inc.;~~ and the department for review. The
2402 Office of Program Policy Analysis and Government Accountability;
2403 ~~Enterprise Florida, Inc.;~~ the department; and the Auditor
2404 General have the authority to require and receive from the
2405 corporation or from its independent auditor any detail or
2406 supplemental data relative to the operation of the corporation.
2407 The department shall annually certify whether the corporation is
2408 operating in a manner and achieving the objectives that are
2409 consistent with the policies and goals of the department
2410 ~~Enterprise Florida, Inc.,~~ and its long-range marketing plan. The
2411 identity of a donor or prospective donor to the corporation who
2412 desires to remain anonymous and all information identifying such
2413 donor or prospective donor are confidential and exempt from the
2414 provisions of s. 119.07(1) and s. 24(a), Art. I of the State

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2415 Constitution. Such anonymity shall be maintained in the
2416 auditor's report.

2417 (7) REPORT.—The corporation shall provide a quarterly
2418 report to the department ~~Enterprise Florida, Inc.~~, which shall:

2419 (a) Measure the current vitality of the visitor industry
2420 of this state as compared to the vitality of such industry for
2421 the year to date and for comparable quarters of past years.
2422 Indicators of vitality shall be determined by the department
2423 ~~Enterprise Florida, Inc.~~, and shall include, but not be limited
2424 to, estimated visitor count and party size, length of stay,
2425 average expenditure per party, and visitor origin and
2426 destination.

2427 (b) Provide detailed, unaudited financial statements of
2428 sources and uses of public and private funds.

2429 (c) Measure progress towards annual goals and objectives
2430 set forth in the 4-year marketing plan.

2431 (d) Review all pertinent research findings.

2432 (e) Provide other measures of accountability as requested
2433 by the department ~~Enterprise Florida, Inc.~~.

2434 (8) PUBLIC RECORDS EXEMPTION.—The identity of any person
2435 who responds to a marketing project or advertising research
2436 project conducted by the corporation in the performance of its
2437 duties ~~on behalf of Enterprise Florida, Inc.~~, or trade secrets
2438 as defined by s. 812.081 obtained pursuant to such activities,
2439 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State

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2440 Constitution. This subsection is subject to the Open Government
2441 Sunset Review Act in accordance with s. 119.15 and shall stand
2442 repealed on October 2, 2021, unless reviewed and saved from
2443 repeal through reenactment by the Legislature.

2444 (9) REPEAL.—This section is repealed October 1, 2019,
2445 unless reviewed and saved from repeal by the Legislature.

2446 Section 70. Section 288.12265, Florida Statutes, is
2447 amended to read:

2448 288.12265 Welcome centers.—

2449 (1) Responsibility for the welcome centers is assigned to
2450 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~,
2451 which shall contract with the Florida Tourism Industry Marketing
2452 Corporation to employ all welcome center staff.

2453 (2) The Department of Economic Opportunity ~~Enterprise~~
2454 ~~Florida, Inc.~~, shall administer and operate the welcome centers.
2455 Pursuant to a contract with the Department of Transportation,
2456 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~,
2457 shall be responsible for routine repair, replacement, or
2458 improvement and the day-to-day management of interior areas
2459 occupied by the welcome centers. All other repairs,
2460 replacements, or improvements to the welcome centers shall be
2461 the responsibility of the Department of Transportation. The
2462 Department of Economic Opportunity ~~Enterprise Florida, Inc.~~, may
2463 contract with the Florida Tourism Industry Marketing Corporation
2464 for the management and operation of the welcome centers.

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2465 Section 71. Section 288.124, Florida Statutes, is amended
2466 to read:

2467 288.124 Convention grants program.—The Florida Tourism
2468 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, is
2469 authorized to establish a convention grants program and,
2470 pursuant to that program, to recommend to the department
2471 expenditures and contracts with local governments and nonprofit
2472 corporations or organizations for the purpose of attracting
2473 national conferences and conventions to Florida. Preference
2474 shall be given to local governments and nonprofit corporations
2475 or organizations seeking to attract minority conventions to
2476 Florida. Minority conventions are events that primarily involve
2477 minority persons, as defined in s. 288.703, who are residents or
2478 nonresidents of the state. The Florida Tourism Industry
2479 Marketing Corporation ~~Enterprise Florida, Inc.~~, shall establish
2480 guidelines governing the award of grants and the administration
2481 of this program. The department has final approval authority for
2482 any grants under this section. The total annual allocation of
2483 funds for this program shall not exceed \$40,000.

2484 Section 72. Section 288.125, Florida Statutes, is
2485 repealed.

2486 Section 73. Section 288.1251, Florida Statutes, is
2487 repealed.

2488 Section 74. Section 288.1252, Florida Statutes, is
2489 repealed.

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2490 Section 75. Section 288.1253, Florida Statutes, is
2491 repealed.

2492 Section 76. Section 288.1258, Florida Statutes, is
2493 repealed.

2494 Section 77. Section 288.7015, Florida Statutes, is amended
2495 to read:

2496 288.7015 Appointment of rules ombudsman; duties.—The
2497 Governor shall appoint a rules ombudsman, as defined in s.
2498 288.703, in the Executive Office of the Governor, for
2499 considering the impact of agency rules on the state's citizens
2500 and businesses. ~~In carrying out duties as provided by law, the~~
2501 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~
2502 ~~point the department may recommend to improve the regulatory~~
2503 ~~environment of this state.~~ The duties of the rules ombudsman are
2504 to:

2505 (1) Carry out the responsibility provided in s.
2506 120.54(3)(b), with respect to small businesses.

2507 (2) Review state agency rules that adversely or
2508 disproportionately impact businesses, particularly those
2509 relating to small and minority businesses.

2510 (3) Make recommendations on any existing or proposed rules
2511 to alleviate unnecessary or disproportionate adverse effects to
2512 businesses.

2513 (4) Each state agency shall cooperate fully with the rules
2514 ombudsman in identifying such rules. Further, each agency shall

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2515 take the necessary steps to waive, modify, or otherwise minimize
2516 such adverse effects of any such rules. However, nothing in this
2517 section authorizes any state agency to waive, modify, provide
2518 exceptions to, or otherwise alter any rule that is:

2519 (a) Expressly required to implement or enforce any
2520 statutory provision or the express legislative intent thereof;

2521 (b) Designed to protect persons against discrimination on
2522 the basis of race, color, national origin, religion, sex, age,
2523 handicap, or marital status; or

2524 (c) Likely to prevent a significant risk or danger to the
2525 public health, the public safety, or the environment of the
2526 state.

2527 (5) The modification or waiver of any such rule pursuant
2528 to this section must be accomplished in accordance with the
2529 provisions of chapter 120.

2530 Section 78. Subsection (11) of section 288.706, Florida
2531 Statutes, is amended to read:

2532 288.706 Florida Minority Business Loan Mobilization
2533 Program.—

2534 (11) The Department of Management Services shall
2535 collaborate with ~~Enterprise Florida, Inc.~~, and the department to
2536 assist in the development and enhancement of black business
2537 enterprises.

2538 Section 79. Subsection (1) of section 288.773, Florida
2539 Statutes, is amended to read:

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2540 288.773 Florida Export Finance Corporation.—The Florida
2541 Export Finance Corporation is hereby created as a corporation
2542 not for profit, to be incorporated under the provisions of
2543 chapter 617 and approved by the Department of State. The
2544 corporation is organized on a nonstock basis. The purpose of the
2545 corporation is to expand employment and income opportunities for
2546 residents of this state through increased exports of goods and
2547 services, by providing businesses domiciled in this state
2548 information and technical assistance on export opportunities,
2549 exporting techniques, and financial assistance through
2550 guarantees and direct loan originations for sale in support of
2551 export transactions. The corporation shall have the power and
2552 authority to carry out the following functions:

2553 (1) To coordinate the efforts of the corporation with
2554 programs and goals of the United States Export-Import Bank, the
2555 International Trade Administration of the United States
2556 Department of Commerce, the Foreign Credit Insurance
2557 Association, the department Enterprise Florida, Inc., and other
2558 private and public programs and organizations, domestic and
2559 foreign, designed to provide export assistance and export-
2560 related financing.

2561 Section 80. Paragraph (a) of subsection (1) and paragraphs
2562 (a), (c), and (g) of subsection (3) of section 288.776, Florida
2563 Statutes, are amended to read:

2564 288.776 Board of directors; powers and duties.—

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2565 (1) (a) The corporation shall have a board of directors
2566 consisting of 15 members representing all geographic areas of
2567 the state. Minority and gender representation must be considered
2568 when making appointments to the board. The board membership must
2569 include:

2570 1. A representative of the following businesses, all of
2571 which must be registered to do business in this state: a foreign
2572 bank, a state bank, a federal bank, an insurance company
2573 involved in covering trade financing risks, and a small or
2574 medium-sized exporter.

2575 2. The following persons or their designee: the executive
2576 director of the department ~~President of Enterprise Florida,~~
2577 ~~Inc.~~, the Chief Financial Officer, the Secretary of State, and a
2578 senior official of the United States Department of Commerce.

2579 (3) The board shall:

2580 (a) Prior to the expenditure of funds from the export
2581 finance account, adopt bylaws, rules, and policies which are
2582 necessary to carry out the responsibilities under this part,
2583 particularly with respect to the implementation of the
2584 corporation's programs to insure, coinsure, lend, provide loan
2585 guarantees, and make direct, guaranteed, or collateralized loans
2586 by the corporation to support export transactions. The
2587 corporation's bylaws, rules, and policies shall be reviewed and
2588 approved by the department ~~Enterprise Florida, Inc.~~, prior to
2589 final adoption by the board.

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2590 (c) Issue an annual report to the department ~~Enterprise~~
2591 ~~Florida, Inc.,~~ on the activities of the corporation, including
2592 an evaluation of activities and recommendations for change. The
2593 evaluation shall include the corporation's impact on the
2594 following:

2595 1. Participation of private banks and other private
2596 organizations and individuals in the corporation's export
2597 financing programs.

2598 2. Access of small and medium-sized businesses in this
2599 state to federal export financing programs.

2600 3. Export volume of the small and medium-sized businesses
2601 in this state accessing the corporation's programs.

2602 4. Other economic and social benefits to international
2603 programs in this state.

2604 (g) Consult with the department ~~Enterprise Florida, Inc.,~~
2605 or any state or federal agency, to ensure that the respective
2606 loan guarantee or working capital loan origination programs are
2607 not duplicative and that each program makes full use of, to the
2608 extent practicable, the resources of the other.

2609 Section 81. Section 288.7771, Florida Statutes, is amended
2610 to read:

2611 288.7771 Annual report of Florida Export Finance
2612 Corporation.—The corporation shall annually prepare and submit
2613 to the department ~~Enterprise Florida, Inc., for inclusion in its~~

Amendment No. 1

2614 ~~annual report required under s. 288.906,~~ a complete and detailed
2615 report setting forth:

2616 (1) The report required in s. 288.776(3).

2617 (2) Its assets and liabilities at the end of its most
2618 recent fiscal year.

2619 Section 82. Paragraph (d) of subsection (1) of section
2620 288.8017, Florida Statutes, is amended to read:

2621 288.8017 Awards.—

2622 (1) Triumph Gulf Coast, Inc., shall make awards from
2623 available earnings and principal derived under s. 288.8013(2) to
2624 projects or programs that meet the priorities for economic
2625 recovery, diversification, and enhancement of the
2626 disproportionately affected counties, notwithstanding s. 377.43.
2627 Awards may be provided for:

2628 (d) Local match requirements of ss. 288.0655 ~~and,~~
2629 ~~288.0659, 288.1045, and 288.106~~ for projects in the
2630 disproportionately affected counties;

2631 Section 83. Subsections (4) and (6) of section 288.816,
2632 Florida Statutes, are amended to read:

2633 288.816 Intergovernmental relations.—

2634 (4) The state protocol officer shall serve as a contact
2635 for the state with the Florida Washington Office, the Florida
2636 Congressional Delegation, and United States Government agencies
2637 with respect to laws or policies which may affect the interests
2638 of the state in the area of international relations. All

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2639 inquiries received regarding international economic trade
2640 development or reverse investment opportunities shall be
2641 referred to the department ~~Enterprise Florida, Inc.~~. In addition,
2642 the state protocol officer shall serve as liaison with other
2643 states with respect to international programs of interest to
2644 Florida. The state protocol officer shall also investigate and
2645 make suggestions regarding possible areas of joint action or
2646 regional cooperation with these states.

2647 (6) The department ~~and Enterprise Florida, Inc.,~~ shall
2648 help to contribute an international perspective to the state's
2649 development efforts.

2650 Section 84. Section 288.826, Florida Statutes, is
2651 repealed.

2652 Section 85. (1) The Florida International Trade and
2653 Promotion Trust Fund, FLAIR number 40-2-338, within the
2654 Department of Economic Opportunity is terminated.

2655 (2) All current balances remaining in, and all revenues
2656 of, the trust fund shall be transferred to the General Revenue
2657 Fund.

2658 (3) The Department of Economic Opportunity shall pay any
2659 outstanding debts and obligations of the terminated trust fund
2660 as soon as practicable, and the Chief Financial Officer shall
2661 close out and remove the terminated trust fund from various
2662 state accounting systems using generally accepted accounting

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2663 principles concerning warrants outstanding, assets, and
2664 liabilities.

2665 Section 86. Section 288.901, Florida Statutes, is
2666 repealed.

2667 Section 87. Section 288.9015, Florida Statutes, is
2668 repealed.

2669 Section 88. Section 288.903, Florida Statutes, is
2670 repealed.

2671 Section 89. Section 288.904, Florida Statutes, is
2672 repealed.

2673 Section 90. Section 288.905, Florida Statutes, is
2674 repealed.

2675 Section 91. Section 288.906, Florida Statutes, is
2676 repealed.

2677 Section 92. Section 288.907, Florida Statutes, is
2678 transferred, renumbered as section 288.0065, Florida Statutes,
2679 and amended to read:

2680 288.0065 ~~288.907~~ Annual incentives report.—By December 30
2681 of each year, ~~Enterprise Florida, Inc., in conjunction with~~ the
2682 department, shall provide the Governor, the President of the
2683 Senate, and the Speaker of the House of Representatives a
2684 detailed incentives report quantifying the economic benefits for
2685 all of the economic development incentive programs offered by
2686 the state ~~marketed by Enterprise Florida, Inc.~~ The annual
2687 incentives report must include:

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- 2688 (1) For each incentive program:
- 2689 (a) A brief description of the incentive program.
- 2690 (b) The amount of awards granted, by year, since inception
- 2691 and the annual amount actually transferred from the state
- 2692 treasury to businesses or for the benefit of businesses for each
- 2693 of the previous 3 years.
- 2694 ~~(c) The actual amount of private capital invested, actual~~
- 2695 ~~number of jobs created, and actual wages paid for incentive~~
- 2696 ~~agreements completed during the previous 3 years for each target~~
- 2697 ~~industry sector.~~
- 2698 (2) For projects completed during the previous state
- 2699 fiscal year:
- 2700 (a) The number of economic development incentive
- 2701 applications received.
- 2702 ~~(b) The number of recommendations made to the department~~
- 2703 ~~by Enterprise Florida, Inc., including the number recommended~~
- 2704 ~~for approval and the number recommended for denial.~~
- 2705 (b)(e) The number of final decisions issued by the
- 2706 department for approval and for denial.
- 2707 (c)(d) The projects for which a tax refund, tax credit, or
- 2708 cash grant agreement was executed, identifying for each project:
- 2709 1. The number of jobs committed to be created.
- 2710 2. The amount of capital investments committed to be made.
- 2711 3. The annual average wage committed to be paid.

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2712 4. The amount of state economic development incentives
2713 committed to the project from each incentive program under the
2714 project's terms of agreement with the Department of Economic
2715 Opportunity.

2716 5. The amount and type of local matching funds committed
2717 to the project.

2718 ~~(e) Tax refunds paid or other payments made funded out of~~
2719 ~~the Economic Development Incentives Account for each project.~~

2720 ~~(d)-(f)~~ (d) The types of projects supported.

2721 (3) For economic development projects that received tax
2722 refunds, tax credits, or cash grants under the terms of an
2723 agreement for incentives:

2724 (a) The number of jobs actually created.

2725 (b) The amount of capital investments actually made.

2726 (c) The annual average wage paid.

2727 (4) For a project receiving economic development
2728 incentives approved by the department and receiving federal or
2729 local incentives, a description of the federal or local
2730 incentives, if available.

2731 (5) The number of withdrawn or terminated projects that
2732 did not fulfill the terms of their agreements with the
2733 department and, consequently, are not receiving incentives.

2734 ~~(6) For any agreements signed after July 1, 2010, findings~~
2735 ~~and recommendations on the efforts of the department to~~

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2736 ~~ascertain the causes of any business's inability to complete its~~
2737 ~~agreement made under s. 288.106.~~

2738 ~~(6)-(7)~~ The amount of tax refunds, tax credits, or other
2739 payments made to projects locating or expanding in state
2740 enterprise zones, rural communities, brownfield areas, or
2741 distressed urban communities. The report must include a separate
2742 analysis of the impact of such tax refunds on state enterprise
2743 zones designated under s. 290.0065, rural communities,
2744 brownfield areas, and distressed urban communities.

2745 ~~(8)~~ ~~The name of and tax refund amount for each business~~
2746 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~
2747 ~~during the preceding fiscal year.~~

2748 ~~(7)-(9)~~ An identification of the ~~target industry businesses~~
2749 ~~and~~ high-impact businesses.

2750 ~~(8)-(10)~~ A description of the trends relating to business
2751 interest in, and usage of, the various incentives, and the
2752 number of minority-owned or woman-owned businesses receiving
2753 incentives.

2754 ~~(9)-(11)~~ An identification of incentive programs not used
2755 and recommendations for program changes or program elimination.

2756 ~~(10)-(12)~~ Information related to the validation of
2757 contractor performance required under s. 288.061.

2758 ~~(11)-(13)~~ ~~Beginning in 2014,~~ A summation of the activities
2759 related to the Florida Space Business Incentives Act.

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2760 Section 93. Section 288.911, Florida Statutes, is
2761 repealed.

2762 Section 94. Section 288.912, Florida Statutes, is
2763 transferred, renumbered as section 288.007, Florida Statutes,
2764 and amended to read:

2765 288.007 ~~288.912~~ Inventory of communities seeking to
2766 recruit businesses.—By September 30 of each year, a county or
2767 municipality that has a population of at least 25,000 or its
2768 local economic development organization must submit to the
2769 department ~~Enterprise Florida, Inc.~~, a brief overview of the
2770 strengths, services, and economic development incentives that
2771 its community offers. The local government or its local economic
2772 development organization also must identify any industries that
2773 it is encouraging to locate or relocate to its area. A county or
2774 municipality having a population of 25,000 or fewer or its local
2775 economic development organization seeking to recruit businesses
2776 may submit information as required in this section and may
2777 participate in any activity or initiative resulting from the
2778 collection, analysis, and reporting of the information to the
2779 department ~~Enterprise Florida, Inc.~~, pursuant to this section.

2780 Section 95. Section 288.92, Florida Statutes, is repealed.

2781 Section 96. Section 288.923, Florida Statutes, is amended
2782 to read:

2783 288.923 ~~Division of~~ Tourism marketing; definitions;
2784 responsibilities.—

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2785 (1) ~~There is created within Enterprise Florida, Inc., the~~
2786 ~~Division of Tourism Marketing.~~

2787 ~~(2)~~ As used in this section, the term:

2788 (a) "Tourism marketing" means any effort exercised to
2789 attract domestic and international visitors from outside the
2790 state to destinations in this state and to stimulate Florida
2791 resident tourism to areas within the state.

2792 (b) "Tourist" means any person who participates in trade
2793 or recreation activities outside the county of his or her
2794 permanent residence or who rents or leases transient living
2795 quarters or accommodations as described in s. 125.0104(3)(a).

2796 (c) "County destination marketing organization" means a
2797 public or private agency that is funded by local option tourist
2798 development tax revenues under s. 125.0104, or local option
2799 convention development tax revenues under s. 212.0305, and is
2800 officially designated by a county commission to market and
2801 promote the area for tourism or convention business or, in any
2802 county that has not levied such taxes, a public or private
2803 agency that is officially designated by the county commission to
2804 market and promote the area for tourism or convention business.

2805 (d) "Direct-support organization" means the Florida
2806 Tourism Industry Marketing Corporation.

2807 ~~(2)(3)~~ The Department of Economic Opportunity ~~Enterprise~~
2808 ~~Florida, Inc.,~~ shall contract with the Florida Tourism Industry
2809 Marketing Corporation, a direct-support organization established

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2810 in s. 288.1226, to execute tourism promotion and marketing
2811 services, functions, and programs for the state, including, but
2812 not limited to, the activities prescribed by the 4-year
2813 marketing plan. ~~The division shall assist to maintain and~~
2814 ~~implement the contract.~~

2815 (3)~~(4)~~ The department's ~~division's~~ responsibilities and
2816 duties include, but are not limited to:

2817 (a) Maintaining and implementing the contract with the
2818 Florida Tourism Industry Marketing Corporation.

2819 ~~(b) Advising the department and Enterprise Florida, Inc.,~~
2820 ~~en~~ Ensuring the development of domestic and international
2821 tourism marketing campaigns featuring Florida by the
2822 corporation.

2823 (c) Developing a 4-year marketing plan with the
2824 corporation.

2825 1. At a minimum, the marketing plan shall discuss the
2826 following:

- 2827 a. Continuation of overall tourism growth in this state.
2828 b. Expansion to new or under-represented tourist markets.
2829 c. Maintenance of traditional and loyal tourist markets.
2830 d. Coordination of efforts with county destination
2831 marketing organizations, other local government marketing
2832 groups, privately owned attractions and destinations, and other
2833 private sector partners to create a seamless, four-season
2834 advertising campaign for the state and its regions.

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2835 e. Development of innovative techniques or promotions to
2836 build repeat visitation by targeted segments of the tourist
2837 population.

2838 f. Consideration of innovative sources of state funding
2839 for tourism marketing.

2840 g. Promotion of nature-based tourism and heritage tourism.

2841 h. Development of a component to address emergency
2842 response to natural and manmade disasters from a marketing
2843 standpoint.

2844 2. The plan shall be annual in construction and ongoing in
2845 nature. Any annual revisions of the plan shall carry forward the
2846 concepts of the remaining 3-year portion of the plan and
2847 consider a continuum portion to preserve the 4-year timeframe of
2848 the plan. The plan also shall include recommendations for
2849 specific performance standards and measurable outcomes for the
2850 ~~division and direct-support organization. The department, in~~
2851 ~~consultation with the board of directors of Enterprise Florida,~~
2852 ~~Inc.,~~ shall base the actual performance metrics on these
2853 recommendations.

2854 3. The 4-year marketing plan shall be developed in
2855 collaboration with the Florida Tourism Industry Marketing
2856 Corporation. The plan shall be annually reviewed and approved by
2857 the department ~~board of directors of Enterprise Florida, Inc.~~

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2858 (d) Drafting and submitting an annual report ~~required by~~
2859 ~~s. 288.92~~. The annual report shall set forth for the department
2860 ~~division~~ and the direct-support organization:

2861 1. Operations and accomplishments during the fiscal year,
2862 including the economic benefit of the state's investment and
2863 effectiveness of the marketing plan.

2864 2. The 4-year marketing plan, including recommendations on
2865 methods for implementing and funding the plan.

2866 3. The assets and liabilities of the direct-support
2867 organization at the end of its most recent fiscal year.

2868 4. A copy of the annual financial and compliance audit
2869 conducted under s. 288.1226(6).

2870 ~~(5) Notwithstanding s. 288.92, the division shall be~~
2871 ~~staffed by the Florida Tourism Industry Marketing Corporation.~~
2872 ~~Such staff shall not be considered to be employees of the~~
2873 ~~division and shall remain employees of the Florida Tourism~~
2874 ~~Industry Marketing Corporation. Section 288.905 does not apply~~
2875 ~~to the Florida Tourism Industry Marketing Corporation.~~

2876 (4)-(6) This section is repealed October 1, 2019, unless
2877 reviewed and saved from repeal by the Legislature.

2878 Section 97. Section 288.95155, Florida Statutes, is
2879 repealed.

2880 Section 98. Section 288.9519, Florida Statutes, is
2881 repealed.

Amendment No. 1

2882 Section 99. Section 288.9520, Florida Statutes, is amended
2883 to read:

2884 288.9520 Public records exemption.—Materials that relate
2885 to methods of manufacture or production, potential trade
2886 secrets, potentially patentable material, actual trade secrets,
2887 business transactions, financial and proprietary information,
2888 and agreements or proposals to receive funding that are
2889 received, generated, ascertained, or discovered by the
2890 department ~~Enterprise Florida, Inc.~~, including its affiliates or
2891 subsidiaries and partnership participants, such as private
2892 enterprises, educational institutions, and other organizations,
2893 are confidential and exempt from the provisions of s. 119.07(1)
2894 and s. 24(a), Art. I of the State Constitution, except that a
2895 recipient of department ~~Enterprise Florida, Inc.~~, research funds
2896 shall make available, upon request, the title and description of
2897 the research project, the name of the researcher, and the amount
2898 and source of funding provided for the project.

2899 Section 100. Subsection (10) of section 288.9603, Florida
2900 Statutes, is amended to read:

2901 288.9603 Definitions.—

2902 ~~(10) "Partnership" means Enterprise Florida, Inc.~~

2903 Section 101. Subsection (2) of section 288.9604, Florida
2904 Statutes, is amended to read:

2905 288.9604 Creation of the authority.—

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2906 (2) The Governor, subject to confirmation by the Senate,
2907 shall appoint the board of directors of the corporation, who
2908 shall be five in number. The terms of office for the directors
2909 shall be for 4 years from the date of their appointment. A
2910 vacancy occurring during a term shall be filled for the
2911 unexpired term. A director shall be eligible for reappointment.
2912 At least three of the directors of the corporation shall be
2913 bankers who have been selected by the Governor ~~from a list of~~
2914 ~~bankers who were nominated by Enterprise Florida, Inc.,~~ and one
2915 of the directors shall be an economic development specialist.

2916 Section 102. Paragraph (v) of subsection (2) of section
2917 288.9605, Florida Statutes, is amended to read:

2918 288.9605 Corporation powers.—

2919 (2) The corporation is authorized and empowered to:

2920 ~~(v) Enter into investment agreements with Enterprise~~
2921 ~~Florida, Inc., concerning the issuance of bonds and other forms~~
2922 ~~of indebtedness and capital.~~

2923 Section 103. Section 288.9614, Florida Statutes, is
2924 repealed.

2925 Section 104. Section 288.9621, Florida Statutes, is
2926 repealed.

2927 Section 105. Section 288.9622, Florida Statutes, is
2928 repealed.

2929 Section 106. Section 288.9623, Florida Statutes, is
2930 repealed.

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2931 Section 107. Section 288.9624, Florida Statutes, is
2932 repealed.

2933 Section 108. Section 288.9625, Florida Statutes, is
2934 repealed.

2935 Section 109. Section 288.96255, Florida Statutes, is
2936 repealed.

2937 Section 110. Section 288.9626, Florida Statutes, is
2938 repealed.

2939 Section 111. Section 288.9627, Florida Statutes, is
2940 repealed.

2941 Section 112. Paragraph (b) of subsection (1) of section
2942 288.980, Florida Statutes, is amended to read:

2943 288.980 Military base retention; legislative intent;
2944 grants program.—

2945 (1)

2946 ~~(b) The Florida Defense Alliance, an organization within~~
2947 ~~Enterprise Florida, Inc., is designated as the organization to~~
2948 ~~ensure that Florida, its resident military bases and missions,~~
2949 ~~and its military host communities are in competitive positions~~
2950 ~~as the United States continues its defense realignment and~~
2951 ~~downsizing. The defense alliance shall serve as an overall~~
2952 ~~advisory body for defense-related activity of Enterprise~~
2953 ~~Florida, Inc. The Florida Defense Alliance may receive funding~~
2954 ~~from appropriations made for that purpose administered by the~~
2955 ~~department.~~

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2956 Section 113. Section 288.991, Florida Statutes, is
2957 repealed.

2958 Section 114. Section 288.9912, Florida Statutes, is
2959 repealed.

2960 Section 115. Section 288.9913, Florida Statutes, is
2961 repealed.

2962 Section 116. Section 288.9914, Florida Statutes, is
2963 repealed.

2964 Section 117. Section 288.9915, Florida Statutes, is
2965 repealed.

2966 Section 118. Section 288.9916, Florida Statutes, is
2967 repealed.

2968 Section 119. Section 288.9917, Florida Statutes, is
2969 repealed.

2970 Section 120. Section 288.9918, Florida Statutes, is
2971 repealed.

2972 Section 121. Section 288.9919, Florida Statutes, is
2973 repealed.

2974 Section 122. Section 288.9920, Florida Statutes, is
2975 repealed.

2976 Section 123. Section 288.9921, Florida Statutes, is
2977 repealed.

2978 Section 124. Section 288.9922, Florida Statutes, is
2979 repealed.

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2980 Section 125. Subsection (4) of section 288.9932, Florida
2981 Statutes, is amended to read:

2982 288.9932 Definitions.—As used in this part, the term:

2983 ~~(4) "Network" means the Florida Small Business Development~~
2984 ~~Center Network.~~

2985 Section 126. Paragraphs (e) and (f) of subsection (4) and
2986 paragraph (b) of subsection (8) of section 288.9934, Florida
2987 Statutes, are amended to read:

2988 288.9934 Microfinance Loan Program.—

2989 (4) CONTRACT AND AWARD OF FUNDS.—

2990 ~~(e) Within 30 days of executing its contract with the~~
2991 ~~department, the loan administrator must enter into a memorandum~~
2992 ~~of understanding with the network:~~

2993 ~~1. For the provision of business management training,~~
2994 ~~business development training, and technical assistance to~~
2995 ~~entrepreneurs and small businesses that receive microloans under~~
2996 ~~this part; and~~

2997 ~~2. To promote the program to underserved entrepreneurs and~~
2998 ~~small businesses.~~

2999 ~~(f) By September 1, 2014, the department shall review~~
3000 ~~industry best practices and determine the minimum business~~
3001 ~~management training, business development training, and~~
3002 ~~technical assistance that must be provided by the network to~~
3003 ~~achieve the goals of this part.~~

3004 (8) AUDITS AND REPORTING.—

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3005 (b) The loan administrator shall submit quarterly reports
3006 to the department as required by s. 288.9936(2) ~~288.9936(3)~~.

3007 Section 127. Section 288.9935, Florida Statutes, is
3008 repealed.

3009 Section 128. Paragraph (p) of subsection (1) and
3010 subsection (2) of section 288.9936, Florida Statutes, are
3011 amended to read:

3012 288.9936 Annual report of the Microfinance Loan Program.—

3013 (1) The department shall include in the report required by
3014 s. 20.60(10) a complete and detailed annual report on the
3015 Microfinance Loan Program. The report must include:

3016 ~~(p) A description and evaluation of the technical~~
3017 ~~assistance and business management and development training~~
3018 ~~provided by the network pursuant to its memorandum of~~
3019 ~~understanding with the loan administrator.~~

3020 ~~(2) The department shall submit the report provided to the~~
3021 ~~department from Enterprise Florida, Inc., pursuant to s.~~
3022 ~~288.9935(8) for inclusion in the department's annual report~~
3023 ~~required under s. 20.60(10).~~

3024 Section 129. Section 288.9937, Florida Statutes, is
3025 amended to read:

3026 288.9937 Evaluation of programs.—The Office of Economic
3027 and Demographic Research shall analyze, evaluate, and determine
3028 the economic benefits, as defined in s. 288.005, of the first 3
3029 years of the Microfinance Loan Program ~~and the Microfinance~~

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3030 ~~Guarantee Program~~. The analysis must also evaluate the number of
3031 jobs created, the increase or decrease in personal income, and
3032 the impact on state gross domestic product from the direct,
3033 indirect, and induced effects of the state's investment. The
3034 analysis must also identify any inefficiencies in the program
3035 ~~programs~~ and provide recommendations for changes to the program
3036 ~~programs~~. The office shall submit a report to the President of
3037 the Senate and the Speaker of the House of Representatives by
3038 January 1, 2018. This section expires January 31, 2018.

3039 Section 130. Paragraph (h) of subsection (8) and paragraph
3040 (a) of subsection (9) of section 290.0056, Florida Statutes, are
3041 amended to read:

3042 290.0056 Enterprise zone development agency.—

3043 (8) The enterprise zone development agency shall have the
3044 following powers and responsibilities:

3045 (h) To work with the department ~~and Enterprise Florida,~~
3046 ~~Inc.~~, to ensure that the enterprise zone coordinator receives
3047 training on an annual basis.

3048 (9) The following powers and responsibilities shall be
3049 performed by the governing body creating the enterprise zone
3050 development agency acting as the managing agent of the
3051 enterprise zone development agency, or, contingent upon approval
3052 by such governing body, such powers and responsibilities shall
3053 be performed by the enterprise zone development agency:

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3054 (a) To review, process, and certify applications for state
3055 enterprise zone tax incentives pursuant to ss. 212.08(5)(f) and
3056 (g) ~~212.08(5)(g), (h)~~, and (15); 212.096; 220.181; and 220.182.

3057 Section 131. Paragraph (b) of subsection (4) and
3058 subsection (7) of section 290.0065, Florida Statutes, are
3059 amended to read:

3060 290.0065 State designation of enterprise zones.—

3061 (4)

3062 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The
3063 department shall, based on the enterprise zone profile and the
3064 grounds for redesignation expressed in the resolution, determine
3065 whether the enterprise zone merits redesignation. The department
3066 may also examine and consider the following:

3067 1. Progress made, if any, in the enterprise zone's
3068 strategic plan.

3069 2. Use of enterprise zone incentives during the life of
3070 the enterprise zone.

3071
3072 If the department determines that the enterprise zone merits
3073 redesignation, the department shall notify the governing body in
3074 writing of its approval of redesignation.

3075 (7) Upon approval by the department of a resolution
3076 authorizing an area to be an enterprise zone pursuant to this
3077 section, the department shall assign a unique identifying number
3078 to that resolution. ~~The department shall provide the Department~~

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3079 ~~of Revenue and Enterprise Florida, Inc., with a copy of each~~
3080 ~~resolution approved, together with its identifying number.~~

3081 Section 132. Section 290.00677, Florida Statutes, is
3082 amended to read:

3083 290.00677 Rural enterprise zones; special qualifications.-

3084 (1) Notwithstanding the enterprise zone residency
3085 requirements set out in s. 212.096(1)(c), eligible businesses as
3086 defined in s. 212.096(1)(a) located in rural enterprise zones as
3087 defined in s. 290.004 may receive the basic minimum credit
3088 provided under s. 212.096 for creating a new job and hiring a
3089 person residing within the jurisdiction of a rural community ~~as~~
3090 ~~defined in s. 288.106(2)~~. All other provisions of s. 212.096,
3091 including, but not limited to, those relating to the award of
3092 enhanced credits, apply to such businesses.

3093 (2) Notwithstanding the enterprise zone residency
3094 requirements set out in s. 220.03(1)(q), businesses as defined
3095 in s. 220.03(1)(c) located in rural enterprise zones as defined
3096 in s. 290.004 may receive the basic minimum credit provided
3097 under s. 220.181 for creating a new job and hiring a person
3098 residing within the jurisdiction of a rural community ~~as defined~~
3099 ~~in s. 288.106(2)~~. All other provisions of s. 220.181, including,
3100 but not limited to, those relating to the award of enhanced
3101 credits, apply to such businesses.

3102 (3) As used in this section, the term "rural community"
3103 means:

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3104 (a) A county having a population of 75,000 or fewer.

3105 (b) A county having a population of 125,000 or fewer that
3106 is contiguous to a county having a population of 75,000 or
3107 fewer.

3108 (c) A municipality within a county described in paragraph
3109 (a) or paragraph (b).

3110

3111 For purposes of this subsection, population shall be determined
3112 in accordance with the most recent official estimate pursuant to
3113 s. 186.901.

3114 Section 133. Subsections (4), (5), and (6) of section
3115 290.007, Florida Statutes, are amended to read:

3116 290.007 State incentives available in enterprise zones.—
3117 The following incentives are provided by the state to encourage
3118 the revitalization of enterprise zones:

3119 (4) The sales tax exemption for building materials used in
3120 the rehabilitation of real property in enterprise zones provided
3121 in s. 212.08(5)(f) ~~212.08(5)(g)~~.

3122 (5) The sales tax exemption for business equipment used in
3123 an enterprise zone provided in s. 212.08(5)(g) ~~212.08(5)(h)~~.

3124 (6) The sales tax exemption for electrical energy used in
3125 an enterprise zone provided in s. 212.08(14) ~~212.08(15)~~.

3126 Section 134. Subsections (3) and (4) of section 290.053,
3127 Florida Statutes, are amended to read:

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3128 290.053 Response to economic emergencies in small
3129 communities.—

3130 (3) A local government entity shall notify the Governor
3131 ~~and~~ the Department of Economic Opportunity, ~~and Enterprise~~
3132 ~~Florida, Inc.,~~ when one or more of the conditions specified in
3133 subsection (2) have occurred or will occur if action is not
3134 taken to assist the local governmental entity or the affected
3135 community.

3136 (4) Upon notification that one or more of the conditions
3137 described in subsection (2) exist, the Governor or his or her
3138 designee shall contact the local governmental entity to
3139 determine what actions have been taken by the local governmental
3140 entity or the affected community to resolve the economic
3141 emergency. The Governor may waive the eligibility criteria of
3142 any program or activity administered by the Department of
3143 Economic Opportunity ~~or Enterprise Florida, Inc.,~~ to provide
3144 economic relief to the affected community by granting
3145 participation in such programs or activities. The Governor shall
3146 consult with the President of the Senate and the Speaker of the
3147 House of Representatives and shall take other action, as
3148 necessary, to resolve the economic emergency in the most
3149 expedient manner possible. All actions taken pursuant to this
3150 section shall be within current appropriations and shall have no
3151 annualized impact beyond normal growth.

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3152 Section 135. Paragraphs (d) and (e) of subsection (3) and
3153 subsection (4) of section 295.22, Florida Statutes, are amended
3154 to read:

3155 295.22 Veterans Employment and Training Services Program.—

3156 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall
3157 administer the Veterans Employment and Training Services Program
3158 and perform all of the following functions:

3159 (d) Create a grant program to provide funding to assist
3160 veterans in meeting the workforce-skill needs of businesses
3161 seeking to hire veterans, establish criteria for approval of
3162 requests for funding, and maximize the use of funding for this
3163 program. Grant funds may be used only in the absence of
3164 available veteran-specific federally funded programs. Grants may
3165 fund specialized training specific to a particular business.

3166 1. Grant funds may be allocated to any training provider
3167 selected by the business, including a career center, a Florida
3168 College System institution, a state university, or an in-house
3169 training provider of the business. If grant funds are used to
3170 provide a technical certificate, a licensure, or a degree, funds
3171 may be allocated only upon a review that includes, but is not
3172 limited to, documentation of accreditation and licensure.

3173 Instruction funded through the program terminates when
3174 participants demonstrate competence at the level specified in
3175 the request but may not exceed 48 months. Preference shall be
3176 given to ~~target industry businesses, as defined in s. 288.106,~~

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3177 ~~and to~~ businesses in the defense supply, cloud virtualization,
3178 or commercial aviation manufacturing industries.

3179 2. Costs and expenditures for the grant program must be
3180 documented and separated from those incurred by the training
3181 provider. Costs and expenditures shall be limited to \$8,000 per
3182 veteran trainee. Eligible costs and expenditures include:

3183 a. Tuition and fees.

3184 b. Curriculum development.

3185 c. Books and classroom materials.

3186 d. Rental fees for facilities at public colleges and
3187 universities, including virtual training labs.

3188 e. Overhead or indirect costs not to exceed 5 percent of
3189 the grant amount.

3190 3. Before funds are allocated for a request pursuant to
3191 this section, the corporation shall prepare a grant agreement
3192 between the business requesting funds, the educational
3193 institution or training provider receiving funding through the
3194 program, and the corporation. Such agreement must include, but
3195 need not be limited to:

3196 a. Identification of the personnel necessary to conduct
3197 the instructional program, the qualifications of such personnel,
3198 and the respective responsibilities of the parties for paying
3199 costs associated with the employment of such personnel.

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3200 b. Identification of the match provided by the business,
3201 including cash and in-kind contributions, equal to at least 50
3202 percent of the total grant amount.

3203 c. Identification of the estimated duration of the
3204 instructional program.

3205 d. Identification of all direct, training-related costs.

3206 e. Identification of special program requirements that are
3207 not otherwise addressed in the agreement.

3208 f. Permission to access aggregate information specific to
3209 the wages and performance of participants upon the completion of
3210 instruction for evaluation purposes. The agreement must specify
3211 that any evaluation published subsequent to the instruction may
3212 not identify the employer or any individual participant.

3213 ~~4. A business may receive a grant under the Quick-Response~~
3214 ~~Training Program created under s. 288.047 and a grant under this~~
3215 ~~section for the same veteran trainee. If a business receives~~
3216 ~~funds under both programs, one grant agreement may be entered~~
3217 ~~into with CareerSource Florida, Inc., as the grant~~
3218 ~~administrator.~~

3219 (e) Contract with one or more entities to administer an
3220 entrepreneur initiative program for veterans in this state which
3221 connects business leaders in the state with veterans seeking to
3222 become entrepreneurs.

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3223 1. The corporation shall award each contract in accordance
3224 with the competitive bidding requirements in s. 287.057 to one
3225 or more public or private universities that:

3226 a. Demonstrate the ability to implement the program and
3227 the commitment of university resources, including financial
3228 resources, to such programs.

3229 b. Have a military and veteran resource center.

3230 ~~e. Have a regional small business development center in~~
3231 ~~the Florida Small Business Development Center Network.~~

3232 ~~c.d.~~ As determined by the corporation, have been
3233 nationally recognized for commitment to the military and
3234 veterans.

3235 2. Each contract must include performance metrics,
3236 including a focus on employment and business creation. Each
3237 university must coordinate with any entrepreneurship center
3238 located at the university. The university may also work with an
3239 entity offering related programs to refer veterans or to provide
3240 services. The entrepreneur initiative program may include
3241 activities and assistance such as peer-to-peer learning
3242 sessions, mentoring, technical assistance, business roundtables,
3243 networking opportunities, support of student organizations,
3244 speaker series, or other tools within a virtual environment.

3245 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~
3246 ~~Inc., shall provide information about the corporation and its~~
3247 ~~services to prospective, new, expanding, and relocating~~

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3248 ~~businesses seeking to conduct business in this state. Enterprise~~
3249 ~~Florida, Inc., shall, to the greatest extent possible,~~
3250 ~~collaborate with the corporation to meet the employment needs,~~
3251 ~~including meeting the job-creation requirements, of any business~~
3252 ~~receiving assistance or services from Enterprise Florida, Inc.~~

3253 Section 136. Paragraph (a) of subsection (6), paragraph
3254 (b) of subsection (9), paragraph (a) of subsection (35),
3255 subsection (60), and paragraph (b) of subsection (64) of section
3256 320.08058, Florida Statutes, are amended to read:

3257 320.08058 Specialty license plates.—

3258 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
3259 PLATES.—

3260 (a) Because the United States Olympic Committee has
3261 selected this state to participate in a combined fundraising
3262 program that provides for one-half of all money raised through
3263 volunteer giving to stay in this state ~~and be administered by~~
3264 ~~Enterprise Florida, Inc.,~~ to support amateur sports, and because
3265 the United States Olympic Committee is a ~~and Enterprise Florida,~~
3266 ~~Inc.,~~ are nonprofit organization ~~organizations~~ dedicated to
3267 providing athletes with support and training and preparing
3268 athletes of all ages and skill levels for sports competition,
3269 and because ~~Enterprise Florida, Inc.,~~ assists in the bidding for
3270 ~~sports competitions that provide significant impact to the~~
3271 ~~economy of this state,~~ and the Legislature supports the efforts
3272 of the United States Olympic Committee ~~and Enterprise Florida,~~

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3273 ~~Inc.~~, the Legislature establishes a Florida United States
3274 Olympic Committee license plate for the purpose of providing a
3275 continuous funding source to support this worthwhile effort.
3276 Florida United States Olympic Committee license plates must
3277 contain the official United States Olympic Committee logo and
3278 must bear a design and colors that are approved by the
3279 department. The word "Florida" must be centered at the top of
3280 the plate.

3281 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

3282 (b) The license plate annual use fees are to be annually
3283 distributed as follows:

3284 1. Fifty-five percent of the proceeds from the Florida
3285 Professional Sports Team plate must be deposited into the
3286 Professional Sports Development Trust Fund within the Department
3287 of Economic Opportunity. These funds must be used
3288 solely to attract and support major sports events in this state.
3289 As used in this subparagraph, the term "major sports events"
3290 means, but is not limited to, championship or all-star contests
3291 of Major League Baseball, the National Basketball Association,
3292 the National Football League, the National Hockey League, Major
3293 League Soccer, the men's and women's National Collegiate
3294 Athletic Association Final Four basketball championship, or a
3295 horseracing or dogracing Breeders' Cup. All funds must be used
3296 to support and promote major sporting events, and the uses must
3297 be approved by the Department of Economic Opportunity.

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3298 2. The remaining proceeds of the Florida Professional
3299 Sports Team license plate must be allocated to the Florida
3300 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be
3301 deposited into the Professional Sports Development Trust Fund
3302 within the Department of Economic Opportunity. These funds must
3303 be used by the Florida Sports Foundation ~~Enterprise Florida,~~
3304 ~~Inc.~~ to promote the economic development of the sports
3305 industry; to distribute licensing and royalty fees to
3306 participating professional sports teams; to promote education
3307 programs in Florida schools that provide an awareness of the
3308 benefits of physical activity and nutrition standards; to
3309 partner with the Department of Education and the Department of
3310 Health to develop a program that recognizes schools whose
3311 students demonstrate excellent physical fitness or fitness
3312 improvement; to institute a grant program for communities
3313 bidding on minor sporting events that create an economic impact
3314 for the state; to distribute funds to Florida-based charities
3315 designated by the Florida Sports Foundation ~~Enterprise Florida,~~
3316 ~~Inc.~~ and the participating professional sports teams; and to
3317 fulfill the sports promotion responsibilities of the Department
3318 of Economic Opportunity.

3319 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.~~
3320 shall provide an annual financial audit in accordance with s.
3321 215.981 of its financial accounts and records by an independent
3322 certified public accountant pursuant to the contract established

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3323 by the Department of Economic Opportunity. The auditor shall
3324 submit the audit report to the Department of Economic
3325 Opportunity for review and approval. If the audit report is
3326 approved, the Department of Economic Opportunity shall certify
3327 the audit report to the Auditor General for review.

3328 4. Notwithstanding the provisions of subparagraphs 1. and
3329 2., proceeds from the Professional Sports Development Trust Fund
3330 may also be used for operational expenses of the Florida Sports
3331 Foundation ~~Enterprise Florida, Inc.~~, and financial support of
3332 the Sunshine State Games.

3333 (35) FLORIDA GOLF LICENSE PLATES.—

3334 (a) The Department of Highway Safety and Motor Vehicles
3335 shall develop a Florida Golf license plate as provided in this
3336 section. The word "Florida" must appear at the bottom of the
3337 plate. The Dade Amateur Golf Association, following consultation
3338 with the Florida Sports Foundation and the PGA TOUR, ~~Enterprise~~
3339 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a
3340 revised sample plate for consideration by the department.

3341 (60) FLORIDA NASCAR LICENSE PLATES.—

3342 (a) The department shall develop a Florida NASCAR license
3343 plate as provided in this section. Florida NASCAR license plates
3344 must bear the colors and design approved by the department. The
3345 word "Florida" must appear at the top of the plate, and the term
3346 "NASCAR" must appear at the bottom of the plate. The National
3347 Association for Stock Car Auto Racing, following consultation

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3348 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
3349 submit a sample plate for consideration by the department.

3350 (b) The license plate annual use fees shall be distributed
3351 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The
3352 license plate annual use fees shall be annually allocated as
3353 follows:

3354 1. Up to 5 percent of the proceeds from the annual use
3355 fees may be used by the Department of Economic Opportunity
3356 ~~Enterprise Florida, Inc.~~, for the administration of the NASCAR
3357 license plate program.

3358 2. The National Association for Stock Car Auto Racing
3359 shall receive up to \$60,000 in proceeds from the annual use fees
3360 to be used to pay startup costs, including costs incurred in
3361 developing and issuing the plates. Thereafter, 10 percent of the
3362 proceeds from the annual use fees shall be provided to the
3363 association for the royalty rights for the use of its marks.

3364 3. The remaining proceeds from the annual use fees shall
3365 be distributed to the Florida Sports Foundation ~~Enterprise~~
3366 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~
3367 ~~Inc.~~, will retain 15 percent to support its regional grant
3368 program, attracting sporting events to Florida; 20 percent to
3369 support the marketing of motorsports-related tourism in the
3370 state; and 50 percent to be paid to the NASCAR Foundation, a s.
3371 501(c)(3) charitable organization, to support Florida-based
3372 charitable organizations.

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3373 (c) The Florida Sports Foundation ~~Enterprise Florida,~~
3374 ~~Inc.,~~ shall provide an annual financial audit in accordance with
3375 s. 215.981 of its financial accounts and records by an
3376 independent certified public accountant pursuant to the contract
3377 established by the Department of Economic Opportunity. The
3378 auditor shall submit the audit report to the Department of
3379 Economic Opportunity for review and approval. If the audit
3380 report is approved, the Department of Economic Opportunity shall
3381 certify the audit report to the Auditor General for review.

3382 (64) FLORIDA TENNIS LICENSE PLATES.—

3383 (b) The department shall distribute the annual use fees to
3384 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
3385 license plate annual use fees shall be annually allocated as
3386 follows:

3387 1. Up to 5 percent of the proceeds from the annual use
3388 fees may be used by the Florida Sports Foundation ~~Enterprise~~
3389 ~~Florida, Inc.,~~ to administer the license plate program.

3390 2. The United States Tennis Association Florida Section
3391 Foundation shall receive the first \$60,000 in proceeds from the
3392 annual use fees to reimburse it for startup costs,
3393 administrative costs, and other costs it incurs in the
3394 development and approval process.

3395 3. Up to 5 percent of the proceeds from the annual use
3396 fees may be used for promoting and marketing the license plates.
3397 The remaining proceeds shall be available for grants by the

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3398 United States Tennis Association Florida Section Foundation to
3399 nonprofit organizations to operate youth tennis programs and
3400 adaptive tennis programs for special populations of all ages,
3401 and for building, renovating, and maintaining public tennis
3402 courts.

3403 Section 137. Subsections (2), (3), and (6) of section
3404 331.3051, Florida Statutes, are amended to read:

3405 331.3051 Duties of Space Florida.—Space Florida shall:

3406 (2) Enter into agreement with the Department of Education,
3407 the Department of Transportation, ~~Enterprise Florida, Inc.,~~ and
3408 CareerSource Florida, Inc., for the purpose of implementing this
3409 act.

3410 (3) ~~In cooperation with Enterprise Florida, Inc.,~~ Develop
3411 a plan to retain, expand, attract, and create aerospace industry
3412 entities, public or private, which results in the creation of
3413 high-value-added businesses and jobs in this state.

3414 (6) ~~Develop, in cooperation with Enterprise Florida, Inc.,~~
3415 a plan to provide financing assistance to aerospace businesses.
3416 The plan may include the following activities:

3417 (a) Assembling, publishing, and disseminating information
3418 concerning financing opportunities and techniques for aerospace
3419 projects, programs, and activities; sources of public and
3420 private aerospace financing assistance; and sources of
3421 aerospace-related financing.

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3422 (b) Organizing, hosting, and participating in seminars and
3423 other forums designed to disseminate information and technical
3424 assistance regarding aerospace-related financing.

3425 (c) Coordinating with programs and goals of the Department
3426 of Defense, the National Aeronautics and Space Administration,
3427 the Export-Import Bank of the United States, the International
3428 Trade Administration of the United States Department of
3429 Commerce, the Foreign Credit Insurance Association, and other
3430 private and public programs and organizations, domestic and
3431 foreign.

3432 (d) Establishing a network of contacts among those
3433 domestic and foreign public and private organizations that
3434 provide information, technical assistance, and financial support
3435 to the aerospace industry.

3436 (e) Financing aerospace business development projects or
3437 initiatives using funds provided by the Legislature.

3438 Section 138. Section 331.3081, Florida Statutes, is
3439 amended to read:

3440 331.3081 Board of directors.—Space Florida shall be
3441 governed by a 13-member independent board of directors. The
3442 Governor, or his or her designee, shall serve as an ex officio
3443 voting member and chair of the board. The other 12 members shall
3444 be appointed from the private sector, 6 of whom shall be
3445 appointed by the Governor, 3 of whom shall be appointed by the
3446 President of the Senate, and 3 of whom shall be appointed by the

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3447 ~~Speaker of the House of Representatives that consists of the~~
3448 ~~members appointed to the board of directors of Enterprise~~
3449 ~~Florida, Inc., by the Governor, the President of the Senate, and~~
3450 ~~the Speaker of the House of Representatives pursuant to s.~~
3451 ~~288.901(5) (a)7. and the Governor, who shall serve ex officio, or~~
3452 ~~who may appoint a designee to serve, as the chair and a voting~~
3453 ~~member of the board.~~

3454 Section 139. Paragraph (f) of subsection (1) of section
3455 339.08, Florida Statutes, is amended to read:

3456 339.08 Use of moneys in State Transportation Trust Fund.—

3457 (1) The department shall expend moneys in the State
3458 Transportation Trust Fund accruing to the department, in
3459 accordance with its annual budget. The use of such moneys shall
3460 be restricted to the following purposes:

3461 ~~(f) To pay the cost of economic development transportation~~
3462 ~~projects in accordance with s. 339.2821.~~

3463 Section 140. Section 339.2821, Florida Statutes, is
3464 repealed.

3465 Section 141. Subsection (2) of section 364.0135, Florida
3466 Statutes, is amended to read:

3467 364.0135 Promotion of broadband adoption.—

3468 (2) The Department of Management Services is authorized to
3469 work collaboratively with, and to receive staffing support and
3470 other resources from, ~~Enterprise Florida, Inc.,~~ state agencies,

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3471 local governments, private businesses, and community
3472 organizations to:

3473 (a) Monitor the adoption of broadband Internet service in
3474 collaboration with communications service providers, including,
3475 but not limited to, wireless and wireline Internet service
3476 providers, to develop geographical information system maps at
3477 the census tract level that will:

3478 1. Identify geographic gaps in broadband services,
3479 including areas unserved by any broadband provider and areas
3480 served by a single broadband provider;

3481 2. Identify the download and upload transmission speeds
3482 made available to businesses and individuals in the state, at
3483 the census tract level of detail, using data rate benchmarks for
3484 broadband service used by the Federal Communications Commission
3485 to reflect different speed tiers; and

3486 3. Provide a baseline assessment of statewide broadband
3487 deployment in terms of percentage of households with broadband
3488 availability.

3489 (b) Create a strategic plan that has goals and strategies
3490 for increasing the use of broadband Internet service in the
3491 state.

3492 (c) Build and facilitate local technology planning teams
3493 or partnerships with members representing cross-sections of the
3494 community, which may include, but are not limited to,
3495 representatives from the following organizations and industries:

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3496 libraries, K-12 education, colleges and universities, local
3497 health care providers, private businesses, community
3498 organizations, economic development organizations, local
3499 governments, tourism, parks and recreation, and agriculture.

3500 (d) Encourage the use of broadband Internet service,
3501 especially in the rural, unserved, and underserved communities
3502 of the state through grant programs having effective strategies
3503 to facilitate the statewide deployment of broadband Internet
3504 service. For any grants to be awarded, priority must be given to
3505 projects that:

3506 1. Provide access to broadband education, awareness,
3507 training, access, equipment, and support to libraries, schools,
3508 colleges and universities, health care providers, and community
3509 support organizations.

3510 2. Encourage the sustainable adoption of broadband in
3511 primarily unserved areas by removing barriers to entry.

3512 3. Work toward encouraging investments in establishing
3513 affordable and sustainable broadband Internet service in
3514 unserved areas of the state.

3515 4. Facilitate the development of applications, programs,
3516 and services, including, but not limited to, telework,
3517 telemedicine, and e-learning to increase the usage of, and
3518 demand for, broadband Internet service in the state.

3519 Section 142. Paragraph (d) of subsection (1) of section
3520 376.82, Florida Statutes, is amended to read:

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3521 376.82 Eligibility criteria and liability protection.—

3522 (1) ELIGIBILITY.—Any person who has not caused or
3523 contributed to the contamination of a brownfield site on or
3524 after July 1, 1997, is eligible to participate in the brownfield
3525 program established in ss. 376.77-376.85, subject to the
3526 following:

3527 (d) After July 1, 1997, petroleum and drycleaning
3528 contamination sites shall not receive both restoration funding
3529 assistance available for the discharge under this chapter ~~and~~
3530 ~~any state assistance available under s. 288.107.~~ Nothing in this
3531 act shall affect the cleanup criteria, priority ranking, and
3532 other rights and obligations inherent in petroleum contamination
3533 and drycleaning contamination site rehabilitation under ss.
3534 376.30-376.317, or the availability of economic incentives
3535 otherwise provided for by law.

3536 Section 143. Paragraph (h) of subsection (2) of section
3537 377.703, Florida Statutes, is amended to read:

3538 377.703 Additional functions of the Department of
3539 Agriculture and Consumer Services.—

3540 (2) DUTIES.—The department shall perform the following
3541 functions, unless as otherwise provided, consistent with the
3542 development of a state energy policy:

3543 (h) The department shall promote the development and use
3544 of renewable energy resources, in conformance with chapter 187
3545 and s. 377.601, by:

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3546 1. Establishing goals and strategies for increasing the
3547 use of renewable energy in this state.

3548 2. Aiding and promoting the commercialization of renewable
3549 energy resources, in cooperation with the Florida Energy Systems
3550 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~
3551 ~~Inc.~~, and any other federal, state, or local governmental agency
3552 that may seek to promote research, development, and the
3553 demonstration of renewable energy equipment and technology.

3554 3. Identifying barriers to greater use of renewable energy
3555 resources in this state, and developing specific recommendations
3556 for overcoming identified barriers, with findings and
3557 recommendations to be submitted annually in the report to the
3558 Governor and Legislature required under paragraph (f).

3559 4. In cooperation with the Department of Environmental
3560 Protection, the Department of Transportation, the Department of
3561 Economic Opportunity, ~~Enterprise Florida, Inc.~~, the Florida
3562 Energy Systems Consortium, the Florida Solar Energy Center, and
3563 the Florida Solar Energy Industries Association, investigating
3564 opportunities, pursuant to the national Energy Policy Act of
3565 1992, the Housing and Community Development Act of 1992, and any
3566 subsequent federal legislation, for renewable energy resources,
3567 electric vehicles, and other renewable energy manufacturing,
3568 distribution, installation, and financing efforts that enhance
3569 this state's position as the leader in renewable energy
3570 research, development, and use.

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3571 5. Undertaking other initiatives to advance the
3572 development and use of renewable energy resources in this state.
3573

3574 In the exercise of its responsibilities under this paragraph,
3575 the department shall seek the assistance of the renewable energy
3576 industry in this state and other interested parties and may
3577 enter into contracts, retain professional consulting services,
3578 and expend funds appropriated by the Legislature for such
3579 purposes.

3580 Section 144. Subsection (5) of section 377.804, Florida
3581 Statutes, is amended to read:

3582 377.804 Renewable Energy and Energy-Efficient Technologies
3583 Grants Program.—

3584 (5) The department shall solicit the expertise of state
3585 agencies, ~~Enterprise Florida, Inc.~~, and state universities, and
3586 may solicit the expertise of other public and private entities
3587 it deems appropriate, in evaluating project proposals. State
3588 agencies shall cooperate with the department and provide such
3589 assistance as requested.

3590 Section 145. Paragraph (a) of subsection (4) of section
3591 377.809, Florida Statutes, is amended to read:

3592 377.809 Energy Economic Zone Pilot Program.—

3593 (4) (a) Beginning July 1, 2012, all the incentives and
3594 benefits provided for enterprise zones pursuant to state law
3595 shall be available to the energy economic zones designated

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3596 pursuant to this section on or before July 1, 2010. In order to
3597 provide incentives, by March 1, 2012, each local governing body
3598 that has jurisdiction over an energy economic zone must, by
3599 local ordinance, establish the boundary of the energy economic
3600 zone, specify applicable energy-efficiency standards, and
3601 determine eligibility criteria for the application of state and
3602 local incentives and benefits in the energy economic zone.
3603 ~~However, in order to receive benefits provided under s. 288.106,~~
3604 ~~a business must be a qualified target industry business under s.~~
3605 ~~288.106 for state purposes.~~ An energy economic zone's boundary
3606 may be revised by local ordinance. Such incentives and benefits
3607 include those in ss. ~~212.08,~~ 212.096, 220.181, 220.182, 220.183,
3608 ~~288.106,~~ and 624.5105 and the public utility discounts provided
3609 in s. 290.007(8). ~~The exemption provided in s. 212.08(5)(c)~~
3610 ~~shall be for renewable energy as defined in s. 377.803.~~ For
3611 purposes of this section, any applicable requirements for
3612 employee residency for higher refund or credit thresholds must
3613 be based on employee residency in the energy economic zone or an
3614 enterprise zone. A business in an energy economic zone may also
3615 be eligible for funding under s. ~~ss. 288.047 and 445.003,~~ and a
3616 ~~transportation project in an energy economic zone shall be~~
3617 ~~provided priority in funding under s. 339.2821.~~ Other projects
3618 shall be given priority ranking to the extent practicable for
3619 grants administered under state energy programs.

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3620 Section 146. Subsection (24) of section 380.06, Florida
3621 Statutes, is amended to read:

3622 380.06 Developments of regional impact.—

3623 (24) STATUTORY EXEMPTIONS.—

3624 (a) Any proposed hospital is exempt from this section.

3625 (b) Any proposed electrical transmission line or
3626 electrical power plant is exempt from this section.

3627 (c) Any proposed addition to an existing sports facility
3628 complex is exempt from this section if the addition meets the
3629 following characteristics:

3630 1. It would not operate concurrently with the scheduled
3631 hours of operation of the existing facility.

3632 2. Its seating capacity would be no more than 75 percent
3633 of the capacity of the existing facility.

3634 3. The sports facility complex property is owned by a
3635 public body before July 1, 1983.

3636

3637 This exemption does not apply to any pari-mutuel facility.

3638 (d) Any proposed addition or cumulative additions
3639 subsequent to July 1, 1988, to an existing sports facility
3640 complex owned by a state university is exempt if the increased
3641 seating capacity of the complex is no more than 30 percent of
3642 the capacity of the existing facility.

3643 (e) Any addition of permanent seats or parking spaces for
3644 an existing sports facility located on property owned by a

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3645 public body before July 1, 1973, is exempt from this section if
3646 future additions do not expand existing permanent seating or
3647 parking capacity more than 15 percent annually in excess of the
3648 prior year's capacity.

3649 (f) Any increase in the seating capacity of an existing
3650 sports facility having a permanent seating capacity of at least
3651 50,000 spectators is exempt from this section, provided that
3652 such an increase does not increase permanent seating capacity by
3653 more than 5 percent per year and not to exceed a total of 10
3654 percent in any 5-year period, and provided that the sports
3655 facility notifies the appropriate local government within which
3656 the facility is located of the increase at least 6 months before
3657 the initial use of the increased seating, in order to permit the
3658 appropriate local government to develop a traffic management
3659 plan for the traffic generated by the increase. Any traffic
3660 management plan shall be consistent with the local comprehensive
3661 plan, the regional policy plan, and the state comprehensive
3662 plan.

3663 (g) Any expansion in the permanent seating capacity or
3664 additional improved parking facilities of an existing sports
3665 facility is exempt from this section, if the following
3666 conditions exist:

3667 1.a. The sports facility had a permanent seating capacity
3668 on January 1, 1991, of at least 41,000 spectator seats;

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3669 b. The sum of such expansions in permanent seating
3670 capacity does not exceed a total of 10 percent in any 5-year
3671 period and does not exceed a cumulative total of 20 percent for
3672 any such expansions; or

3673 c. The increase in additional improved parking facilities
3674 is a one-time addition and does not exceed 3,500 parking spaces
3675 serving the sports facility; and

3676 2. The local government having jurisdiction of the sports
3677 facility includes in the development order or development permit
3678 approving such expansion under this paragraph a finding of fact
3679 that the proposed expansion is consistent with the
3680 transportation, water, sewer and stormwater drainage provisions
3681 of the approved local comprehensive plan and local land
3682 development regulations relating to those provisions.

3683
3684 Any owner or developer who intends to rely on this statutory
3685 exemption shall provide to the department a copy of the local
3686 government application for a development permit. Within 45 days
3687 after receipt of the application, the department shall render to
3688 the local government an advisory and nonbinding opinion, in
3689 writing, stating whether, in the department's opinion, the
3690 prescribed conditions exist for an exemption under this
3691 paragraph. The local government shall render the development
3692 order approving each such expansion to the department. The
3693 owner, developer, or department may appeal the local government

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3694 development order pursuant to s. 380.07, within 45 days after
3695 the order is rendered. The scope of review shall be limited to
3696 the determination of whether the conditions prescribed in this
3697 paragraph exist. If any sports facility expansion undergoes
3698 development-of-regional-impact review, all previous expansions
3699 which were exempt under this paragraph shall be included in the
3700 development-of-regional-impact review.

3701 (h) Expansion to port harbors, spoil disposal sites,
3702 navigation channels, turning basins, harbor berths, and other
3703 related inwater harbor facilities of ports listed in s.
3704 403.021(9)(b), port transportation facilities and projects
3705 listed in s. 311.07(3)(b), and intermodal transportation
3706 facilities identified pursuant to s. 311.09(3) are exempt from
3707 this section when such expansions, projects, or facilities are
3708 consistent with comprehensive master plans that are in
3709 compliance with s. 163.3178.

3710 (i) Any proposed facility for the storage of any petroleum
3711 product or any expansion of an existing facility is exempt from
3712 this section.

3713 (j) Any renovation or redevelopment within the same land
3714 parcel which does not change land use or increase density or
3715 intensity of use.

3716 (k) Waterport and marina development, including dry
3717 storage facilities, are exempt from this section.

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3718 (l) Any proposed development within an urban service
3719 boundary established under s. 163.3177(14), Florida Statutes
3720 (2010), which is not otherwise exempt pursuant to subsection
3721 (29), is exempt from this section if the local government having
3722 jurisdiction over the area where the development is proposed has
3723 adopted the urban service boundary and has entered into a
3724 binding agreement with jurisdictions that would be impacted and
3725 with the Department of Transportation regarding the mitigation
3726 of impacts on state and regional transportation facilities.

3727 (m) Any proposed development within a rural land
3728 stewardship area created under s. 163.3248.

3729 (n) The establishment, relocation, or expansion of any
3730 military installation as defined in s. 163.3175, is exempt from
3731 this section.

3732 (o) Any self-storage warehousing that does not allow
3733 retail or other services is exempt from this section.

3734 (p) Any proposed nursing home or assisted living facility
3735 is exempt from this section.

3736 (q) Any development identified in an airport master plan
3737 and adopted into the comprehensive plan pursuant to s.
3738 163.3177(6)(b)4. is exempt from this section.

3739 (r) Any development identified in a campus master plan and
3740 adopted pursuant to s. 1013.30 is exempt from this section.

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3741 (s) Any development in a detailed specific area plan which
3742 is prepared and adopted pursuant to s. 163.3245 is exempt from
3743 this section.

3744 (t) Any proposed solid mineral mine and any proposed
3745 addition to, expansion of, or change to an existing solid
3746 mineral mine is exempt from this section. A mine owner will
3747 enter into a binding agreement with the Department of
3748 Transportation to mitigate impacts to strategic intermodal
3749 system facilities pursuant to the transportation thresholds in
3750 subsection (19) or rule 9J-2.045(6), Florida Administrative
3751 Code. Proposed changes to any previously approved solid mineral
3752 mine development-of-regional-impact development orders having
3753 vested rights are is not subject to further review or approval
3754 as a development-of-regional-impact or notice-of-proposed-change
3755 review or approval pursuant to subsection (19), except for those
3756 applications pending as of July 1, 2011, which shall be governed
3757 by s. 380.115(2). Notwithstanding the foregoing, however,
3758 pursuant to s. 380.115(1), previously approved solid mineral
3759 mine development-of-regional-impact development orders shall
3760 continue to enjoy vested rights and continue to be effective
3761 unless rescinded by the developer. All local government
3762 regulations of proposed solid mineral mines shall be applicable
3763 to any new solid mineral mine or to any proposed addition to,
3764 expansion of, or change to an existing solid mineral mine.

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3765 (u) Notwithstanding any provisions in an agreement with or
3766 among a local government, regional agency, or the state land
3767 planning agency or in a local government's comprehensive plan to
3768 the contrary, a project no longer subject to development-of-
3769 regional-impact review under revised thresholds is not required
3770 to undergo such review.

3771 (v) Any development within a county with a research and
3772 education authority created by special act and that is also
3773 within a research and development park that is operated or
3774 managed by a research and development authority pursuant to part
3775 V of chapter 159 is exempt from this section.

3776 (w) Any development in an energy economic zone designated
3777 pursuant to s. 377.809 is exempt from this section upon approval
3778 by its local governing body.

3779 ~~(x) Any proposed development that is located in a local~~
3780 ~~government jurisdiction that does not qualify for an exemption~~
3781 ~~based on the population and density criteria in paragraph~~
3782 ~~(29) (a), that is approved as a comprehensive plan amendment~~
3783 ~~adopted pursuant to s. 163.3184(4), and that is the subject of~~
3784 ~~an agreement pursuant to s. 288.106(5) is exempt from this~~
3785 ~~section. This exemption shall only be effective upon a written~~
3786 ~~agreement executed by the applicant, the local government, and~~
3787 ~~the state land planning agency. The state land planning agency~~
3788 ~~shall only be a party to the agreement upon a determination that~~
3789 ~~the development is the subject of an agreement pursuant to s.~~

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3790 ~~288.106(5) and that the local government has the capacity to~~
3791 ~~adequately assess the impacts of the proposed development. The~~
3792 ~~local government shall only be a party to the agreement upon~~
3793 ~~approval by the governing body of the local government and upon~~
3794 ~~providing at least 21 days' notice to adjacent local governments~~
3795 ~~that includes, at a minimum, information regarding the location,~~
3796 ~~density and intensity of use, and timing of the proposed~~
3797 ~~development. This exemption does not apply to areas within the~~
3798 ~~boundary of any area of critical state concern designated~~
3799 ~~pursuant to s. 380.05, within the boundary of the Wekiva Study~~
3800 ~~Area as described in s. 369.316, or within 2 miles of the~~
3801 ~~boundary of the Everglades Protection Area as defined in s.~~
3802 ~~373.4592(2).~~

3803
3804 If a use is exempt from review as a development of regional
3805 impact under paragraphs (a)-(u), but will be part of a larger
3806 project that is subject to review as a development of regional
3807 impact, the impact of the exempt use must be included in the
3808 review of the larger project, ~~unless such exempt use involves a~~
3809 ~~development of regional impact that includes a landowner,~~
3810 ~~tenant, or user that has entered into a funding agreement with~~
3811 ~~the Department of Economic Opportunity under the Innovation~~
3812 ~~Incentive Program and the agreement contemplates a state award~~
3813 ~~of at least \$50 million.~~

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3814 Section 147. Subsections (1) and (5) of section 380.0657,
3815 Florida Statutes, are amended to read:

3816 380.0657 Expedited permitting process for economic
3817 development projects.—

3818 (1) The Department of Environmental Protection and, as
3819 appropriate, the water management districts created under
3820 chapter 373 shall adopt programs to expedite the processing of
3821 wetland resource and environmental resource permits for ~~economic~~
3822 ~~development projects that have been identified by a municipality~~
3823 ~~or county as meeting the definition of target industry~~
3824 ~~businesses under s. 288.106, or any intermodal logistics center~~
3825 receiving or sending cargo to or from Florida ports, with the
3826 exception of those projects requiring approval by the Board of
3827 Trustees of the Internal Improvement Trust Fund.

3828 (5) Notwithstanding the provisions of this section, permit
3829 applications for projects to be located in a charter county that
3830 has a population of 1.2 million or more and has entered into a
3831 delegation agreement with the Department of Environmental
3832 Protection or the applicable water management district to
3833 process environmental resource permits, wetland resource
3834 management permits, or surface water management permits pursuant
3835 to chapter 373 are eligible for expedited permitting under this
3836 section only upon designation by resolution of the charter
3837 county's governing board. ~~Before the governing board decides~~
3838 ~~that a project is eligible for expedited permitting, it may~~

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3839 ~~require the county's economic development agency, or such other~~
3840 ~~agency that provides advice to the governing board on economic~~
3841 ~~matters, to review and recommend whether the project meets the~~
3842 ~~definition of a target industry business as defined in s.~~
3843 ~~288.106 and to identify the tangible benefits and impacts of the~~
3844 ~~project. The governing board's decision shall be made without~~
3845 ~~consideration of the project's geographic location within the~~
3846 ~~charter county. If the governing board designates the project as~~
3847 ~~a target industry business, the permit application for the~~
3848 ~~project shall be approved or denied within the timeframe~~
3849 ~~provided in subsection (4).~~

3850 Section 148. Paragraph (b) of subsection (3) of section
3851 403.42, Florida Statutes, is amended to read:

3852 403.42 Florida Clean Fuel Act.—

3853 (3) CLEAN FUEL FLORIDA ADVISORY BOARD ESTABLISHED;
3854 MEMBERSHIP; DUTIES AND RESPONSIBILITIES.—

3855 (b)1. The advisory board shall consist of the Executive
3856 Director of the Department of Economic Opportunity, the
3857 Secretary of Environmental Protection, or a designee from that
3858 department, the Commissioner of Education, or a designee from
3859 that department, the Secretary of Transportation, or a designee
3860 from that department, the Commissioner of Agriculture, or a
3861 designee from that department, the Secretary of Management
3862 Services, or a designee from that department, and a

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3863 representative of each of the following, who shall be appointed
3864 by the Secretary of Environmental Protection:

- 3865 a. The Florida biodiesel industry.
3866 b. The Florida electric utility industry.
3867 c. The Florida natural gas industry.
3868 d. The Florida propane gas industry.
3869 e. An automobile manufacturers' association.
3870 f. A Florida Clean Cities Coalition designated by the
3871 United States Department of Energy.
3872 ~~g. Enterprise Florida, Inc.~~
3873 ~~g.h.~~ EV Ready Broward.
3874 ~~h.i.~~ The Florida petroleum industry.
3875 ~~i.j.~~ The Florida League of Cities.
3876 ~~j.k.~~ The Florida Association of Counties.
3877 ~~k.l.~~ Floridians for Better Transportation.
3878 ~~l.m.~~ A motor vehicle manufacturer.
3879 ~~m.n.~~ Florida Local Environment Resource Agencies.
3880 ~~n.o.~~ Project for an Energy Efficient Florida.
3881 ~~o.p.~~ Florida Transportation Builders Association.

3882 2. The purpose of the advisory board is to serve as a
3883 resource for the department and to provide the Governor, the
3884 Legislature, and the Secretary of Environmental Protection with
3885 private sector and other public agency perspectives on achieving
3886 the goal of increasing the use of alternative fuel vehicles in
3887 this state.

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3888 3. Members shall be appointed to serve terms of 1 year
3889 each, with reappointment at the discretion of the Secretary of
3890 Environmental Protection. Vacancies shall be filled for the
3891 remainder of the unexpired term in the same manner as the
3892 original appointment.

3893 4. The board shall annually select a chairperson.

3894 5.a. The board shall meet at least once each quarter or
3895 more often at the call of the chairperson or the Secretary of
3896 Environmental Protection.

3897 b. Meetings are exempt from the notice requirements of
3898 chapter 120, and sufficient notice shall be given to afford
3899 interested persons reasonable notice under the circumstances.

3900 6. Members of the board are entitled to travel expenses
3901 while engaged in the performance of board duties.

3902 7. The board shall terminate 5 years after the effective
3903 date of this act.

3904 Section 149. Subsection (5) of section 403.7032, Florida
3905 Statutes, is amended to read:

3906 403.7032 Recycling.—

3907 (5) The Department of Environmental Protection shall
3908 create the Recycling Business Assistance Center by December 1,
3909 2010. In carrying out its duties under this subsection, the
3910 department shall consult with state agency personnel appointed
3911 to serve as economic development liaisons under s. 288.021 ~~and~~
3912 ~~seek technical assistance from Enterprise Florida, Inc., to~~

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3913 ensure the Recycling Business Assistance Center is positioned to
3914 succeed. The purpose of the center shall be to serve as the
3915 mechanism for coordination among state agencies and the private
3916 sector in order to coordinate policy and overall strategic
3917 planning for developing new markets and expanding and enhancing
3918 existing markets for recyclable materials in this state, other
3919 states, and foreign countries. The duties of the center must
3920 include, at a minimum:

3921 (a) Identifying and developing new markets and expanding
3922 and enhancing existing markets for recyclable materials.

3923 (b) Pursuing expanded end uses for recycled materials.

3924 (c) Targeting materials for concentrated market
3925 development efforts.

3926 (d) Developing proposals for new incentives for market
3927 development, particularly focusing on targeted materials.

3928 (e) Providing guidance on issues such as permitting,
3929 finance options for recycling market development, site location,
3930 research and development, grant program criteria for recycled
3931 materials markets, recycling markets education and information,
3932 and minimum content.

3933 (f) Coordinating the efforts of various governmental
3934 entities having market development responsibilities in order to
3935 optimize supply and demand for recyclable materials.

3936 (g) Evaluating source-reduced products as they relate to
3937 state procurement policy. The evaluation shall include, but is

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3938 not limited to, the environmental and economic impact of source-
3939 reduced product purchases to the state. For the purposes of this
3940 paragraph, the term "source-reduced" means any method, process,
3941 product, or technology that significantly or substantially
3942 reduces the volume or weight of a product while providing, at a
3943 minimum, equivalent or generally similar performance and service
3944 to and for the users of such materials.

3945 (h) Providing evaluation of solid waste management grants,
3946 pursuant to s. 403.7095, to reduce the flow of solid waste to
3947 disposal facilities and encourage the sustainable recovery of
3948 materials from Florida's waste stream.

3949 (i) Providing below-market financing for companies that
3950 manufacture products from recycled materials or convert
3951 recyclable materials into raw materials for use in manufacturing
3952 pursuant to the Florida Recycling Loan Program as administered
3953 by the Florida First Capital Finance Corporation.

3954 (j) Maintaining a continuously updated online directory
3955 listing the public and private entities that collect, transport,
3956 broker, process, or remanufacture recyclable materials in the
3957 state.

3958 (k) Providing information on the availability and benefits
3959 of using recycled materials to private entities and industries
3960 in the state.

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3961 (1) Distributing any materials prepared in implementing
3962 this subsection to the public, private entities, industries,
3963 governmental entities, or other organizations upon request.

3964 (m) Coordinating with the Department of Economic
3965 Opportunity and its partners to provide job placement and job
3966 training services to job seekers through the state's workforce
3967 services programs.

3968 Section 150. Subsections (16) through (19) of section
3969 403.973, Florida Statutes, are renumbered as subsections (15)
3970 through (18), respectively, and present subsections (15) and
3971 (17) of that section are amended to read:

3972 403.973 Expedited permitting; amendments to comprehensive
3973 plans.—

3974 ~~(15) The Department of Economic Opportunity, working with~~
3975 ~~the agencies providing cooperative assistance and input~~
3976 ~~regarding the memoranda of agreement, shall review sites~~
3977 ~~proposed for the location of facilities that the Department of~~
3978 ~~Economic Opportunity has certified to be eligible for the~~
3979 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~
3980 ~~after the request for the review by the Department of Economic~~
3981 ~~Opportunity, the agencies shall provide to the Department of~~
3982 ~~Economic Opportunity a statement as to each site's necessary~~
3983 ~~permits under local, state, and federal law and an~~
3984 ~~identification of significant permitting issues, which if~~
3985 ~~unresolved, may result in the denial of an agency permit or~~

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3986 ~~approval or any significant delay caused by the permitting~~
3987 ~~process.~~

3988 ~~(16)-(17)~~ The Department of Economic Opportunity shall be
3989 responsible for certifying a business as eligible for undergoing
3990 expedited review under this section. ~~Enterprise Florida, Inc.,~~ A
3991 county or municipal government, or the Rural Economic
3992 Development Initiative may recommend to the Department of
3993 Economic Opportunity that a project meeting the minimum job
3994 creation threshold undergo expedited review.

3995 Section 151. Paragraph (c) of subsection (1) of section
3996 443.091, Florida Statutes, is amended to read:

3997 443.091 Benefit eligibility conditions.—

3998 (1) An unemployed individual is eligible to receive
3999 benefits for any week only if the Department of Economic
4000 Opportunity finds that:

4001 (c) To make continued claims for benefits, she or he is
4002 reporting to the department in accordance with this paragraph
4003 and department rules. Department rules may not conflict with s.
4004 443.111(1)(b), which requires that each claimant continue to
4005 report regardless of any pending appeal relating to her or his
4006 eligibility or disqualification for benefits.

4007 1. For each week of unemployment claimed, each report
4008 must, at a minimum, include the name, address, and telephone
4009 number of each prospective employer contacted, or the date the

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4010 claimant reported to a one-stop career center, pursuant to
4011 paragraph (d).

4012 2. The department shall offer an online assessment aimed
4013 at identifying an individual's skills, abilities, and career
4014 aptitude. The skills assessment must be voluntary, and the
4015 department shall allow a claimant to choose whether to take the
4016 skills assessment. The online assessment shall be made available
4017 to any person seeking services from a local workforce
4018 development board or a one-stop career center.

4019 a. If the claimant chooses to take the online assessment,
4020 the outcome of the assessment shall be made available to the
4021 claimant, local workforce development board, and one-stop career
4022 center. The department, local workforce development board, or
4023 one-stop career center shall use the assessment to develop a
4024 plan for referring individuals to training and employment
4025 opportunities. Aggregate data on assessment outcomes may be made
4026 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~
4027 ~~Inc.,~~ for use in the development of policies related to
4028 education and training programs that will ensure that businesses
4029 in this state have access to a skilled and competent workforce.

4030 b. Individuals shall be informed of and offered services
4031 through the one-stop delivery system, including career
4032 counseling, the provision of skill match and job market
4033 information, and skills upgrade and other training
4034 opportunities, and shall be encouraged to participate in such

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4035 services at no cost to the individuals. The department shall
4036 coordinate with CareerSource Florida, Inc., the local workforce
4037 development boards, and the one-stop career centers to identify,
4038 develop, and use best practices for improving the skills of
4039 individuals who choose to participate in skills upgrade and
4040 other training opportunities. The department may contract with
4041 an entity to create the online assessment in accordance with the
4042 competitive bidding requirements in s. 287.057. The online
4043 assessment must work seamlessly with the Reemployment Assistance
4044 Claims and Benefits Information System.

4045 Section 152. Paragraphs (b) through (g) of subsection (6)
4046 of section 445.004, Florida Statutes, are redesignated as
4047 paragraphs (a) through (f), respectively, and paragraph (d) of
4048 subsection (3), paragraphs (b) and (d) of subsection (5), and
4049 paragraph (a) of subsection (6) of that section are amended to
4050 read:

4051 445.004 CareerSource Florida, Inc.; creation; purpose;
4052 membership; duties and powers.—

4053 (3)

4054 (d) The board must include ~~the vice chairperson of the~~
4055 ~~board of directors of Enterprise Florida, Inc.,~~ and one member
4056 representing each of the Workforce Innovation and Opportunity
4057 Act partners, including the Division of Career and Adult
4058 Education, and other entities representing programs identified

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4059 in the Workforce Innovation and Opportunity Act, as determined
4060 necessary.

4061 (5) CareerSource Florida, Inc., shall have all the powers
4062 and authority not explicitly prohibited by statute which are
4063 necessary or convenient to carry out and effectuate its purposes
4064 as determined by statute, Pub. L. No. 113-128, and the Governor,
4065 as well as its functions, duties, and responsibilities,
4066 including, but not limited to, the following:

4067 (b) Providing oversight and policy direction to ensure
4068 that the following programs are administered by the department
4069 in compliance with approved plans and under contract with
4070 CareerSource Florida, Inc.:

4071 1. Programs authorized under Title I of the Workforce
4072 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
4073 exception of programs funded directly by the United States
4074 Department of Labor under Title I, s. 167.

4075 2. Programs authorized under the Wagner-Peyser Act of
4076 1933, as amended, 29 U.S.C. ss. 49 et seq.

4077 3. Activities authorized under Title II of the Trade Act
4078 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
4079 Adjustment Assistance Program.

4080 4. Activities authorized under 38 U.S.C. chapter 41,
4081 including job counseling, training, and placement for veterans.

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4082 5. Employment and training activities carried out under
4083 funds awarded to this state by the United States Department of
4084 Housing and Urban Development.

4085 6. Welfare transition services funded by the Temporary
4086 Assistance for Needy Families Program, created under the
4087 Personal Responsibility and Work Opportunity Reconciliation Act
4088 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
4089 of the Social Security Act, as amended.

4090 7. Displaced homemaker programs, provided under s. 446.50.

4091 8. The Florida Bonding Program, provided under Pub. L. No.
4092 97-300, s. 164(a)(1).

4093 9. The Food Assistance Employment and Training Program,
4094 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
4095 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
4096 and the Hunger Prevention Act, Pub. L. No. 100-435.

4097 ~~10. The Quick-Response Training Program, provided under~~
4098 ~~ss. 288.046-288.047. Matching funds and in-kind contributions~~
4099 ~~that are provided by clients of the Quick-Response Training~~
4100 ~~Program shall count toward the requirements of s. 288.904,~~
4101 ~~pertaining to the return on investment from activities of~~
4102 ~~Enterprise Florida, Inc.~~

4103 10.11. The Work Opportunity Tax Credit, provided under the
4104 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,
4105 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

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4106 ~~11.12.~~ Offender placement services, provided under ss.
4107 944.707-944.708.

4108 (d) Contracting with public and private entities as
4109 necessary to further the directives of this section. All
4110 contracts executed by CareerSource Florida, Inc., must include
4111 specific performance expectations and deliverables. All
4112 CareerSource Florida, Inc., contracts, including those
4113 solicited, managed, or paid by the department pursuant to s.
4114 20.60(5)(b) ~~20.60(5)(c)~~ are exempt from s. 112.061, but shall be
4115 governed by subsection (1).

4116 (6) CareerSource Florida, Inc., may take action that it
4117 deems necessary to achieve the purposes of this section,
4118 including, but not limited to:

4119 (a) Creating a state employment, education, and training
4120 policy that ensures that programs to prepare workers are
4121 responsive to present and future business and industry needs ~~and~~
4122 ~~complement the initiatives of Enterprise Florida, Inc.~~

4123 Section 153. Subsection (5) of section 445.045, Florida
4124 Statutes, is amended to read:

4125 445.045 Development of an Internet-based system for
4126 information technology industry promotion and workforce
4127 recruitment.—

4128 (5) In furtherance of the requirements of this section
4129 that the website promote and market the information technology
4130 industry by communicating information on the scope of the

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4131 industry in this state, CareerSource Florida, Inc., shall
4132 ~~coordinate its efforts with the high technology industry~~
4133 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~
4134 ~~Through links or actual content, the website developed under~~
4135 ~~this section shall serve as a forum for distributing the~~
4136 ~~marketing campaign developed by Enterprise Florida, Inc., under~~
4137 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~
4138 solicit input from the not-for-profit corporation created to
4139 advocate on behalf of the information technology industry as an
4140 outgrowth of the Information Service Technology Development Task
4141 Force created under chapter 99-354, Laws of Florida.

4142 Section 154. Subsections (2) and (5) of section 446.44,
4143 Florida Statutes, are amended to read:

4144 446.44 Duties of Rural Workforce Services Program.—It
4145 shall be the direct responsibility of the Rural Workforce
4146 Services Program to promote and deliver employment and workforce
4147 services and resources to the rural undeveloped and
4148 underdeveloped counties of the state in an effort to:

4149 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~
4150 ~~pollution-free industry to the rural counties.~~

4151 ~~(4)~~⁽⁵⁾ Develop rural workforce programs that will be
4152 evaluated, planned, and implemented through communications and
4153 planning with appropriate:

4154 (a) Departments of state and federal governments.

4155 ~~(b) Units of Enterprise Florida, Inc.~~

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4156 ~~(b)-(e)~~ Agencies and organizations of the public and
4157 private sectors at the state, regional, and local levels.

4158 Section 155. Subsection (5) of section 477.0135, Florida
4159 Statutes, is amended to read:

4160 477.0135 Exemptions.—

4161 (5) A license is not required of any individual providing
4162 makeup, special effects, or cosmetology services to an actor,
4163 stunt person, musician, extra, or other talent during a
4164 production recognized by the Office of Film and Entertainment as
4165 a qualified production ~~as defined in s. 288.1254(1)~~. Such
4166 services are not required to be performed in a licensed salon.
4167 Individuals exempt under this subsection may not provide such
4168 services to the general public.

4169 Section 156. Subsection (1) of section 570.81, Florida
4170 Statutes, is amended to read:

4171 570.81 Agricultural Economic Development Project Review
4172 Committee; powers and duties.—

4173 (1) There is created an Agricultural Economic Development
4174 Project Review Committee consisting of five members appointed by
4175 the commissioner. The members shall be appointed based upon the
4176 recommendations submitted by each entity represented on the
4177 committee and shall include:

4178 (a) The commissioner or the commissioner's designee.

4179 (b) One representative from the Farm Credit Service.

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4180 (c) One representative from the Department of Economic
4181 Opportunity Enterprise Florida, Inc.

4182 (d) One representative from the Florida Farm Bureau
4183 Federation.

4184 (e) One agricultural economist from the Institute of Food
4185 and Agricultural Sciences or from Florida Agricultural and
4186 Mechanical University.

4187 Section 157. Subsection (2) of section 570.85, Florida
4188 Statutes, is amended to read:

4189 570.85 Agritourism.—

4190 (2) The Department of Agriculture and Consumer Services
4191 may provide marketing advice, technical expertise, promotional
4192 support, and product development related to agritourism to
4193 assist the following in their agritourism initiatives:

4194 ~~Enterprise Florida, Inc.~~; convention and visitor bureaus,†
4195 tourist development councils,† economic development
4196 organizations,† and local governments. In carrying out this
4197 responsibility, the department shall focus its agritourism
4198 efforts on rural and urban communities.

4199 Section 158. Paragraph (c) of subsection (1) of section
4200 624.5105, Florida Statutes, is amended to read:

4201 624.5105 Community contribution tax credit; authorization;
4202 limitations; eligibility and application requirements;
4203 administration; definitions; expiration.—

4204 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

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4205 (c) The total amount of tax credit which may be granted
4206 for all programs approved under this section and ss.
4207 212.08(5)(o) ~~212.08(5)(p)~~ and 220.183 is \$18.4 million in the
4208 2015-2016 fiscal year, \$21.4 million in the 2016-2017 fiscal
4209 year, and \$21.4 million in the 2017-2018 fiscal year for
4210 projects that provide housing opportunities for persons with
4211 special needs as defined in s. 420.0004 or homeownership
4212 opportunities for low-income or very-low-income households as
4213 defined in s. 420.9071 and \$3.5 million annually for all other
4214 projects.

4215 Section 159. Section 625.3255, Florida Statutes, is
4216 repealed.

4217 Section 160. Subsection (4) of section 657.042, Florida
4218 Statutes, is amended to read:

4219 657.042 Investment powers and limitations.—A credit union
4220 may invest its funds subject to the following definitions,
4221 restrictions, and limitations:

4222 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF
4223 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of
4224 the credit union may be invested in ~~any of the following:~~

4225 ~~(a)~~ Corporate obligations of any one corporation which is
4226 an affiliate or subsidiary of the credit union or a service
4227 corporation, except that the total investment in all such
4228 corporate obligations shall not exceed 10 percent of the capital
4229 of the credit union.

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4230 ~~(b) Any capital participation instrument or evidence of~~
4231 ~~indebtedness issued by Enterprise Florida, Inc., pursuant to the~~
4232 ~~Florida Small and Minority Business Assistance Act.~~

4233 Section 161. Paragraph (f) of subsection (4) of section
4234 658.67, Florida Statutes, is amended to read:

4235 658.67 Investment powers and limitations.—A bank may
4236 invest its funds, and a trust company may invest its corporate
4237 funds, subject to the following definitions, restrictions, and
4238 limitations:

4239 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR
4240 LESS OF CAPITAL ACCOUNTS.—

4241 ~~(f) Up to 10 percent of the capital accounts of a bank or~~
4242 ~~trust company may be invested in any capital participation~~
4243 ~~instrument or evidence of indebtedness issued by Enterprise~~
4244 ~~Florida, Inc., pursuant to the Florida Small and Minority~~
4245 ~~Business Assistance Act.~~

4246 Section 162. Paragraph (h) of subsection (2) of section
4247 1004.015, Florida Statutes, is amended to read:

4248 1004.015 Higher Education Coordinating Council.—

4249 (2) Members of the council shall include:

4250 (h) The secretary of the Department of Economic
4251 Opportunity, or his or her designee ~~president of Enterprise~~
4252 ~~Florida, Inc., or a designated member of the Stakeholders~~
4253 ~~Council appointed by the president.~~

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4254 Section 163. Paragraph (d) of subsection (5) of section
4255 1004.65, Florida Statutes, is amended to read:

4256 1004.65 Florida College System institutions; governance,
4257 mission, and responsibilities.—

4258 (5) The primary mission and responsibility of Florida
4259 College System institutions is responding to community needs for
4260 postsecondary academic education and career degree education.
4261 This mission and responsibility includes being responsible for:

4262 (d) Promoting economic development for the state within
4263 each Florida College System institution district through the
4264 provision of special programs, including, but not limited to,
4265 the:

4266 ~~1. Enterprise Florida-related programs.~~

4267 1.2. Technology transfer centers.

4268 ~~2.3.~~ Economic development centers.

4269 3.4. Workforce literacy programs.

4270 Section 164. Paragraph (b) of subsection (10) of section
4271 1004.78, Florida Statutes, is amended to read:

4272 1004.78 Technology transfer centers at Florida College
4273 System institutions.—

4274 (10) The State Board of Education may award grants to
4275 Florida College System institutions, or consortia of public and
4276 private colleges and universities and other public and private
4277 entities, for the purpose of supporting the objectives of this
4278 section. Grants awarded pursuant to this subsection shall be in

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4279 accordance with rules of the State Board of Education. Such
4280 rules shall include the following provisions:

4281 (b) Grants to centers funded with state revenues
4282 appropriated specifically for technology transfer activities
4283 shall be reviewed and approved by the State Board of Education
4284 using proposal solicitation, evaluation, and selection
4285 procedures established by the state board in consultation with
4286 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~
4287 Such procedures may include designation of specific areas or
4288 applications of technology as priorities for the receipt of
4289 funding.

4290 Section 165. Subsection (4) of section 1011.76, Florida
4291 Statutes, is amended to read:

4292 1011.76 Small School District Stabilization Program.—

4293 (4) The Department of Education may award the school
4294 district a stabilization grant intended to protect the district
4295 from continued financial reductions. The amount of the grant
4296 will be determined by the Department of Education and may be
4297 equivalent to the amount of the decline in revenues projected
4298 for the next fiscal year. In addition, the Department of
4299 Economic Opportunity may implement a rural economic development
4300 initiative to identify the economic factors that are negatively
4301 impacting the community ~~and may consult with Enterprise Florida,~~
4302 ~~Inc., in developing a plan to assist the county with its~~
4303 ~~economic transition.~~ The grant will be available to the school

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4304 district for a period of up to 5 years to the extent that
4305 funding is provided for such purpose in the General
4306 Appropriations Act.

4307 Section 166. Paragraph (c) of subsection (6) of section
4308 1011.80, Florida Statutes, is amended to read:

4309 1011.80 Funds for operation of workforce education
4310 programs.—

4311 (6)

4312 (c) A program is established to assist school districts
4313 and Florida College System institutions in responding to the
4314 needs of new and expanding businesses and thereby strengthening
4315 the state's workforce and economy. The program may be funded in
4316 the General Appropriations Act. The district or Florida College
4317 System institution shall use the program to provide customized
4318 training for businesses ~~which satisfies the requirements of s.~~
4319 ~~288.047~~. Business firms whose employees receive the customized
4320 training must provide 50 percent of the cost of the training.
4321 Balances remaining in the program at the end of the fiscal year
4322 shall not revert to the general fund, but shall be carried over
4323 for 1 additional year and used for the purpose of serving
4324 incumbent worker training needs of area businesses with fewer
4325 than 100 employees. Priority shall be given to businesses that
4326 must increase or upgrade their use of technology to remain
4327 competitive.

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4328 Section 167. Subsection (1) of section 1011.94, Florida
4329 Statutes, is amended to read:

4330 1011.94 University Major Gifts Program.—

4331 (1) There is established a University Major Gifts Program.
4332 The purpose of the program is to enable each university to
4333 provide donors with an incentive in the form of matching grants
4334 for donations for the establishment of permanent endowments and
4335 sales tax exemption matching funds received pursuant to s.
4336 212.08(5)(i) ~~212.08(5)(j)~~, which must be invested, with the
4337 proceeds of the investment used to support libraries and
4338 instruction and research programs, as defined by the Board of
4339 Governors.

4340 Section 168. This act shall take effect July 1, 2017.

4341

4342 -----

4343

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

4344

Remove everything before the enacting clause and insert:

4345

A bill to be entitled

4346

An act relating to economic programs; amending ss.

4347

11.45, 14.32, 15.18, and 15.182, F.S.; conforming

4348

provisions to changes made by the act; amending s.

4349

20.60, F.S.; providing that the executive director of

4350

the Department of Economic Opportunity shall have

4351

certain duties relating to contracts with the Florida

4352

Tourism Industry Marketing Corporation; conforming

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4353 provisions to changes made by the act; repealing s.
4354 20.601, F.S., relating to review of the Department of
4355 Economic Opportunity; transferring all duties,
4356 records, pending issues, rules, and unexpended
4357 balances of appropriations, allocations, and other
4358 public funds relating to programs in Enterprise
4359 Florida, Inc., to the Department of Economic
4360 Opportunity by a type two transfer; authorizing the
4361 Florida Sports Foundation to enter into an agreement
4362 with the Department of Economic Opportunity for
4363 certain purposes and use certain funds; authorizing
4364 the Florida Tourism Industry Marketing Corporation to
4365 enter into an agreement with the Department of
4366 Economic Opportunity for certain purposes and to use
4367 certain funds; providing legislative intent; providing
4368 transitional provisions for terminated programs
4369 established pursuant to certain statutes; amending ss.
4370 125.0104, 159.803, 166.231, 189.033, 196.012, 196.101,
4371 196.121, and 196.1995, F.S.; conforming provisions to
4372 changes made by the act; conforming cross-references;
4373 amending s. 201.15, F.S.; providing that certain funds
4374 shall be transferred to the General Revenue Fund;
4375 conforming provisions to changes made by the act;
4376 amending ss. 212.031 and 212.06, F.S.; conforming
4377 provisions to changes made by the act; repealing s.

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4378 212.0602, F.S., relating to an exemption from sales
4379 and use taxes for certain education-related purchases
4380 or leases; amending ss. 212.0606 and 212.08, F.S.;
4381 conforming provisions to changes made by the act;
4382 repealing s. 212.097, F.S., relating to the Urban
4383 High-Crime Area Job Tax Credit Program; amending ss.
4384 212.098, 212.20, 218.61, 218.64, 220.02, 220.13, and
4385 220.1895, F.S.; conforming provisions to changes made
4386 by the act; repealing ss. 220.1899 and 220.191, F.S.,
4387 relating to an entertainment industry tax credit and a
4388 capital investment tax credit, respectively; amending
4389 s. 220.194, F.S.; conforming a cross-reference;
4390 amending ss. 220.196, 272.11, 287.0947, and 288.0001,
4391 F.S.; conforming provisions to changes made by the
4392 act; repealing ss. 288.001 and 288.012, F.S., relating
4393 to the Florida Small Business Development Center
4394 Network and the State of Florida international
4395 offices, respectively; amending ss. 288.017 and
4396 288.018, F.S.; conforming provisions to changes made
4397 by the act; repealing ss. 288.046 and 288.047, F.S.,
4398 relating to quick-response training for economic
4399 development; amending s. 288.061, F.S.; conforming
4400 provisions to changes made by the act; amending s.
4401 288.0655, F.S.; conforming a cross-reference;
4402 conforming provisions to changes made by the act;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7005 (2017)

Amendment No. 1

4403 amending ss. 288.0656, 288.0658, 288.075, 288.076, and
4404 288.095, F.S.; conforming provisions to changes made
4405 by the act; repealing ss. 288.1045, 288.106, 288.107,
4406 288.108, 288.1081, 288.1082, 288.1088, and 288.1089,
4407 F.S., relating to the qualified defense contractor and
4408 space flight business tax refund program, a tax refund
4409 program for qualified target industry businesses,
4410 brownfield redevelopment bonus refunds, high-impact
4411 business, the Economic Gardening Business Loan Pilot
4412 Program, the Economic Gardening Technical Assistance
4413 Pilot Program, the Quick Action Closing Fund, and the
4414 Innovation Incentive Program, respectively; amending
4415 s. 288.111, F.S.; conforming a provision to changes
4416 made by the act; repealing ss. 288.1162, 288.11621,
4417 288.11625, and 288.11631, F.S., relating to
4418 professional sports franchises, spring training
4419 baseball franchises, sports development, and retention
4420 of Major League Baseball spring training baseball
4421 franchises, respectively; repealing ss. 288.1169,
4422 288.1201, and 288.122, F.S., relating to the
4423 International Game Fish Association World Center
4424 facility, the State Economic Enhancement and
4425 Development Trust Fund, and the Tourism Promotional
4426 Trust Fund, respectively; terminating such trust
4427 funds; transferring the balances and revenues of such

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4428 trust funds to the General Revenue Fund; requiring the
4429 department to pay outstanding debts and obligations of
4430 such trust funds; requiring the Chief Financial
4431 Officer to close out and remove such trust funds from
4432 state accounting systems; amending s. 288.1226, F.S.;
4433 providing that the Florida Tourism Industry Marketing
4434 Corporation is a direct-support organization of the
4435 Department of Economic Opportunity, rather than
4436 Enterprise Florida, Inc.; conforming provisions to
4437 changes made by the act; amending s. 288.12265, F.S.;
4438 transferring responsibility for administering and
4439 operating welcome centers from Enterprise Florida,
4440 Inc., to the Department of Economic Opportunity;
4441 amending s. 288.124, F.S.; authorizing the Florida
4442 Tourism Industry Marketing Corporation, rather than
4443 Enterprise Florida, Inc., to establish a convention
4444 grants program and guidelines therefor; repealing ss.
4445 288.125, 288.1251, 288.1252, 288.1253, and 288.1258,
4446 F.S., relating to a definition of the term
4447 "entertainment industry," the promotion and
4448 development of the entertainment industry by the
4449 Office of Film and Entertainment, the Florida Film and
4450 Entertainment Advisory Council, and certain travel and
4451 entertainment expenses, and entertainment industry
4452 qualified production companies, respectively; amending

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4453 ss. 288.7015 and 288.706, F.S.; conforming provisions
4454 to changes made by the act; amending ss. 288.773,
4455 288.776, 288.7771, 288.8017, and 288.816, F.S.;
4456 conforming provisions to changes made by the act;
4457 repealing s. 288.826, F.S., relating to the Florida
4458 International Trade and Promotion Trust Fund;
4459 terminating such trust fund; transferring the balances
4460 and revenues of such trust fund to the General Revenue
4461 Fund; requiring the department to pay outstanding
4462 debts and obligations of such trust fund; requiring
4463 the Chief Financial Officer to close out and remove
4464 such trust fund from state accounting systems;
4465 repealing ss. 288.901, 288.9015, 288.903, 288.904,
4466 288.905, and 288.906, F.S., relating to Enterprise
4467 Florida, Inc., powers of board of directors of
4468 Enterprise Florida, Inc., duties of Enterprise
4469 Florida, Inc., funding for Enterprise Florida, Inc.,
4470 the president and employees of Enterprise Florida,
4471 Inc., and the annual report and audits of Enterprise
4472 Florida, Inc., and its divisions, respectively;
4473 transferring, renumbering, and amending s. 288.907,
4474 F.S.; conforming provisions to changes made by the
4475 act; repealing s. 288.911, F.S., relating to the
4476 creation and implementation of a marketing and image
4477 campaign; transferring, renumbering, and amending s.

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4478 288.912, F.S.; conforming provisions to changes made
4479 by the act; repealing s. 288.92, F.S., relating to the
4480 divisions of Enterprise Florida, Inc.; amending s.
4481 288.923, F.S.; conforming provisions to changes made
4482 by the act; repealing ss. 288.95155 and 288.9519,
4483 F.S., relating to the Florida Small Business
4484 Technology Growth Program and a not-for-profit
4485 corporation intended to promote the competitiveness
4486 and profitability of high-technology business and
4487 industry, respectively; amending ss. 288.9520,
4488 288.9603, 288.9604, and 288.9605, F.S.; conforming
4489 provisions to changes made by the act; repealing ss.
4490 288.9614, 288.9621, 288.9622, 288.9623, 288.9624,
4491 288.9625, 288.96255, 288.9626, and 288.9627, F.S.,
4492 relating to the Florida Capital Formation Act and
4493 findings and intent and definitions relating thereto,
4494 the Florida Opportunity Fund, the Institute for the
4495 Commercialization of Public Research, the Florida
4496 Technology Seed Capital Fund, and exemptions from
4497 public records and public meetings requirements for
4498 such fund and institute, respectively; amending s.
4499 288.980, F.S.; conforming a provision to changes made
4500 by the act; repealing ss. 288.991, 288.9912, 288.9913,
4501 288.9914, 288.9915, 288.9916, 288.9917, 288.9918,
4502 288.9919, 288.9920, 288.9921, and 288.9922, F.S.,

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4503 relating to the New Markets Development Program;
4504 amending ss. 288.9932 and 288.9934, F.S.; conforming
4505 provisions to changes made by the act; repealing s.
4506 288.9935, F.S., relating to the Microfinance Guarantee
4507 Program; amending ss. 288.9936, 288.9937, 290.0056,
4508 290.0065, 290.00677, 290.007, 290.053, 295.22,
4509 320.08058, 331.3051, 331.3081, and 339.08, F.S.;
4510 conforming provisions to changes made by the act;
4511 conforming cross-references; repealing s. 339.2821,
4512 F.S., relating to economic development transportation
4513 projects; amending ss. 364.0135, 376.82, 377.703,
4514 377.804, 377.809, 380.06, 380.0657, 403.42, 403.7032,
4515 403.973, 443.091, 445.004, 445.045, 446.44, 477.0135,
4516 570.81, 570.85, and 624.5105, F.S.; conforming
4517 provisions to changes made by the act; conforming a
4518 cross-reference; repealing s. 625.3255, F.S., relating
4519 to a capital participation instrument; amending ss.
4520 657.042, 658.67, 1004.015, 1004.65, 1004.78, 1011.76,
4521 1011.80, and 1011.94, F.S.; conforming provisions to
4522 changes made by the act; conforming a cross-reference;
4523 providing an effective date.

4524
4525 WHEREAS, economic development incentives foster unfair
4526 competition by benefitting select firms and industries, and

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4527 WHEREAS, economic development incentives often subsidize
4528 private companies and their shareholders for economic actions
4529 they would have taken regardless of such incentives, and

4530 WHEREAS, economic development incentives cause market
4531 distortions which result in inefficiencies and inequities in the
4532 marketplace, and

4533 WHEREAS, business incentives divert the attention of
4534 policymakers from other issues that could lead to additional job
4535 creation and a more robust business climate, and

4536 WHEREAS, the true costs of economic development incentives
4537 are an unnecessary shift of private business expenses to the
4538 taxpaying public and a reduction in available funding for other
4539 public services which could promote economic growth, and

4540 WHEREAS, economic development scholars and professionals
4541 lack consensus on how influential economic development and
4542 business incentives are on the economy, generally, or on a
4543 business when choosing its location, NOW, THEREFORE,