

1 A bill to be entitled

2 An act relating to economic programs; amending ss.  
3 11.45, 14.32, 15.18, and 15.182, F.S.; conforming  
4 provisions to changes made by the act; amending s.  
5 20.60, F.S.; providing that the executive director of  
6 the Department of Economic Opportunity shall have  
7 certain duties relating to contracts with the Florida  
8 Tourism Industry Marketing Corporation; conforming  
9 provisions to changes made by the act; repealing s.  
10 20.601, F.S., relating to review of the Department of  
11 Economic Opportunity; transferring all duties,  
12 records, pending issues, rules, and unexpended  
13 balances of appropriations, allocations, and other  
14 public funds relating to programs in Enterprise  
15 Florida, Inc., to the Department of Economic  
16 Opportunity by a type two transfer; authorizing the  
17 Florida Sports Foundation to enter into an agreement  
18 with the Department of Economic Opportunity for  
19 certain purposes and use certain funds; authorizing  
20 the Florida Tourism Industry Marketing Corporation to  
21 enter into an agreement with the Department of  
22 Economic Opportunity for certain purposes and to use  
23 certain funds; providing legislative intent; providing  
24 transitional provisions for terminated programs  
25 established pursuant to certain statutes; amending ss.

26 | 125.0104, 159.803, 166.231, 189.033, 196.012, 196.101,  
 27 | 196.121, and 196.1995, F.S.; conforming provisions to  
 28 | changes made by the act; conforming cross-references;  
 29 | amending s. 201.15, F.S.; providing that certain funds  
 30 | shall be transferred to the General Revenue Fund;  
 31 | conforming provisions to changes made by the act;  
 32 | amending ss. 212.031 and 212.06, F.S.; conforming  
 33 | provisions to changes made by the act; repealing s.  
 34 | 212.0602, F.S., relating to an exemption from sales  
 35 | and use taxes for certain education-related purchases  
 36 | or leases; amending ss. 212.0606 and 212.08, F.S.;  
 37 | conforming provisions to changes made by the act;  
 38 | repealing s. 212.097, F.S., relating to the Urban  
 39 | High-Crime Area Job Tax Credit Program; amending ss.  
 40 | 212.098, 212.20, 218.61, 218.64, 220.02, 220.13, and  
 41 | 220.1895, F.S.; conforming provisions to changes made  
 42 | by the act; repealing ss. 220.1899 and 220.191, F.S.,  
 43 | relating to an entertainment industry tax credit and a  
 44 | capital investment tax credit, respectively; amending  
 45 | s. 220.194, F.S.; conforming a cross-reference;  
 46 | amending ss. 220.196, 272.11, 287.0947, and 288.0001,  
 47 | F.S.; conforming provisions to changes made by the  
 48 | act; repealing ss. 288.001, 288.012, and 288.017,  
 49 | F.S., relating to the Florida Small Business  
 50 | Development Center Network, the State of Florida

51 international offices, and a cooperative advertising  
52 matching grants program, respectively; amending s.  
53 288.018, F.S.; conforming provisions to changes made  
54 by the act; repealing ss. 288.046 and 288.047, F.S.,  
55 relating to quick-response training for economic  
56 development; amending s. 288.061, F.S.; conforming  
57 provisions to changes made by the act; amending s.  
58 288.0655, F.S.; conforming a cross-reference;  
59 conforming provisions to changes made by the act;  
60 amending ss. 288.0656, 288.0658, 288.075, 288.076, and  
61 288.095, F.S.; conforming provisions to changes made  
62 by the act; repealing ss. 288.1045, 288.106, 288.107,  
63 288.108, 288.1081, 288.1082, 288.1088, and 288.1089,  
64 F.S., relating to the qualified defense contractor and  
65 space flight business tax refund program, a tax refund  
66 program for qualified target industry businesses,  
67 brownfield redevelopment bonus refunds, high-impact  
68 business, the Economic Gardening Business Loan Pilot  
69 Program, the Economic Gardening Technical Assistance  
70 Pilot Program, the Quick Action Closing Fund, and the  
71 Innovation Incentive Program, respectively; amending  
72 s. 288.111, F.S.; conforming a provision to changes  
73 made by the act; repealing ss. 288.1162, 288.11621,  
74 288.11625, and 288.11631, F.S., relating to  
75 professional sports franchises, spring training

76 | baseball franchises, sports development, and retention  
77 | of Major League Baseball spring training baseball  
78 | franchises, respectively; repealing ss. 288.1169,  
79 | 288.1201, and 288.122, F.S., relating to the  
80 | International Game Fish Association World Center  
81 | facility, the State Economic Enhancement and  
82 | Development Trust Fund, and the Tourism Promotional  
83 | Trust Fund, respectively; terminating such trust  
84 | funds; transferring the balances and revenues of such  
85 | trust funds to the General Revenue Fund; requiring the  
86 | department to pay outstanding debts and obligations of  
87 | such trust funds; requiring the Chief Financial  
88 | Officer to close out and remove such trust funds from  
89 | state accounting systems; amending s. 288.1226, F.S.;  
90 | providing that the Florida Tourism Industry Marketing  
91 | Corporation is a direct-support organization of the  
92 | Department of Economic Opportunity; revising purposes  
93 | for which the corporation is an agency; requiring the  
94 | corporation to comply with certain per diem and travel  
95 | expense provisions; providing that the corporation is  
96 | an agency for certain purposes; authorizing  
97 | reimbursement for per diem and travel expenses for  
98 | board members of the corporation; requiring such  
99 | expenses to be paid out of corporation funds;  
100 | providing that certain contracts are subject to

101 specified notice and review procedures; limiting  
102 compensation paid and benefits provided by the  
103 corporation; requiring the approval of the Governor  
104 for certain out-of-state or international travel;  
105 requiring Senate confirmation of the president and  
106 chief executive officer of the corporation;  
107 prohibiting the corporation from creating or  
108 establishing any other entity, corporation, or direct-  
109 support organization; requiring a report to the  
110 department; removing a public records exemption;  
111 prohibiting the expenditure of corporation funds for  
112 certain purposes; prohibiting the acceptance or  
113 receipt of certain items or services from certain  
114 entities; specifying a procedure for the release of  
115 appropriated funds; providing that the corporation is  
116 subject to the Transparency Florida Act; requiring the  
117 inclusion of specified information in certain  
118 contracts and on the corporation's website; requiring  
119 specified website functionality; requiring annual  
120 reports containing specified financial data to be  
121 provided by marketing partners to the corporation;  
122 conforming provisions to changes made by the act;  
123 providing an appropriation; amending s. 288.12265,  
124 F.S.; transferring responsibility for administering  
125 and operating welcome centers from Enterprise Florida,

126 Inc., to the Department of Economic Opportunity;  
127 repealing ss. 288.125, 288.1251, 288.1252, 288.1253,  
128 and 288.1258, F.S., relating to a definition of the  
129 term "entertainment industry," the promotion and  
130 development of the entertainment industry by the  
131 Office of Film and Entertainment, the Florida Film and  
132 Entertainment Advisory Council, and certain travel and  
133 entertainment expenses, and entertainment industry  
134 qualified production companies, respectively; amending  
135 ss. 288.7015 and 288.706, F.S.; conforming provisions  
136 to changes made by the act; amending ss. 288.773,  
137 288.776, 288.7771, 288.8017, and 288.816, F.S.;  
138 conforming provisions to changes made by the act;  
139 repealing s. 288.826, F.S., relating to the Florida  
140 International Trade and Promotion Trust Fund;  
141 terminating such trust fund; transferring the balances  
142 and revenues of such trust fund to the General Revenue  
143 Fund; requiring the department to pay outstanding  
144 debts and obligations of such trust fund; requiring  
145 the Chief Financial Officer to close out and remove  
146 such trust fund from state accounting systems;  
147 repealing ss. 288.901, 288.9015, 288.903, 288.904,  
148 288.905, and 288.906, F.S., relating to Enterprise  
149 Florida, Inc., powers of board of directors of  
150 Enterprise Florida, Inc., duties of Enterprise

151 Florida, Inc., funding for Enterprise Florida, Inc.,  
152 the president and employees of Enterprise Florida,  
153 Inc., and the annual report and audits of Enterprise  
154 Florida, Inc., and its divisions, respectively;  
155 transferring, renumbering, and amending s. 288.907,  
156 F.S.; conforming provisions to changes made by the  
157 act; repealing s. 288.911, F.S., relating to the  
158 creation and implementation of a marketing and image  
159 campaign; transferring, renumbering, and amending s.  
160 288.912, F.S.; conforming provisions to changes made  
161 by the act; repealing s. 288.92, F.S., relating to the  
162 divisions of Enterprise Florida, Inc.; amending s.  
163 288.923, F.S.; conforming provisions to changes made  
164 by the act; repealing ss. 288.95155 and 288.9519,  
165 F.S., relating to the Florida Small Business  
166 Technology Growth Program and a not-for-profit  
167 corporation intended to promote the competitiveness  
168 and profitability of high-technology business and  
169 industry, respectively; amending ss. 288.9520,  
170 288.9603, 288.9604, and 288.9605, F.S.; conforming  
171 provisions to changes made by the act; repealing ss.  
172 288.9614, 288.9621, 288.9622, 288.9623, 288.9624,  
173 288.9625, 288.96255, 288.9626, and 288.9627, F.S.,  
174 relating to the Florida Capital Formation Act and  
175 findings and intent and definitions relating thereto,

176 | the Florida Opportunity Fund, the Institute for the  
 177 | Commercialization of Public Research, the Florida  
 178 | Technology Seed Capital Fund, and exemptions from  
 179 | public records and public meetings requirements for  
 180 | such fund and institute, respectively; amending s.  
 181 | 288.980, F.S.; conforming a provision to changes made  
 182 | by the act; repealing ss. 288.991, 288.9912, 288.9913,  
 183 | 288.9914, 288.9915, 288.9916, 288.9917, 288.9918,  
 184 | 288.9919, 288.9920, 288.9921, and 288.9922, F.S.,  
 185 | relating to the New Markets Development Program;  
 186 | amending ss. 288.9932 and 288.9934, F.S.; conforming  
 187 | provisions to changes made by the act; repealing s.  
 188 | 288.9935, F.S., relating to the Microfinance Guarantee  
 189 | Program; amending ss. 288.9936, 288.9937, 290.0056,  
 190 | 290.0065, 290.00677, 290.007, 290.053, and 295.22,  
 191 | F.S.; conforming provisions to changes made by the  
 192 | act; conforming cross-references; repealing s. 295.23,  
 193 | F.S., relating to the veterans research and marketing  
 194 | campaign; amending ss. 320.08058, 331.3051, 331.3081,  
 195 | and 339.08, F.S.; conforming provisions to changes  
 196 | made by the act; repealing s. 339.2821, F.S., relating  
 197 | to economic development transportation projects;  
 198 | amending ss. 364.0135, 376.82, 377.703, 377.804,  
 199 | 377.809, 380.06, 380.0657, 403.42, 403.7032, 403.973,  
 200 | 443.091, 445.004, 445.045, 446.44, 477.0135, 570.81,



201 570.85, and 624.5105, F.S.; conforming provisions to  
 202 changes made by the act; conforming a cross-reference;  
 203 repealing s. 625.3255, F.S., relating to a capital  
 204 participation instrument; amending ss. 657.042,  
 205 658.67, 1004.015, 1004.65, 1004.78, 1011.76, 1011.80,  
 206 and 1011.94, F.S.; conforming provisions to changes  
 207 made by the act; conforming a cross-reference;  
 208 providing an effective date.

209  
 210 WHEREAS, economic development incentives foster unfair  
 211 competition by benefitting select firms and industries, and

212 WHEREAS, economic development incentives often subsidize  
 213 private companies and their shareholders for economic actions  
 214 they would have taken regardless of such incentives, and

215 WHEREAS, economic development incentives cause market  
 216 distortions which result in inefficiencies and inequities in the  
 217 marketplace, and

218 WHEREAS, business incentives divert the attention of  
 219 policymakers from other issues that could lead to additional job  
 220 creation and a more robust business climate, and

221 WHEREAS, the true costs of economic development incentives  
 222 are an unnecessary shift of private business expenses to the  
 223 taxpaying public and a reduction in available funding for other  
 224 public services which could promote economic growth, and

225 WHEREAS, economic development scholars and professionals

226 | lack consensus on how influential economic development and  
 227 | business incentives are on the economy, generally, or on a  
 228 | business when choosing its location, NOW, THEREFORE,  
 229 |

230 | Be It Enacted by the Legislature of the State of Florida:  
 231 |

232 |       Section 1. Paragraph (i) of subsection (3) of section  
 233 | 11.45, Florida Statutes, is amended to read:

234 |       11.45 Definitions; duties; authorities; reports; rules.—

235 |       (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The  
 236 | Auditor General may, pursuant to his or her own authority, or at  
 237 | the direction of the Legislative Auditing Committee, conduct  
 238 | audits or other engagements as determined appropriate by the  
 239 | Auditor General of:

240 |       ~~(i) Enterprise Florida, Inc., including any of its boards,~~  
 241 | ~~advisory committees, or similar groups created by Enterprise~~  
 242 | ~~Florida, Inc., and programs. The audit report may not reveal the~~  
 243 | ~~identity of any person who has anonymously made a donation to~~  
 244 | ~~Enterprise Florida, Inc., pursuant to this paragraph. The~~  
 245 | ~~identity of a donor or prospective donor to Enterprise Florida,~~  
 246 | ~~Inc., who desires to remain anonymous and all information~~  
 247 | ~~identifying such donor or prospective donor are confidential and~~  
 248 | ~~exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I~~  
 249 | ~~of the State Constitution. Such anonymity shall be maintained in~~  
 250 | ~~the auditor's report.~~

251 Section 2. Paragraph (a) of subsection (3) of section  
 252 14.32, Florida Statutes, is amended to read:

253 14.32 Office of Chief Inspector General.—

254 (3) Related to public-private partnerships, the Chief  
 255 Inspector General:

256 (a) Shall advise public-private partnerships, ~~including~~  
 257 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and  
 258 improvement of internal control measures necessary to ensure  
 259 fiscal accountability.

260 Section 3. Section 15.18, Florida Statutes, is amended to  
 261 read:

262 15.18 International and cultural relations.—The Divisions  
 263 of Cultural Affairs, Historical Resources, and Library and  
 264 Information Services of the Department of State promote programs  
 265 having substantial cultural, artistic, and indirect economic  
 266 significance that emphasize American creativity. The Secretary  
 267 of State, as the head administrator of these divisions, shall  
 268 hereafter be known as "Florida's Chief Cultural Officer." As  
 269 this officer, the Secretary of State is encouraged to initiate  
 270 and develop relationships between the state and foreign cultural  
 271 officers, their representatives, and other foreign governmental  
 272 officials in order to promote Florida as the center of American  
 273 creativity. The Secretary of State shall coordinate  
 274 international activities pursuant to this section with  
 275 ~~Enterprise Florida, Inc.,~~ and any other organization the

276 secretary deems appropriate. For the accomplishment of this  
277 purpose, the Secretary of State shall have the power and  
278 authority to:

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

281 (2) Plan and carry out activities designed to cause  
282 improved cultural and governmental programs and exchanges with  
283 foreign countries.

284 (3) Plan and implement cultural and social activities for  
285 visiting foreign heads of state, diplomats, dignitaries, and  
286 exchange groups.

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

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

293 (6) Provide, arrange, and make expenditures for the  
294 achievement of any or all of the purposes specified in this  
295 section.

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

298 15.182 International travel by state-funded musical,  
299 cultural, or artistic organizations; notification to the  
300 Department of Economic Opportunity.—

301           (2) The Department of Economic Opportunity, ~~in conjunction~~  
 302 ~~with Enterprise Florida, Inc.,~~ shall act as an intermediary  
 303 between performing musical, cultural, and artistic organizations  
 304 and Florida businesses to encourage and coordinate joint  
 305 undertakings. Such coordination may include, but is not limited  
 306 to, encouraging business and industry to sponsor cultural  
 307 events, assistance with travel of such organizations, and  
 308 coordinating travel schedules of cultural performance groups and  
 309 international trade missions.

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

313           20.60 Department of Economic Opportunity; creation; powers  
 314 and duties.—

315           (4) The purpose of the department is to assist the  
 316 Governor in working with the Legislature, state agencies,  
 317 business leaders, and economic development professionals to  
 318 formulate and implement coherent and consistent policies and  
 319 strategies designed to promote economic opportunities for all  
 320 Floridians. To accomplish such purposes, the department shall:

321           (a) Facilitate the direct involvement of the Governor and  
 322 the Lieutenant Governor in economic development and workforce  
 323 development projects designed to create, expand, and retain  
 324 businesses in this state, to recruit business from around the  
 325 world, and to facilitate other job-creating efforts.

326 (b) Recruit new businesses to this state and promote the  
327 expansion of existing businesses by expediting permitting and  
328 location decisions, worker placement and training, and incentive  
329 awards.

330 (c) Promote viable, sustainable communities by providing  
331 technical assistance and guidance on growth and development  
332 issues, grants, and other assistance to local communities.

333 (d) Ensure that the state's goals and policies relating to  
334 economic development, workforce development, community planning  
335 and development, and affordable housing are fully integrated  
336 with appropriate implementation strategies.

337 (e) Manage the activities of public-private partnerships  
338 and state agencies in order to avoid duplication and promote  
339 coordinated and consistent implementation of programs in areas  
340 including, but not limited to, tourism; international trade and  
341 investment; business recruitment, creation, retention, and  
342 expansion; minority and small business development; rural  
343 community development; commercialization of products, services,  
344 or ideas developed in public universities or other public  
345 institutions; and the development and promotion of professional  
346 and amateur sporting events.

347 (f) Coordinate with state agencies on the processing of  
348 state development approvals or permits to minimize the  
349 duplication of information provided by the applicant and the  
350 time before approval or disapproval.

351 ~~(5) The divisions within the department have specific~~  
352 ~~responsibilities to achieve the duties, responsibilities, and~~  
353 ~~goals of the department. Specifically:~~

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

355 (g)1. Analyze and evaluate business prospects identified  
356 by the Governor and, the executive director of the department,  
357 ~~and Enterprise Florida, Inc.~~

358 (h)2. Administer certain tax refund, tax credit, and grant  
359 programs created in law. Notwithstanding any other provision of  
360 law, the department may expend interest earned from the  
361 investment of program funds deposited in the Grants and  
362 Donations Trust Fund to contract for the administration of those  
363 programs, or portions of the programs, assigned to the  
364 department by law, by the appropriations process, or by the  
365 Governor. Such expenditures shall be subject to review under  
366 chapter 216.

367 (i)3. Develop measurement protocols for the state  
368 incentive programs and for the contracted entities which will be  
369 used to determine their performance and competitive value to the  
370 state. Performance measures, benchmarks, and sanctions must be  
371 developed in consultation with the legislative appropriations  
372 committees and the appropriate substantive committees, and are  
373 subject to the review and approval process provided in s.  
374 216.177. The approved performance measures, standards, and  
375 sanctions shall be included and made a part of the strategic

376 | plan for contracts entered into for delivery of programs  
377 | authorized by this section.

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

380 |         1.a. Strategies for the promotion of business formation,  
381 | expansion, recruitment, and retention through aggressive  
382 | marketing, international development, and export assistance,  
383 | which lead to more and better jobs and higher wages for all  
384 | geographic regions, disadvantaged communities, and populations  
385 | of the state, including rural areas, minority businesses, and  
386 | urban core areas.

387 |         2.b. The development of realistic policies and programs to  
388 | further the economic diversity of the state, its regions, and  
389 | their associated industrial clusters.

390 |         3.e. Specific provisions for the stimulation of economic  
391 | development and job creation in rural areas and midsize cities  
392 | and counties of the state, including strategies for rural  
393 | marketing and the development of infrastructure in rural areas.

394 |         4.d. Provisions for the promotion of the successful long-  
395 | term economic development of the state with increased emphasis  
396 | in market research and information.

397 |         5.e. Plans for the generation of foreign investment in the  
398 | state which create jobs paying above-average wages and which  
399 | result in reverse investment in the state, including programs  
400 | that establish viable overseas markets, assist in meeting the



401 financing requirements of export-ready firms, broaden  
402 opportunities for international joint venture relationships, use  
403 the resources of academic and other institutions, coordinate  
404 trade assistance and facilitation services, and facilitate  
405 availability of and access to education and training programs  
406 that assure requisite skills and competencies necessary to  
407 compete successfully in the global marketplace.

408 ~~6.f.~~ The identification of business sectors that are of  
409 current or future importance to the state's economy and to the  
410 state's global business image, and development of specific  
411 strategies to promote the development of such sectors.

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

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

417 ~~(l)6.~~ Involve ~~Enterprise Florida, Inc.;~~ CareerSource  
418 Florida, Inc.; local governments; the general public; local and  
419 regional economic development organizations; other local, state,  
420 and federal economic, international, and workforce development  
421 entities; the business community; and educational institutions  
422 to assist with the strategic plan.

423 (5) The divisions within the department have specific  
424 responsibilities to achieve the duties, responsibilities, and  
425 goals of the department. Specifically:

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

427            1. Assist local governments and their communities in

428 finding creative planning solutions to help them foster vibrant,

429 healthy communities, while protecting the functions of important

430 state resources and facilities.

431            2. Administer state and federal grant programs as provided

432 by law to provide community development and project planning

433 activities to maintain viable communities, revitalize existing

434 communities, and expand economic development and employment

435 opportunities, including:

436            a. The Community Services Block Grant Program.

437            b. The Community Development Block Grant Program in

438 chapter 290.

439            c. The Low-Income Home Energy Assistance Program in

440 chapter 409.

441            d. The Weatherization Assistance Program in chapter 409.

442            e. The Neighborhood Stabilization Program.

443            f. The local comprehensive planning process and the

444 development of regional impact process.

445            g. The Front Porch Florida Initiative through the Office

446 of Urban Opportunity, which is created within the division. The

447 purpose of the office is to administer the Front Porch Florida

448 initiative, a comprehensive, community-based urban core

449 redevelopment program that enables urban core residents to craft

450 solutions to the unique challenges of each designated community.

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

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

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

457           2. Ensure that the state appropriately administers federal  
458 and state workforce funding by administering plans and policies  
459 of CareerSource Florida, Inc., under contract with CareerSource  
460 Florida, Inc. The operating budget and midyear amendments  
461 thereto must be part of such contract.

462           a. All program and fiscal instructions to local workforce  
463 development boards shall emanate from the Department of Economic  
464 Opportunity pursuant to plans and policies of CareerSource  
465 Florida, Inc., which shall be responsible for all policy  
466 directions to the local workforce development boards.

467           b. Unless otherwise provided by agreement with  
468 CareerSource Florida, Inc., administrative and personnel  
469 policies of the Department of Economic Opportunity apply.

470           3. Implement the state's reemployment assistance program.  
471 The Department of Economic Opportunity shall ensure that the  
472 state appropriately administers the reemployment assistance  
473 program pursuant to state and federal law.

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

476 (9) The executive director shall:

477 (b) Serve as the manager for the state with respect to  
478 contracts with the Florida Tourism Industry Marketing  
479 Corporation ~~Enterprise Florida, Inc., the Institute for the~~  
480 ~~Commercialization of Public Research, and all applicable direct-~~  
481 ~~support organizations.~~ To accomplish the provisions of this  
482 section and applicable provisions of chapter 288, and  
483 notwithstanding the provisions of part I of chapter 287, the  
484 director shall enter into specific contracts with the Florida  
485 Tourism Industry Marketing Corporation ~~Enterprise Florida, Inc.,~~  
486 ~~the Institute for the Commercialization of Public Research, and~~  
487 ~~other appropriate direct-support organizations.~~ Such contracts  
488 may be for multiyear terms and shall include specific  
489 performance measures for each year. ~~For purposes of this~~  
490 ~~section, the Florida Tourism Industry Marketing Corporation is~~  
491 ~~not an appropriate direct-support organization.~~

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

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

499 (b) The report must incorporate annual reports of other  
500 programs, including:

501 1. The displaced homemaker program established under s.  
502 446.50.

503 2. Information provided by the Department of Revenue under  
504 s. 290.014.

505 3. Information provided by enterprise zone development  
506 agencies under s. 290.0056 and an analysis of the activities and  
507 accomplishments of each enterprise zone.

508 ~~4. The Economic Gardening Business Loan Pilot Program~~  
509 ~~established under s. 288.1081 and the Economic Gardening~~  
510 ~~Technical Assistance Pilot Program established under s.~~  
511 ~~288.1082.~~

512 4.5. A detailed report of the performance of the Black  
513 Business Loan Program and a cumulative summary of quarterly  
514 report data required under s. 288.714.

515 5.6. The Rural Economic Development Initiative established  
516 under s. 288.0656.

517 6.7. The Florida Unique Abilities Partner Program.

518 (11) The department shall establish annual performance  
519 standards for ~~Enterprise Florida, Inc.~~, CareerSource Florida,  
520 Inc., the Florida Tourism Industry Marketing Corporation, and  
521 Space Florida and report annually on how these performance  
522 measures are being met in the annual report required under  
523 subsection (10).

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

525 Section 7. (1) All duties, functions, records, pending

526 issues, existing contracts, administrative authority,  
527 administrative rules, and unexpended balances of appropriations,  
528 allocations, and other public funds relating to the programs in  
529 Enterprise Florida, Inc., are transferred by a type two transfer  
530 to the Department of Economic Opportunity.

531 (2) (a) The Florida Sports Foundation, incorporated under  
532 chapter 617, Florida Statutes, which was previously merged into  
533 and transferred to Enterprise Florida, Inc., may enter into an  
534 agreement with the Department of Economic Opportunity to  
535 continue any existing program, activity, duty, or function  
536 necessary for the operation of the foundation.

537 (b) Any funds held in trust which were donated to or  
538 earned by the Florida Sports Foundation may be used by the  
539 foundation for the original purposes for which the funds were  
540 received.

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

545 (b) Any funds held in trust which were donated to or  
546 earned by the Florida Tourism Industry Marketing Corporation may  
547 be used by the corporation for the original purposes for which  
548 the funds were received.

549 (4) It is the intent of the Legislature that the changes  
550 made by this act be accomplished with minimal disruption of

551 services provided to the public and with minimal disruption to  
552 employees of any organization.

553 Section 8. For programs established pursuant to ss.  
554 212.08(5)q), 212.097, 220.1899, 220.191, 288.047, 288.1045,  
555 288.106, 288.107, 288.108, 288.1081, 288.1082, 288.1088,  
556 288.1089, 288.1162, 288.11621, 288.11625, 288.11631,  
557 288.1254(11), 288.9916, and 339.2821, Florida Statutes, no new  
558 or additional applications or certifications shall be approved,  
559 no new letters of certification may be issued, no new contracts  
560 or agreements may be executed, and no new awards may be made.  
561 All certifications are rescinded except for those certified  
562 applicants or projects that continue to meet the criteria in  
563 effect before July 1, 2017. Any existing contracts or agreements  
564 authorized under any of these programs shall continue in full  
565 force and effect in accordance with the statutory requirements  
566 in effect when the contract or agreement was executed or last  
567 modified. However, no further modifications, extensions, or  
568 waivers may be made or granted relating to such contracts or  
569 agreements except computations by the Department of Revenue of  
570 the income generated by or arising out of the qualifying  
571 project.

572 Section 9. Paragraph (n) of subsection (3) of section  
573 125.0104, Florida Statutes, is amended to read:

574 125.0104 Tourist development tax; procedure for levying;  
575 authorized uses; referendum; enforcement.—

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

577 (n) In addition to any other tax that is imposed under  
578 this section, a county that has imposed the tax under paragraph  
579 (1) may impose an additional tax that is no greater than 1  
580 percent on the exercise of the privilege described in paragraph  
581 (a) by a majority plus one vote of the membership of the board  
582 of county commissioners in order to:

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

584 a. The construction, reconstruction, or renovation of a  
585 facility either publicly owned and operated, or publicly owned  
586 and operated by the owner of a professional sports franchise or  
587 other lessee with sufficient expertise or financial capability  
588 to operate such facility, and to pay the planning and design  
589 costs incurred prior to the issuance of such bonds for a new  
590 professional sports franchise ~~as defined in s. 288.1162.~~ As used  
591 in this sub-subparagraph, the term "new professional sports  
592 franchise" means a professional sports franchise that was not  
593 based in this state before April 1, 1987.

594 b. The acquisition, construction, reconstruction, or  
595 renovation of a facility either publicly owned and operated, or  
596 publicly owned and operated by the owner of a professional  
597 sports franchise or other lessee with sufficient expertise or  
598 financial capability to operate such facility, and to pay the  
599 planning and design costs incurred prior to the issuance of such  
600 bonds for a retained spring training franchise.



601           2. Promote and advertise tourism in the State of Florida  
602 and nationally and internationally; however, if tax revenues are  
603 expended for an activity, service, venue, or event, the  
604 activity, service, venue, or event shall have as one of its main  
605 purposes the attraction of tourists as evidenced by the  
606 promotion of the activity, service, venue, or event to tourists.

607

608 A county that imposes the tax authorized in this paragraph may  
609 not expend any ad valorem tax revenues for the acquisition,  
610 construction, reconstruction, or renovation of a facility for  
611 which tax revenues are used pursuant to subparagraph 1. The  
612 provision of paragraph (b) which prohibits any county authorized  
613 to levy a convention development tax pursuant to s. 212.0305  
614 from levying more than the 2-percent tax authorized by this  
615 section shall not apply to the additional tax authorized by this  
616 paragraph in counties which levy convention development taxes  
617 pursuant to s. 212.0305(4)(a). Subsection (4) does not apply to  
618 the adoption of the additional tax authorized in this paragraph.  
619 The effective date of the levy and imposition of the tax  
620 authorized under this paragraph is the first day of the second  
621 month following approval of the ordinance by the board of county  
622 commissioners or the first day of any subsequent month specified  
623 in the ordinance. A certified copy of such ordinance shall be  
624 furnished by the county to the Department of Revenue within 10  
625 days after approval of the ordinance.

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

628 159.803 Definitions.—As used in this part, the term:

629 (11) "Florida First Business project" means any project  
 630 which is certified by the Department of Economic Opportunity as  
 631 eligible to receive an allocation from the Florida First  
 632 Business allocation pool established pursuant to s. 159.8083.  
 633 The Department of Economic Opportunity may certify ~~those~~  
 634 ~~projects meeting the criteria set forth in s. 288.106(4)(b) or~~  
 635 any project providing a substantial economic benefit to this  
 636 state.

637 Section 11. Paragraph (a) of subsection (8) of section  
 638 166.231, Florida Statutes, is amended to read:

639 166.231 Municipalities; public service tax.—

640 (8)(a) Beginning July 1, 1995, a municipality may by  
 641 ordinance exempt not less than 50 percent of the tax imposed  
 642 under this section on purchasers of electrical energy who are  
 643 determined to be eligible for the exemption provided by s.  
 644 212.08(14) ~~212.08(15)~~ by the Department of Revenue. The  
 645 exemption shall be administered as provided in that section. A  
 646 copy of any ordinance adopted pursuant to this subsection shall  
 647 be provided to the Department of Revenue not less than 14 days  
 648 prior to its effective date.

649 Section 12. Section 189.033, Florida Statutes, is amended  
 650 to read:

651 189.033 Independent special district services in  
652 disproportionally affected county; rate reduction for providers  
653 providing economic benefits.—If the governing body of an  
654 independent special district that provides water, wastewater,  
655 and sanitation services in a disproportionally affected county~~7~~  
656 ~~as defined in s. 288.106(8)~~, determines that a new user or the  
657 expansion of an existing user of one or more of its utility  
658 systems will provide a significant benefit to the community in  
659 terms of increased job opportunities, economies of scale, or  
660 economic development in the area, the governing body may  
661 authorize a reduction of its rates, fees, or charges for that  
662 user for a specified period of time. A governing body that  
663 exercises this power must do so by resolution that states the  
664 anticipated economic benefit justifying the reduction as well as  
665 the period of time that the reduction will remain in place. As  
666 used in this section, the term "disproportionally affected  
667 county" means Bay County, Escambia County, Franklin County, Gulf  
668 County, Okaloosa County, Santa Rosa County, Walton County, or  
669 Wakulla County.

670 Section 13. Subsections (11) through (19) of section  
671 196.012, Florida Statutes, are renumbered as subsections (12)  
672 through (20), respectively, a new subsection (11) is added to  
673 that section, and paragraph (a) of present subsection (14),  
674 paragraph (a) of present subsection (15), and present subsection  
675 (16) of that section are amended to read:

676 196.012 Definitions.—For the purpose of this chapter, the  
677 following terms are defined as follows, except where the context  
678 clearly indicates otherwise:

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

683 (a) Future growth.—The industry forecast indicates strong  
684 expectation for future growth in employment and output,  
685 according to the most recent available data. Special  
686 consideration should be given to businesses that export goods  
687 to, or provide services in, international markets and businesses  
688 that replace domestic and international imports of goods or  
689 services.

690 (b) Stability.—The industry is not subject to periodic  
691 layoffs, whether due to seasonality or sensitivity to volatile  
692 economic variables such as weather. The industry is also  
693 relatively resistant to recession, so that the demand for  
694 products of this industry is not typically subject to decline  
695 during an economic downturn.

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

698 (d) Market and resource independent.—The industry business  
699 location is not dependent on markets or resources in the state  
700 as indicated by industry analysis, except for businesses in the

701 renewable energy industry.

702 (e) Industrial base diversification and strengthening.—The  
703 industry contributes toward expanding or diversifying the  
704 state's or area's economic base, as indicated by analysis of  
705 employment and output shares compared to national and regional  
706 trends. Special consideration should be given to industries that  
707 strengthen regional economies by adding value to basic products  
708 or building regional industrial clusters as indicated by  
709 industry analysis. Special consideration should also be given to  
710 the development of strong industrial clusters that include  
711 defense and homeland security businesses.

712 (f) Positive economic impact.—The industry has strong  
713 positive economic impacts on or benefits to the state or  
714 regional economies. Special consideration should be given to  
715 industries that facilitate the development of the state as a hub  
716 for domestic and global trade and logistics.

717  
718 The term does not include any business engaged in retail  
719 industry activities; any electrical utility company as defined  
720 in s. 366.02(2); any phosphate or other solid minerals  
721 severance, mining, or processing operation; any oil or gas  
722 exploration or production operation; or any business subject to  
723 regulation by the Division of Hotels and Restaurants of the  
724 Department of Business and Professional Regulation. Any business  
725 within NAICS code 5611 or 5614, office administrative services

726 and business support services, respectively, may be considered a  
727 target industry business only after the local governing body and  
728 the Department of Economic Opportunity determine that the  
729 community in which the business may locate has conditions  
730 affecting the fiscal and economic viability of the local  
731 community or area, including, but not limited to, low per capita  
732 income, high unemployment, high underemployment, and a lack of  
733 year-round stable employment opportunities, and such conditions  
734 may be improved by the business locating in such community. By  
735 January 1 of every 3rd year, beginning January 1, 2011, the  
736 Department of Economic Opportunity, in consultation with  
737 economic development organizations, the State University System,  
738 local governments, employee and employer organizations, market  
739 analysts, and economists, shall review and, as appropriate,  
740 revise the list of target industries and submit the list to the  
741 Governor, the President of the Senate, and the Speaker of the  
742 House of Representatives.

743 (15)-(14) "New business" means:

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

749 a. manufactures, processes, compounds, fabricates, or  
750 produces for sale items of tangible personal property at a fixed

751 location and which comprises an industrial or manufacturing  
 752 plant; or

753 b. Is a target industry business as defined in subsection  
 754 (11) ~~s. 288.106(2)(a)~~;

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

761 3. An office space in this state owned and used by a  
 762 business or organization newly domiciled in this state; provided  
 763 such office space houses 50 or more full-time employees of such  
 764 business or organization; provided that such business or  
 765 organization office first begins operation on a site clearly  
 766 separate from any other commercial or industrial operation owned  
 767 by the same business or organization.

768 (16) ~~(15)~~ "Expansion of an existing business" means:

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

774 or

775 2. A business or organization establishing 25 or more new

776 jobs to employ 25 or more full-time employees in this state, the  
777 sales factor of which, as defined by s. 220.15(5), for the  
778 facility with respect to which it requests an economic  
779 development ad valorem tax exemption is less than 0.50 for each  
780 year the exemption is claimed; provided that such business  
781 increases operations on a site located within the same county,  
782 municipality, or both colocated with a commercial or industrial  
783 operation owned by the same business or organization under  
784 common control with the same business or organization, resulting  
785 in a net increase in employment of not less than 10 percent or  
786 an increase in productive output or sales of not less than 10  
787 percent.

788 (17)~~(16)~~ "Permanent resident" means a person who has  
789 established a permanent residence as defined in subsection (18)  
790 ~~(17)~~.

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

793 196.101 Exemption for totally and permanently disabled  
794 persons.—

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

800 Section 15. Subsection (2) of section 196.121, Florida



801 Statutes, is amended to read:

802 196.121 Homestead exemptions; forms.—

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

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

810 196.1995 Economic development ad valorem tax exemption.—

811 (6) With respect to a new business as defined in ~~by~~ s.  
 812 196.012(15)(c) ~~196.012(14)(c)~~, the municipality annexing the  
 813 property on which the business is situated may grant an economic  
 814 development ad valorem tax exemption under this section to that  
 815 business for a period that will expire upon the expiration of  
 816 the exemption granted by the county. If the county renews the  
 817 exemption under subsection (7), the municipality may also extend  
 818 its exemption. A municipal economic development ad valorem tax  
 819 exemption granted under this subsection may not extend beyond  
 820 the duration of the county exemption.

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

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

826 (b) The total amount of revenue available to the county or  
 827 municipality from ad valorem tax sources for the current fiscal  
 828 year, the total amount of revenue lost to the county or  
 829 municipality for the current fiscal year by virtue of economic  
 830 development ad valorem tax exemptions currently in effect, and  
 831 the estimated revenue loss to the county or municipality for the  
 832 current fiscal year attributable to the exemption of the  
 833 business named in the ordinance;

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

838 (d) A finding that the business named in the ordinance  
 839 meets the requirements of s. 196.012(15) or (16) ~~196.012(14) or~~  
 840 ~~(15)~~.

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

843 201.15 Distribution of taxes collected.—All taxes  
 844 collected under this chapter are hereby pledged and shall be  
 845 first made available to make payments when due on bonds issued  
 846 pursuant to s. 215.618 or s. 215.619, or any other bonds  
 847 authorized to be issued on a parity basis with such bonds. Such  
 848 pledge and availability for the payment of these bonds shall  
 849 have priority over any requirement for the payment of service  
 850 charges or costs of collection and enforcement under this

851 section. All taxes collected under this chapter, except taxes  
852 distributed to the Land Acquisition Trust Fund pursuant to  
853 subsections (1) and (2), are subject to the service charge  
854 imposed in s. 215.20(1). Before distribution pursuant to this  
855 section, the Department of Revenue shall deduct amounts  
856 necessary to pay the costs of the collection and enforcement of  
857 the tax levied by this chapter. The costs and service charge may  
858 not be levied against any portion of taxes pledged to debt  
859 service on bonds to the extent that the costs and service charge  
860 are required to pay any amounts relating to the bonds. All of  
861 the costs of the collection and enforcement of the tax levied by  
862 this chapter and the service charge shall be available and  
863 transferred to the extent necessary to pay debt service and any  
864 other amounts payable with respect to bonds authorized before  
865 January 1, 2017, secured by revenues distributed pursuant to  
866 this section. All taxes remaining after deduction of costs shall  
867 be distributed as follows:

868 (4) After the required distributions to the Land  
869 Acquisition Trust Fund pursuant to subsections (1) and (2) and  
870 deduction of the service charge imposed pursuant to s.  
871 215.20(1), the remainder shall be distributed as follows:

872 (a) The lesser of 24.18442 percent of the remainder or  
873 \$541.75 million in each fiscal year shall be paid into the State  
874 Treasury to the credit of the State Transportation Trust Fund.  
875 Of such funds, \$75 million for each fiscal year shall be

876 transferred to the General Revenue Fund ~~State Economic~~  
877 ~~Enhancement and Development Trust Fund~~ within the Department of  
878 ~~Economic Opportunity~~. Notwithstanding any other law, the  
879 remaining amount credited to the State Transportation Trust Fund  
880 shall be used for:

881 1. Capital funding for the New Starts Transit Program,  
882 authorized by Title 49, U.S.C. s. 5309 and specified in s.  
883 341.051, in the amount of 10 percent of the funds;

884 2. The Small County Outreach Program specified in s.  
885 339.2818, in the amount of 10 percent of the funds;

886 3. The Strategic Intermodal System specified in ss.  
887 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent  
888 of the funds after deduction of the payments required pursuant  
889 to subparagraphs 1. and 2.; and

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

896 (c) Eleven and twenty-four hundredths percent of the  
897 remainder in each fiscal year shall be paid into the State  
898 Treasury to the credit of the State Housing Trust Fund. Of such  
899 funds, the first \$35 million shall be transferred annually,  
900 subject to any distribution required under subsection (5), to

901 the General Revenue Fund ~~State Economic Enhancement and~~  
 902 ~~Development Trust Fund~~ within the Department of Economic  
 903 ~~Opportunity~~. The remainder shall be used as follows:

904 1. Half of that amount shall be used for the purposes for  
 905 which the State Housing Trust Fund was created and exists by  
 906 law.

907 2. Half of that amount shall be paid into the State  
 908 Treasury to the credit of the Local Government Housing Trust  
 909 Fund and used for the purposes for which the Local Government  
 910 Housing Trust Fund was created and exists by law.

911 (d) Twelve and ninety-three hundredths percent of the  
 912 remainder in each fiscal year shall be paid into the State  
 913 Treasury to the credit of the State Housing Trust Fund. Of such  
 914 funds, the first \$40 million shall be transferred annually,  
 915 subject to any distribution required under subsection (5), to  
 916 the General Revenue Fund ~~State Economic Enhancement and~~  
 917 ~~Development Trust Fund~~ within the Department of Economic  
 918 ~~Opportunity~~. The remainder shall be used as follows:

919 1. Twelve and one-half percent of that amount shall be  
 920 deposited into the State Housing Trust Fund and expended by the  
 921 Department of Economic Opportunity and the Florida Housing  
 922 Finance Corporation for the purposes for which the State Housing  
 923 Trust Fund was created and exists by law.

924 2. Eighty-seven and one-half percent of that amount shall  
 925 be distributed to the Local Government Housing Trust Fund and

926 | used for the purposes for which the Local Government Housing  
 927 | Trust Fund was created and exists by law. Funds from this  
 928 | category may also be used to provide for state and local  
 929 | services to assist the homeless.

930 |       Section 18. Paragraph (a) of subsection (1) of section  
 931 | 212.031, Florida Statutes, is amended to read:

932 |       212.031 Tax on rental or license fee for use of real  
 933 | property.—

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

- 938 |       1. Assessed as agricultural property under s. 193.461.
- 939 |       2. Used exclusively as dwelling units.
- 940 |       3. Property subject to tax on parking, docking, or storage  
 941 | spaces under s. 212.03(6).

942 |       4. Recreational property or the common elements of a  
 943 | condominium when subject to a lease between the developer or  
 944 | owner thereof and the condominium association in its own right  
 945 | or as agent for the owners of individual condominium units or  
 946 | the owners of individual condominium units. However, only the  
 947 | lease payments on such property shall be exempt from the tax  
 948 | imposed by this chapter, and any other use made by the owner or  
 949 | the condominium association shall be fully taxable under this  
 950 | chapter.

951           5. A public or private street or right-of-way and poles,  
952 conduits, fixtures, and similar improvements located on such  
953 streets or rights-of-way, occupied or used by a utility or  
954 provider of communications services, as defined by s. 202.11,  
955 for utility or communications or television purposes. For  
956 purposes of this subparagraph, the term "utility" means any  
957 person providing utility services as defined in s. 203.012. This  
958 exception also applies to property, wherever located, on which  
959 the following are placed: towers, antennas, cables, accessory  
960 structures, or equipment, not including switching equipment,  
961 used in the provision of mobile communications services as  
962 defined in s. 202.11. For purposes of this chapter, towers used  
963 in the provision of mobile communications services, as defined  
964 in s. 202.11, are considered to be fixtures.

965           6. A public street or road which is used for  
966 transportation purposes.

967           7. Property used at an airport exclusively for the purpose  
968 of aircraft landing or aircraft taxiing or property used by an  
969 airline for the purpose of loading or unloading passengers or  
970 property onto or from aircraft or for fueling aircraft.

971           8.a. Property used at a port authority, as defined in s.  
972 315.02(2), exclusively for the purpose of oceangoing vessels or  
973 tugs docking, or such vessels mooring on property used by a port  
974 authority for the purpose of loading or unloading passengers or  
975 cargo onto or from such a vessel, or property used at a port

976 authority for fueling such vessels, or to the extent that the  
977 amount paid for the use of any property at the port is based on  
978 the charge for the amount of tonnage actually imported or  
979 exported through the port by a tenant.

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

984 ~~9. Property used as an integral part of the performance of~~  
985 ~~qualified production services. As used in this subparagraph, the~~  
986 ~~term "qualified production services" means any activity or~~  
987 ~~service performed directly in connection with the production of~~  
988 ~~a qualified motion picture, as defined in s. 212.06(1)(b), and~~  
989 ~~includes:~~

990 ~~a. Photography, sound and recording, casting, location~~  
991 ~~managing and scouting, shooting, creation of special and optical~~  
992 ~~effects, animation, adaptation (language, media, electronic, or~~  
993 ~~otherwise), technological modifications, computer graphics, set~~  
994 ~~and stage support (such as electricians, lighting designers and~~  
995 ~~operators, greensmen, prop managers and assistants, and grips),~~  
996 ~~wardrobe (design, preparation, and management), hair and makeup~~  
997 ~~(design, production, and application), performing (such as~~  
998 ~~acting, dancing, and playing), designing and executing stunts,~~  
999 ~~coaching, consulting, writing, scoring, composing,~~  
1000 ~~choreographing, script supervising, directing, producing,~~



1001 ~~transmitting dailies, dubbing, mixing, editing, cutting,~~  
 1002 ~~looping, printing, processing, duplicating, storing, and~~  
 1003 ~~distributing;~~

1004 ~~b. The design, planning, engineering, construction,~~  
 1005 ~~alteration, repair, and maintenance of real or personal property~~  
 1006 ~~including stages, sets, props, models, paintings, and facilities~~  
 1007 ~~principally required for the performance of those services~~  
 1008 ~~listed in sub-subparagraph a.; and~~

1009 ~~e. Property management services directly related to~~  
 1010 ~~property used in connection with the services described in sub-~~  
 1011 ~~subparagraphs a. and b.~~

1012  
 1013 ~~This exemption will inure to the taxpayer upon presentation of~~  
 1014 ~~the certificate of exemption issued to the taxpayer under the~~  
 1015 ~~provisions of s. 288.1258.~~

1016 9.10. Leased, subleased, licensed, or rented to a person  
 1017 providing food and drink concessionaire services within the  
 1018 premises of a convention hall, exhibition hall, auditorium,  
 1019 stadium, theater, arena, civic center, performing arts center,  
 1020 publicly owned recreational facility, or any business operated  
 1021 under a permit issued pursuant to chapter 550. A person  
 1022 providing retail concessionaire services involving the sale of  
 1023 food and drink or other tangible personal property within the  
 1024 premises of an airport shall be subject to tax on the rental of  
 1025 real property used for that purpose, but shall not be subject to

1026 | the tax on any license to use the property. For purposes of this  
 1027 | subparagraph, the term "sale" shall not include the leasing of  
 1028 | tangible personal property.

1029 |       ~~10.11.~~ Property occupied pursuant to an instrument calling  
 1030 | for payments which the department has declared, in a Technical  
 1031 | Assistance Advisement issued on or before March 15, 1993, to be  
 1032 | nontaxable pursuant to rule 12A-1.070(19)(c), Florida  
 1033 | Administrative Code; provided that this subparagraph shall only  
 1034 | apply to property occupied by the same person before and after  
 1035 | the execution of the subject instrument and only to those  
 1036 | payments made pursuant to such instrument, exclusive of renewals  
 1037 | and extensions thereof occurring after March 15, 1993.

1038 |       ~~11.12.~~ Property used or occupied predominantly for space  
 1039 | flight business purposes. As used in this subparagraph, "space  
 1040 | flight business" means the manufacturing, processing, or  
 1041 | assembly of a space facility, space propulsion system, space  
 1042 | vehicle, satellite, or station of any kind possessing the  
 1043 | capacity for space flight, as defined by s. 212.02(23), or  
 1044 | components thereof, and also means the following activities  
 1045 | supporting space flight: vehicle launch activities, flight  
 1046 | operations, ground control or ground support, and all  
 1047 | administrative activities directly related thereto. Property  
 1048 | shall be deemed to be used or occupied predominantly for space  
 1049 | flight business purposes if more than 50 percent of the  
 1050 | property, or improvements thereon, is used for one or more space

1051 flight business purposes. Possession by a landlord, lessor, or  
1052 licensor of a signed written statement from the tenant, lessee,  
1053 or licensee claiming the exemption shall relieve the landlord,  
1054 lessor, or licensor from the responsibility of collecting the  
1055 tax, and the department shall look solely to the tenant, lessee,  
1056 or licensee for recovery of such tax if it determines that the  
1057 exemption was not applicable.

1058 ~~12.13.~~ Rented, leased, subleased, or licensed to a person  
1059 providing telecommunications, data systems management, or  
1060 Internet services at a publicly or privately owned convention  
1061 hall, civic center, or meeting space at a public lodging  
1062 establishment as defined in s. 509.013. This subparagraph  
1063 applies only to that portion of the rental, lease, or license  
1064 payment that is based upon a percentage of sales, revenue  
1065 sharing, or royalty payments and not based upon a fixed price.  
1066 This subparagraph is intended to be clarifying and remedial in  
1067 nature and shall apply retroactively. This subparagraph does not  
1068 provide a basis for an assessment of any tax not paid, or create  
1069 a right to a refund of any tax paid, pursuant to this section  
1070 before July 1, 2010.

1071 Section 19. Paragraph (b) of subsection (1) of section  
1072 212.06, Florida Statutes, is amended to read:

1073 212.06 Sales, storage, use tax; collectible from dealers;  
1074 "dealer" defined; dealers to collect from purchasers;  
1075 legislative intent as to scope of tax.-

1076 (1)

1077 (b) Except as otherwise provided, any person who

1078 manufactures, produces, compounds, processes, or fabricates in

1079 any manner tangible personal property for his or her own use

1080 shall pay a tax upon the cost of the product manufactured,

1081 produced, compounded, processed, or fabricated without any

1082 deduction therefrom on account of the cost of material used,

1083 labor or service costs, or transportation charges,

1084 notwithstanding the provisions of s. 212.02 defining "cost

1085 price." However, the tax levied under this paragraph shall not

1086 be imposed upon any person who manufactures or produces

1087 electrical power or energy, steam energy, or other energy at a

1088 single location, when such power or energy is used directly and

1089 exclusively at such location, or at other locations if the

1090 energy is transferred through facilities of the owner in the

1091 operation of machinery or equipment that is used to manufacture,

1092 process, compound, produce, fabricate, or prepare for shipment

1093 tangible personal property for sale or to operate pollution

1094 control equipment, maintenance equipment, or monitoring or

1095 control equipment used in such operations. The manufacture or

1096 production of electrical power or energy that is used for space

1097 heating, lighting, office equipment, or air-conditioning or any

1098 other, nonprocessing, noncompounding, nonproducing,

1099 nonfabricating, or nonshipping activity is taxable. Electrical

1100 power or energy consumed or dissipated in the transmission or

1101 distribution of electrical power or energy for resale is also  
1102 not taxable. ~~Fabrication labor shall not be taxable when a~~  
1103 ~~person is using his or her own equipment and personnel, for his~~  
1104 ~~or her own account, as a producer, subproducer, or coproducer of~~  
1105 ~~a qualified motion picture. For purposes of this chapter, the~~  
1106 ~~term "qualified motion picture" means all or any part of a~~  
1107 ~~series of related images, either on film, tape, or other~~  
1108 ~~embodiment, including, but not limited to, all items comprising~~  
1109 ~~part of the original work and film-related products derived~~  
1110 ~~therefrom as well as duplicates and prints thereof and all sound~~  
1111 ~~recordings created to accompany a motion picture, which is~~  
1112 ~~produced, adapted, or altered for exploitation in, on, or~~  
1113 ~~through any medium or device and at any location, primarily for~~  
1114 ~~entertainment, commercial, industrial, or educational purposes.~~  
1115 ~~This exemption for fabrication labor associated with production~~  
1116 ~~of a qualified motion picture will inure to the taxpayer upon~~  
1117 ~~presentation of the certificate of exemption issued to the~~  
1118 ~~taxpayer under the provisions of s. 288.1258. A person who~~  
1119 manufactures factory-built buildings for his or her own use in  
1120 the performance of contracts for the construction or improvement  
1121 of real property shall pay a tax only upon the person's cost  
1122 price of items used in the manufacture of such buildings.

1123 Section 20. Section 212.0602, Florida Statutes, is  
1124 repealed.

1125 Section 21. Paragraph (a) of subsection (3) of section

1126 | 212.0606, Florida Statutes, is amended to read:

1127 |       212.0606 Rental car surcharge.—

1128 |       (3) (a) Notwithstanding s. 212.20, and less the costs of  
 1129 | administration, 80 percent of the proceeds of this surcharge  
 1130 | shall be deposited in the State Transportation Trust Fund, ~~15.75~~  
 1131 | ~~percent of the proceeds of this surcharge shall be deposited in~~  
 1132 | ~~the Tourism Promotional Trust Fund created in s. 288.122,~~ and 20  
 1133 | 4.25 percent of the proceeds of this surcharge shall be  
 1134 | deposited in the General Revenue Fund ~~Florida International~~  
 1135 | ~~Trade and Promotion Trust Fund~~. For the purposes of this  
 1136 | subsection, "proceeds" of the surcharge means all funds  
 1137 | collected and received by the department under this section,  
 1138 | including interest and penalties on delinquent surcharges. The  
 1139 | department shall provide the Department of Transportation rental  
 1140 | car surcharge revenue information for the previous state fiscal  
 1141 | year by September 1 of each year.

1142 |       Section 22. Paragraphs (g) through (q) of subsection (5)  
 1143 | of section 212.08, Florida Statutes, are redesignated as  
 1144 | paragraphs (f) through (p), respectively, subsections (12)  
 1145 | through (18) are renumbered as subsections (11) through (17),  
 1146 | respectively, and paragraph (f) and present paragraphs (h) and  
 1147 | (j) of subsection (5), subsection (12), and paragraph (f) of  
 1148 | present subsection (15) of that section are amended to read:

1149 |       212.08 Sales, rental, use, consumption, distribution, and  
 1150 | storage tax; specified exemptions.—The sale at retail, the

1151 rental, the use, the consumption, the distribution, and the  
1152 storage to be used or consumed in this state of the following  
1153 are hereby specifically exempt from the tax imposed by this  
1154 chapter.

1155 (5) EXEMPTIONS; ACCOUNT OF USE.—

1156 ~~(f) Motion picture or video equipment used in motion~~  
1157 ~~picture or television production activities and sound recording~~  
1158 ~~equipment used in the production of master tapes and master~~  
1159 ~~records.—~~

1160 ~~1. Motion picture or video equipment and sound recording~~  
1161 ~~equipment purchased or leased for use in this state in~~  
1162 ~~production activities is exempt from the tax imposed by this~~  
1163 ~~chapter. The exemption provided by this paragraph shall inure to~~  
1164 ~~the taxpayer upon presentation of the certificate of exemption~~  
1165 ~~issued to the taxpayer under the provisions of s. 288.1258.~~

1166 ~~2. For the purpose of the exemption provided in~~  
1167 ~~subparagraph 1.:~~

1168 ~~a. "Motion picture or video equipment" and "sound~~  
1169 ~~recording equipment" includes only tangible personal property or~~  
1170 ~~other property that has a depreciable life of 3 years or more~~  
1171 ~~and that is used by the lessee or purchaser exclusively as an~~  
1172 ~~integral part of production activities; however, motion picture~~  
1173 ~~or video equipment and sound recording equipment does not~~  
1174 ~~include supplies, tape, records, film, or video tape used in~~  
1175 ~~productions or other similar items; vehicles or vessels; or~~

1176 ~~general office equipment not specifically suited to production~~  
1177 ~~activities. In addition, the term does not include equipment~~  
1178 ~~purchased or leased by television or radio broadcasting or cable~~  
1179 ~~companies licensed by the Federal Communications Commission.~~  
1180 ~~Furthermore, a building and its structural components are not~~  
1181 ~~motion picture or video equipment and sound recording equipment~~  
1182 ~~unless the building or structural component is so closely~~  
1183 ~~related to the motion picture or video equipment and sound~~  
1184 ~~recording equipment that it houses or supports that the building~~  
1185 ~~or structural component can be expected to be replaced when the~~  
1186 ~~motion picture or video equipment and sound recording equipment~~  
1187 ~~are replaced. Heating and air-conditioning systems are not~~  
1188 ~~motion picture or video equipment and sound recording equipment~~  
1189 ~~unless the sole justification for their installation is to meet~~  
1190 ~~the requirements of the production activities, even though the~~  
1191 ~~system may provide incidental comfort to employees or serve, to~~  
1192 ~~an insubstantial degree, nonproduction activities.~~

1193 ~~b. "Production activities" means activities directed~~  
1194 ~~toward the preparation of a:~~

1195 ~~(I) Master tape or master record embodying sound; or~~

1196 ~~(II) Motion picture or television production which is~~  
1197 ~~produced for theatrical, commercial, advertising, or educational~~  
1198 ~~purposes and utilizes live or animated actions or a combination~~  
1199 ~~of live and animated actions. The motion picture or television~~  
1200 ~~production shall be commercially produced for sale or for~~



1201 ~~showing on screens or broadcasting on television and may be on~~  
 1202 ~~film or video tape.~~

1203 (g)~~(h)~~ Business property used in an enterprise zone.—

1204 1. Business property purchased for use by businesses  
 1205 located in an enterprise zone which is subsequently used in an  
 1206 enterprise zone shall be exempt from the tax imposed by this  
 1207 chapter. This exemption inures to the business only through a  
 1208 refund of previously paid taxes. A refund shall be authorized  
 1209 upon an affirmative showing by the taxpayer to the satisfaction  
 1210 of the department that the requirements of this paragraph have  
 1211 been met.

1212 2. To receive a refund, the business must file under oath  
 1213 with the governing body or enterprise zone development agency  
 1214 having jurisdiction over the enterprise zone where the business  
 1215 is located, as applicable, an application which includes:

1216 a. The name and address of the business claiming the  
 1217 refund.

1218 b. The identifying number assigned pursuant to s. 290.0065  
 1219 to the enterprise zone in which the business is located.

1220 c. A specific description of the property for which a  
 1221 refund is sought, including its serial number or other permanent  
 1222 identification number.

1223 d. The location of the property.

1224 e. The sales invoice or other proof of purchase of the  
 1225 property, showing the amount of sales tax paid, the date of

1226 purchase, and the name and address of the sales tax dealer from  
1227 whom the property was purchased.

1228 f. Whether the business is a small business as defined by  
1229 s. 288.703.

1230 g. If applicable, the name and address of each permanent  
1231 employee of the business, including, for each employee who is a  
1232 resident of an enterprise zone, the identifying number assigned  
1233 pursuant to s. 290.0065 to the enterprise zone in which the  
1234 employee resides.

1235 3. Within 10 working days after receipt of an application,  
1236 the governing body or enterprise zone development agency shall  
1237 review the application to determine if it contains all the  
1238 information required pursuant to subparagraph 2. and meets the  
1239 criteria set out in this paragraph. The governing body or agency  
1240 shall certify all applications that contain the information  
1241 required pursuant to subparagraph 2. and meet the criteria set  
1242 out in this paragraph as eligible to receive a refund. If  
1243 applicable, the governing body or agency shall also certify if  
1244 20 percent of the employees of the business are residents of an  
1245 enterprise zone, excluding temporary and part-time employees.  
1246 The certification shall be in writing, and a copy of the  
1247 certification shall be transmitted to the executive director of  
1248 the Department of Revenue. The business shall be responsible for  
1249 forwarding a certified application to the department within the  
1250 time specified in subparagraph 4.

1251           4. An application for a refund pursuant to this paragraph  
1252 must be submitted to the department within 6 months after the  
1253 tax is due on the business property that is purchased.

1254           5. The amount refunded on purchases of business property  
1255 under this paragraph shall be the lesser of 97 percent of the  
1256 sales tax paid on such business property or \$5,000, or, if no  
1257 less than 20 percent of the employees of the business are  
1258 residents of an enterprise zone, excluding temporary and part-  
1259 time employees, the amount refunded on purchases of business  
1260 property under this paragraph shall be the lesser of 97 percent  
1261 of the sales tax paid on such business property or \$10,000. A  
1262 refund approved pursuant to this paragraph shall be made within  
1263 30 days after formal approval by the department of the  
1264 application for the refund. A refund may not be granted under  
1265 this paragraph unless the amount to be refunded exceeds \$100 in  
1266 sales tax paid on purchases made within a 60-day time period.

1267           6. The department shall adopt rules governing the manner  
1268 and form of refund applications and may establish guidelines as  
1269 to the requisites for an affirmative showing of qualification  
1270 for exemption under this paragraph.

1271           7. If the department determines that the business property  
1272 is used outside an enterprise zone within 3 years from the date  
1273 of purchase, the amount of taxes refunded to the business  
1274 purchasing such business property shall immediately be due and  
1275 payable to the department by the business, together with the

1276 appropriate interest and penalty, computed from the date of  
 1277 purchase, in the manner provided by this chapter.

1278 Notwithstanding this subparagraph, business property used  
 1279 exclusively in:

- 1280 a. Licensed commercial fishing vessels,
- 1281 b. Fishing guide boats, or
- 1282 c. Ecotourism guide boats

1283  
 1284 that leave and return to a fixed location within an area  
 1285 designated under s. 379.2353, Florida Statutes 2010, are  
 1286 eligible for the exemption provided under this paragraph if all  
 1287 requirements of this paragraph are met. Such vessels and boats  
 1288 must be owned by a business that is eligible to receive the  
 1289 exemption provided under this paragraph. This exemption does not  
 1290 apply to the purchase of a vessel or boat.

1291 8. The department shall deduct an amount equal to 10  
 1292 percent of each refund granted under this paragraph from the  
 1293 amount transferred into the Local Government Half-cent Sales Tax  
 1294 Clearing Trust Fund pursuant to s. 212.20 for the county area in  
 1295 which the business property is located and shall transfer that  
 1296 amount to the General Revenue Fund.

1297 9. For the purposes of this exemption, "business property"  
 1298 means new or used property defined as "recovery property" in s.  
 1299 168(c) of the Internal Revenue Code of 1954, as amended, except:

- 1300 a. Property classified as 3-year property under s.

1301 168(c) (2) (A) of the Internal Revenue Code of 1954, as amended;  
 1302 b. Industrial machinery and equipment as defined in sub-  
 1303 subparagraph (b)6.a. and eligible for exemption under paragraph  
 1304 (b);

1305 c. Building materials as defined in sub-subparagraph  
 1306 (f) 8.a. ~~(g) 8.a.~~; and

1307 d. Business property having a sales price of under \$5,000  
 1308 per unit.

1309 10. This paragraph expires on the date specified in s.  
 1310 290.016 for the expiration of the Florida Enterprise Zone Act.

1311 (i) ~~(j)~~ Machinery and equipment used in semiconductor,  
 1312 defense, or space technology production.—

1313 1.a. Industrial machinery and equipment used in  
 1314 semiconductor technology facilities certified under subparagraph  
 1315 5. to manufacture, process, compound, or produce semiconductor  
 1316 technology products for sale or for use by these facilities are  
 1317 exempt from the tax imposed by this chapter. For purposes of  
 1318 this paragraph, industrial machinery and equipment includes  
 1319 molds, dies, machine tooling, other appurtenances or accessories  
 1320 to machinery and equipment, testing equipment, test beds,  
 1321 computers, and software, whether purchased or self-fabricated,  
 1322 and, if self-fabricated, includes materials and labor for  
 1323 design, fabrication, and assembly.

1324 b. Industrial machinery and equipment used in defense or  
 1325 space technology facilities certified under subparagraph 5. to

1326 design, manufacture, assemble, process, compound, or produce  
1327 defense technology products or space technology products for  
1328 sale or for use by these facilities are exempt from the tax  
1329 imposed by this chapter.

1330 2. Building materials purchased for use in manufacturing  
1331 or expanding clean rooms in semiconductor-manufacturing  
1332 facilities are exempt from the tax imposed by this chapter.

1333 3. In addition to meeting the criteria mandated by  
1334 subparagraph 1. or subparagraph 2., a business must be certified  
1335 by the Department of Economic Opportunity in order to qualify  
1336 for exemption under this paragraph.

1337 4. For items purchased tax-exempt pursuant to this  
1338 paragraph, possession of a written certification from the  
1339 purchaser, certifying the purchaser's entitlement to the  
1340 exemption, relieves the seller of the responsibility of  
1341 collecting the tax on the sale of such items, and the department  
1342 shall look solely to the purchaser for recovery of the tax if it  
1343 determines that the purchaser was not entitled to the exemption.

1344 5.a. To be eligible to receive the exemption provided by  
1345 subparagraph 1. or subparagraph 2., a qualifying business entity  
1346 shall initially apply to the Department of Economic Opportunity  
1347 ~~Enterprise Florida, Inc.~~ The original certification is valid for  
1348 a period of 2 years. In lieu of submitting a new application,  
1349 the original certification may be renewed biennially by  
1350 submitting to the Department of Economic Opportunity a

1351 statement, certified under oath, that there has not been a  
1352 material change in the conditions or circumstances entitling the  
1353 business entity to the original certification. The initial  
1354 application and the certification renewal statement shall be  
1355 developed by the Department of Economic Opportunity.

1356 b. ~~The Division of Strategic Business Development of the~~  
1357 Department of Economic Opportunity shall review each submitted  
1358 initial application and determine whether or not the application  
1359 is complete within 5 working days. Once complete, the department  
1360 ~~division~~ shall, within 10 working days, evaluate the application  
1361 and recommend approval or disapproval ~~to the Department of~~  
1362 ~~Economic Opportunity.~~

1363 c. Upon receipt of the initial application and  
1364 recommendation ~~from the division~~ or upon receipt of a  
1365 certification renewal statement, the Department of Economic  
1366 Opportunity shall certify within 5 working days those applicants  
1367 who are found to meet the requirements of this section and  
1368 notify the applicant of the original certification or  
1369 certification renewal. If the Department of Economic Opportunity  
1370 finds that the applicant does not meet the requirements, it  
1371 shall notify the applicant ~~and Enterprise Florida, Inc.,~~ within  
1372 10 working days that the application for certification has been  
1373 denied and the reasons for denial. The Department of Economic  
1374 Opportunity has final approval authority for certification under  
1375 this section.

1376 d. The initial application and certification renewal  
1377 statement must indicate, for program evaluation purposes only,  
1378 the average number of full-time equivalent employees at the  
1379 facility over the preceding calendar year, the average wage and  
1380 benefits paid to those employees over the preceding calendar  
1381 year, the total investment made in real and tangible personal  
1382 property over the preceding calendar year, and the total value  
1383 of tax-exempt purchases and taxes exempted during the previous  
1384 year. The department shall assist the Department of Economic  
1385 Opportunity in evaluating and verifying information provided in  
1386 the application for exemption.

1387 e. The Department of Economic Opportunity may use the  
1388 information reported on the initial application and  
1389 certification renewal statement for evaluation purposes only.

1390 6. A business certified to receive this exemption may  
1391 elect to designate one or more state universities or community  
1392 colleges as recipients of up to 100 percent of the amount of the  
1393 exemption. To receive these funds, the institution must agree to  
1394 match the funds with equivalent cash, programs, services, or  
1395 other in-kind support on a one-to-one basis for research and  
1396 development projects requested by the certified business. The  
1397 rights to any patents, royalties, or real or intellectual  
1398 property must be vested in the business unless otherwise agreed  
1399 to by the business and the university or community college.

1400 7. As used in this paragraph, the term:



1401 a. "Semiconductor technology products" means raw  
1402 semiconductor wafers or semiconductor thin films that are  
1403 transformed into semiconductor memory or logic wafers, including  
1404 wafers containing mixed memory and logic circuits; related  
1405 assembly and test operations; active-matrix flat panel displays;  
1406 semiconductor chips; semiconductor lasers; optoelectronic  
1407 elements; and related semiconductor technology products as  
1408 determined by the Department of Economic Opportunity.

1409 b. "Clean rooms" means manufacturing facilities enclosed  
1410 in a manner that meets the clean manufacturing requirements  
1411 necessary for high-technology semiconductor-manufacturing  
1412 environments.

1413 c. "Defense technology products" means products that have  
1414 a military application, including, but not limited to, weapons,  
1415 weapons systems, guidance systems, surveillance systems,  
1416 communications or information systems, munitions, aircraft,  
1417 vessels, or boats, or components thereof, which are intended for  
1418 military use and manufactured in performance of a contract with  
1419 the United States Department of Defense or the military branch  
1420 of a recognized foreign government or a subcontract thereunder  
1421 which relates to matters of national defense.

1422 d. "Space technology products" means products that are  
1423 specifically designed or manufactured for application in space  
1424 activities, including, but not limited to, space launch  
1425 vehicles, space flight vehicles, missiles, satellites or

1426 research payloads, avionics, and associated control systems and  
1427 processing systems and components of any of the foregoing. The  
1428 term does not include products that are designed or manufactured  
1429 for general commercial aviation or other uses even though those  
1430 products may also serve an incidental use in space applications.

1431 ~~(12) PARTIAL EXEMPTION; MASTER TAPES, RECORDS, FILMS, OR~~  
1432 ~~VIDEO TAPES.~~

1433 ~~(a) There are exempt from the taxes imposed by this~~  
1434 ~~chapter the gross receipts from the sale or lease of, and the~~  
1435 ~~storage, use, or other consumption in this state of, master~~  
1436 ~~tapes or master records embodying sound, or master films or~~  
1437 ~~master video tapes; except that amounts paid to recording~~  
1438 ~~studios or motion picture or television studios for the tangible~~  
1439 ~~elements of such master tapes, records, films, or video tapes~~  
1440 ~~are taxable as otherwise provided in this chapter. This~~  
1441 ~~exemption will inure to the taxpayer upon presentation of the~~  
1442 ~~certificate of exemption issued to the taxpayer under the~~  
1443 ~~provisions of s. 288.1258.~~

1444 ~~(b) For the purposes of this subsection, the term:~~

1445 ~~1. "Amounts paid for the tangible elements" does not~~  
1446 ~~include any amounts paid for the copyrightable, artistic, or~~  
1447 ~~other intangible elements of such master tapes, records, films,~~  
1448 ~~or video tapes, whether designated as royalties or otherwise,~~  
1449 ~~including, but not limited to, services rendered in producing,~~  
1450 ~~fabricating, processing, or imprinting tangible personal~~

1451 ~~property or any other services or production expenses in~~  
1452 ~~connection therewith which may otherwise be construed as~~  
1453 ~~constituting a "sale" under s. 212.02.~~

1454 ~~2. "Master films or master video tapes" means films or~~  
1455 ~~video tapes utilized by the motion picture and television~~  
1456 ~~production industries in making visual images for reproduction.~~

1457 ~~3. "Master tapes or master records embodying sound" means~~  
1458 ~~tapes, records, and other devices utilized by the recording~~  
1459 ~~industry in making recordings embodying sound.~~

1460 ~~4. "Motion picture or television studio" means a facility~~  
1461 ~~in which film or video tape productions or parts of productions~~  
1462 ~~are made and which contains the necessary equipment and~~  
1463 ~~personnel for this purpose and includes a mobile unit or vehicle~~  
1464 ~~that is equipped in much the same manner as a stationary studio~~  
1465 ~~and used in the making of film or video tape productions.~~

1466 ~~5. "Recording studio" means a place where, by means of~~  
1467 ~~mechanical or electronic devices, voices, music, or other sounds~~  
1468 ~~are transmitted to tapes, records, or other devices capable of~~  
1469 ~~reproducing sound.~~

1470 ~~6. "Recording industry" means any person engaged in an~~  
1471 ~~occupation or business of making recordings embodying sound for~~  
1472 ~~a livelihood or for a profit.~~

1473 ~~7. "Motion picture or television production industry"~~  
1474 ~~means any person engaged in an occupation or business for a~~  
1475 ~~livelihood or for profit of making visual motion picture or~~

1476 ~~television visual images for showing on screen or television for~~  
1477 ~~theatrical, commercial, advertising, or educational purposes.~~

1478 (14)~~(15)~~ ELECTRICAL ENERGY USED IN AN ENTERPRISE ZONE.—

1479 (f) For the purpose of the exemption provided in this  
1480 subsection, the term "qualified business" means a business which  
1481 is:

1482 1. First occupying a new structure to which electrical  
1483 service, other than that used for construction purposes, has not  
1484 been previously provided or furnished;

1485 2. Newly occupying an existing, remodeled, renovated, or  
1486 rehabilitated structure to which electrical service, other than  
1487 that used for remodeling, renovation, or rehabilitation of the  
1488 structure, has not been provided or furnished in the three  
1489 preceding billing periods; or

1490 3. Occupying a new, remodeled, rebuilt, renovated, or  
1491 rehabilitated structure for which a refund has been granted  
1492 pursuant to paragraph (5) (f) ~~(5) (g)~~.

1493 Section 23. Section 212.097, Florida Statutes, is  
1494 repealed.

1495 Section 24. Paragraph (a) of subsection (1) of section  
1496 212.098, Florida Statutes, is amended to read:

1497 212.098 Rural Job Tax Credit Program.—

1498 (1) As used in this section, the term:

1499 (a) "Eligible business" means any sole proprietorship,  
1500 firm, partnership, or corporation that is located in a qualified

1501 county and is predominantly engaged in, or is headquarters for a  
 1502 business predominantly engaged in, activities usually provided  
 1503 for consideration by firms classified within the following  
 1504 standard industrial classifications: SIC 01-SIC 09 (agriculture,  
 1505 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422  
 1506 (public warehousing and storage); SIC 70 (hotels and other  
 1507 lodging places); SIC 7391 (research and development); SIC 781  
 1508 (motion picture production and allied services); SIC 7992  
 1509 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~  
 1510 ~~targeted industry eligible for the qualified target industry~~  
 1511 ~~business tax refund under s. 288.106.~~ A call center or similar  
 1512 customer service operation that services a multistate market or  
 1513 an international market is also an eligible business. In  
 1514 addition, the Department of Economic Opportunity may, as part of  
 1515 its final budget request submitted pursuant to s. 216.023,  
 1516 recommend additions to or deletions from the list of standard  
 1517 industrial classifications used to determine an eligible  
 1518 business, and the Legislature may implement such  
 1519 recommendations. Excluded from eligible receipts are receipts  
 1520 from retail sales, except such receipts for hotels and other  
 1521 lodging places classified in SIC 70, public golf courses in SIC  
 1522 7992, and amusement parks in SIC 7996. For purposes of this  
 1523 paragraph, the term "predominantly" means that more than 50  
 1524 percent of the business's gross receipts from all sources is  
 1525 generated by those activities usually provided for consideration

1526 | by firms in the specified standard industrial classification.  
 1527 | The determination of whether the business is located in a  
 1528 | qualified county and the tier ranking of that county must be  
 1529 | based on the date of application for the credit under this  
 1530 | section. Commonly owned and controlled entities are to be  
 1531 | considered a single business entity.

1532 |       Section 25. Paragraph (d) of subsection (6) of section  
 1533 | 212.20, Florida Statutes, is amended to read:

1534 |       212.20 Funds collected, disposition; additional powers of  
 1535 | department; operational expense; refund of taxes adjudicated  
 1536 | unconstitutionally collected.—

1537 |       (6) Distribution of all proceeds under this chapter and  
 1538 | ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1539 |       (d) The proceeds of all other taxes and fees imposed  
 1540 | pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)  
 1541 | and (2)(b) shall be distributed as follows:

1542 |       1. In any fiscal year, the greater of \$500 million, minus  
 1543 | an amount equal to 4.6 percent of the proceeds of the taxes  
 1544 | collected pursuant to chapter 201, or 5.2 percent of all other  
 1545 | taxes and fees imposed pursuant to this chapter or remitted  
 1546 | pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in  
 1547 | monthly installments into the General Revenue Fund.

1548 |       2. After the distribution under subparagraph 1., 8.9744  
 1549 | percent of the amount remitted by a sales tax dealer located  
 1550 | within a participating county pursuant to s. 218.61 shall be

1551 transferred into the Local Government Half-cent Sales Tax  
 1552 Clearing Trust Fund. Beginning July 1, 2003, the amount to be  
 1553 transferred shall be reduced by 0.1 percent, and the department  
 1554 shall distribute this amount to the Public Employees Relations  
 1555 Commission Trust Fund less \$5,000 each month, which shall be  
 1556 added to the amount calculated in subparagraph 3. and  
 1557 distributed accordingly.

1558         3. After the distribution under subparagraphs 1. and 2.,  
 1559 0.0966 percent shall be transferred to the Local Government  
 1560 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
 1561 to s. 218.65.

1562         4. After the distributions under subparagraphs 1., 2., and  
 1563 3., 2.0810 percent of the available proceeds shall be  
 1564 transferred monthly to the Revenue Sharing Trust Fund for  
 1565 Counties pursuant to s. 218.215.

1566         5. After the distributions under subparagraphs 1., 2., and  
 1567 3., 1.3653 percent of the available proceeds shall be  
 1568 transferred monthly to the Revenue Sharing Trust Fund for  
 1569 Municipalities pursuant to s. 218.215. If the total revenue to  
 1570 be distributed pursuant to this subparagraph is at least as  
 1571 great as the amount due from the Revenue Sharing Trust Fund for  
 1572 Municipalities and the former Municipal Financial Assistance  
 1573 Trust Fund in state fiscal year 1999-2000, no municipality shall  
 1574 receive less than the amount due from the Revenue Sharing Trust  
 1575 Fund for Municipalities and the former Municipal Financial

1576 Assistance Trust Fund in state fiscal year 1999-2000. If the  
1577 total proceeds to be distributed are less than the amount  
1578 received in combination from the Revenue Sharing Trust Fund for  
1579 Municipalities and the former Municipal Financial Assistance  
1580 Trust Fund in state fiscal year 1999-2000, each municipality  
1581 shall receive an amount proportionate to the amount it was due  
1582 in state fiscal year 1999-2000.

1583 6. Of the remaining proceeds:

1584 a. In each fiscal year, the sum of \$29,915,500 shall be  
1585 divided into as many equal parts as there are counties in the  
1586 state, and one part shall be distributed to each county. The  
1587 distribution among the several counties must begin each fiscal  
1588 year on or before January 5th and continue monthly for a total  
1589 of 4 months. If a local or special law required that any moneys  
1590 accruing to a county in fiscal year 1999-2000 under the then-  
1591 existing provisions of s. 550.135 be paid directly to the  
1592 district school board, special district, or a municipal  
1593 government, such payment must continue until the local or  
1594 special law is amended or repealed. The state covenants with  
1595 holders of bonds or other instruments of indebtedness issued by  
1596 local governments, special districts, or district school boards  
1597 before July 1, 2000, that it is not the intent of this  
1598 subparagraph to adversely affect the rights of those holders or  
1599 relieve local governments, special districts, or district school  
1600 boards of the duty to meet their obligations as a result of



1601 previous pledges or assignments or trusts entered into which  
1602 obligated funds received from the distribution to county  
1603 governments under then-existing s. 550.135. This distribution  
1604 specifically is in lieu of funds distributed under s. 550.135  
1605 before July 1, 2000.

1606       b. The department shall distribute \$166,667 monthly to  
1607 each applicant certified as a facility for a new or retained  
1608 professional sports franchise pursuant to former s. 288.1162. Up  
1609 to \$41,667 shall be distributed monthly by the department to  
1610 each certified applicant as defined in former s. 288.11621 for a  
1611 facility for a spring training franchise. However, not more than  
1612 \$416,670 may be distributed monthly in the aggregate to all  
1613 certified applicants for facilities for spring training  
1614 franchises. Distributions begin 60 days after such certification  
1615 and continue for not more than 30 years, except as otherwise  
1616 provided in former s. 288.11621. A certified applicant  
1617 identified in this sub-subparagraph may not receive more in  
1618 distributions than expended by the applicant for the public  
1619 purposes provided in former s. 288.1162(5) or former s.  
1620 288.11621(3).

1621       c. Beginning 30 days after notice by the Department of  
1622 Economic Opportunity to the Department of Revenue that an  
1623 applicant has been certified as the professional golf hall of  
1624 fame pursuant to s. 288.1168 and is open to the public, \$166,667  
1625 shall be distributed monthly, for up to 300 months, to the

1626 applicant.

1627 ~~d. Beginning 30 days after notice by the Department of~~  
1628 ~~Economic Opportunity to the Department of Revenue that the~~  
1629 ~~applicant has been certified as the International Game Fish~~  
1630 ~~Association World Center facility pursuant to s. 288.1169, and~~  
1631 ~~the facility is open to the public, \$83,333 shall be distributed~~  
1632 ~~monthly, for up to 168 months, to the applicant. This~~  
1633 ~~distribution is subject to reduction pursuant to s. 288.1169. A~~  
1634 ~~lump sum payment of \$999,996 shall be made after certification~~  
1635 ~~and before July 1, 2000.~~

1636 d.e. The department shall distribute up to \$83,333 monthly  
1637 to each certified applicant as defined in former s. 288.11631  
1638 for a facility used by a single spring training franchise, or up  
1639 to \$166,667 monthly to each certified applicant as defined in  
1640 former s. 288.11631 for a facility used by more than one spring  
1641 training franchise. Monthly distributions begin 60 days after  
1642 such certification or July 1, 2016, whichever is later, and  
1643 continue for not more than 20 years to each certified applicant  
1644 as defined in former s. 288.11631 for a facility used by a  
1645 single spring training franchise or not more than 25 years to  
1646 each certified applicant as defined in former s. 288.11631 for a  
1647 facility used by more than one spring training franchise. A  
1648 certified applicant identified in this sub-subparagraph may not  
1649 receive more in distributions than expended by the applicant for  
1650 the public purposes provided in former s. 288.11631(3).

1651 ~~f. Beginning 45 days after notice by the Department of~~  
1652 ~~Economic Opportunity to the Department of Revenue that an~~  
1653 ~~applicant has been approved by the Legislature and certified by~~  
1654 ~~the Department of Economic Opportunity under s. 288.11625 or~~  
1655 ~~upon a date specified by the Department of Economic Opportunity~~  
1656 ~~as provided under s. 288.11625(6)(d), the department shall~~  
1657 ~~distribute each month an amount equal to one twelfth of the~~  
1658 ~~annual distribution amount certified by the Department of~~  
1659 ~~Economic Opportunity for the applicant. The department may not~~  
1660 ~~distribute more than \$7 million in the 2014-2015 fiscal year or~~  
1661 ~~more than \$13 million annually thereafter under this sub-~~  
1662 ~~subparagraph.~~

1663 e.g. Beginning December 1, 2015, and ending June 30, 2016,  
1664 the department shall distribute \$26,286 monthly to the State  
1665 Transportation Trust Fund. Beginning July 1, 2016, the  
1666 department shall distribute \$15,333 monthly to the State  
1667 Transportation Trust Fund.

1668 7. All other proceeds must remain in the General Revenue  
1669 Fund.

1670 Section 26. Subsection (2) of section 218.61, Florida  
1671 Statutes, is amended to read:

1672 218.61 Local government half-cent sales tax; designated  
1673 proceeds; trust fund.—

1674 (2) Money remitted by a sales tax dealer located within  
1675 the county and transferred into the Local Government Half-cent

1676 Sales Tax Clearing Trust Fund shall be earmarked for  
 1677 distribution to the governing body of that county and of each  
 1678 municipality within that county. ~~Such distributions shall be~~  
 1679 ~~made after funding is provided pursuant to s. 218.64(3), if~~  
 1680 ~~applicable.~~ Such moneys shall be known as the "local government  
 1681 half-cent sales tax."

1682 Section 27. Subsection (4) of section 218.64, Florida  
 1683 Statutes, is renumbered as subsection (3), and present  
 1684 subsections (2) and (3) of that section are amended to read:

1685 218.64 Local government half-cent sales tax; uses;  
 1686 limitations.-

1687 (2) Municipalities shall expend their portions of the  
 1688 local government half-cent sales tax only for municipality-wide  
 1689 programs, ~~for reimbursing the state as required pursuant to s.~~  
 1690 ~~288.11625,~~ or for municipality-wide property tax or municipal  
 1691 utility tax relief. All utility tax rate reductions afforded by  
 1692 participation in the local government half-cent sales tax shall  
 1693 be applied uniformly across all types of taxed utility services.

1694 (3) Subject to ordinances enacted by the majority of the  
 1695 members of the county governing authority and by the majority of  
 1696 the members of the governing authorities of municipalities  
 1697 representing at least 50 percent of the municipal population of  
 1698 such county, counties may use up to \$3 million annually of the  
 1699 local government half-cent sales tax allocated to that county  
 1700 for ~~any of the following purposes:~~

1701 ~~(a) Funding a certified applicant as a facility for a new~~  
1702 ~~or retained professional sports franchise under s. 288.1162 or a~~  
1703 ~~certified applicant as defined in s. 288.11621 for a facility~~  
1704 ~~for a spring training franchise. It is the Legislature's intent~~  
1705 ~~that the provisions of s. 288.1162, including, but not limited~~  
1706 ~~to, the evaluation process by the Department of Economic~~  
1707 ~~Opportunity except for the limitation on the number of certified~~  
1708 ~~applicants or facilities as provided in that section and the~~  
1709 ~~restrictions set forth in s. 288.1162(8), shall apply to an~~  
1710 ~~applicant's facility to be funded by local government as~~  
1711 ~~provided in this subsection.~~

1712 ~~(b)~~ funding a certified applicant as a "motorsport  
1713 entertainment complex," as provided for in s. 288.1171. Funding  
1714 for each franchise or motorsport complex shall begin 60 days  
1715 after certification and shall continue for not more than 30  
1716 years.

1717 ~~(c) Reimbursing the state as required under s. 288.11625.~~  
1718 Section 28. Subsection (8) of section 220.02, Florida  
1719 Statutes, is amended to read:

1720 220.02 Legislative intent.—

1721 (8) It is the intent of the Legislature that credits  
1722 against either the corporate income tax or the franchise tax be  
1723 applied in the following order: those enumerated in s. 631.828,  
1724 those enumerated in former s. 220.191, those enumerated in s.  
1725 220.181, those enumerated in s. 220.183, those enumerated in s.

1726 220.182, those enumerated in s. 220.1895, those enumerated in s.  
 1727 220.195, those enumerated in s. 220.184, those enumerated in s.  
 1728 220.186, those enumerated in s. 220.1845, those enumerated in s.  
 1729 220.19, those enumerated in s. 220.185, those enumerated in s.  
 1730 220.1875, those enumerated in s. 220.192, those enumerated in s.  
 1731 220.193, those enumerated in former s. 288.9916, those  
 1732 enumerated in former s. 220.1899, those enumerated in s.  
 1733 220.194, and those enumerated in s. 220.196.

1734 Section 29. Paragraph (a) of subsection (1) of section  
 1735 220.13, Florida Statutes, is amended to read:

1736 220.13 "Adjusted federal income" defined.—

1737 (1) The term "adjusted federal income" means an amount  
 1738 equal to the taxpayer's taxable income as defined in subsection  
 1739 (2), or such taxable income of more than one taxpayer as  
 1740 provided in s. 220.131, for the taxable year, adjusted as  
 1741 follows:

1742 (a) Additions.—There shall be added to such taxable  
 1743 income:

1744 1. The amount of any tax upon or measured by income,  
 1745 excluding taxes based on gross receipts or revenues, paid or  
 1746 accrued as a liability to the District of Columbia or any state  
 1747 of the United States which is deductible from gross income in  
 1748 the computation of taxable income for the taxable year.

1749 2. The amount of interest which is excluded from taxable  
 1750 income under s. 103(a) of the Internal Revenue Code or any other

1751 federal law, less the associated expenses disallowed in the  
1752 computation of taxable income under s. 265 of the Internal  
1753 Revenue Code or any other law, excluding 60 percent of any  
1754 amounts included in alternative minimum taxable income, as  
1755 defined in s. 55(b)(2) of the Internal Revenue Code, if the  
1756 taxpayer pays tax under s. 220.11(3).

1757 3. In the case of a regulated investment company or real  
1758 estate investment trust, an amount equal to the excess of the  
1759 net long-term capital gain for the taxable year over the amount  
1760 of the capital gain dividends attributable to the taxable year.

1761 4. That portion of the wages or salaries paid or incurred  
1762 for the taxable year which is equal to the amount of the credit  
1763 allowable for the taxable year under s. 220.181. This  
1764 subparagraph shall expire on the date specified in s. 290.016  
1765 for the expiration of the Florida Enterprise Zone Act.

1766 5. That portion of the ad valorem school taxes paid or  
1767 incurred for the taxable year which is equal to the amount of  
1768 the credit allowable for the taxable year under s. 220.182. This  
1769 subparagraph shall expire on the date specified in s. 290.016  
1770 for the expiration of the Florida Enterprise Zone Act.

1771 6. The amount taken as a credit under s. 220.195 which is  
1772 deductible from gross income in the computation of taxable  
1773 income for the taxable year.

1774 7. That portion of assessments to fund a guaranty  
1775 association incurred for the taxable year which is equal to the

1776 amount of the credit allowable for the taxable year.

1777 8. In the case of a nonprofit corporation which holds a  
 1778 pari-mutuel permit and which is exempt from federal income tax  
 1779 as a farmers' cooperative, an amount equal to the excess of the  
 1780 gross income attributable to the pari-mutuel operations over the  
 1781 attributable expenses for the taxable year.

1782 9. The amount taken as a credit for the taxable year under  
 1783 s. 220.1895.

1784 10. Up to nine percent of the eligible basis of any  
 1785 designated project which is equal to the credit allowable for  
 1786 the taxable year under s. 220.185.

1787 11. The amount taken as a credit for the taxable year  
 1788 under s. 220.1875. The addition in this subparagraph is intended  
 1789 to ensure that the same amount is not allowed for the tax  
 1790 purposes of this state as both a deduction from income and a  
 1791 credit against the tax. This addition is not intended to result  
 1792 in adding the same expense back to income more than once.

1793 12. The amount taken as a credit for the taxable year  
 1794 under s. 220.192.

1795 13. The amount taken as a credit for the taxable year  
 1796 under s. 220.193.

1797 ~~14. Any portion of a qualified investment, as defined in~~  
 1798 ~~s. 288.9913, which is claimed as a deduction by the taxpayer and~~  
 1799 ~~taken as a credit against income tax pursuant to s. 288.9916.~~

1800 14.15. The costs to acquire a tax credit pursuant to s.



1801 288.1254(5) that are deducted from or otherwise reduce federal  
 1802 taxable income for the taxable year.

1803 15.16. The amount taken as a credit for the taxable year  
 1804 pursuant to s. 220.194.

1805 16.17. The amount taken as a credit for the taxable year  
 1806 under s. 220.196. The addition in this subparagraph is intended  
 1807 to ensure that the same amount is not allowed for the tax  
 1808 purposes of this state as both a deduction from income and a  
 1809 credit against the tax. The addition is not intended to result  
 1810 in adding the same expense back to income more than once.

1811 Section 30. Section 220.1895, Florida Statutes, is amended  
 1812 to read:

1813 220.1895 Rural Job Tax Credit ~~and Urban High Crime Area~~  
 1814 ~~Job Tax Credit.~~—There shall be allowed a credit against the tax  
 1815 imposed by this chapter amounts approved by the Department of  
 1816 Economic Opportunity pursuant to the Rural Job Tax Credit  
 1817 Program in s. 212.098 ~~and the Urban High Crime Area Job Tax~~  
 1818 ~~Credit Program in s. 212.097.~~ A corporation that uses its credit  
 1819 against the tax imposed by this chapter may not take the credit  
 1820 against the tax imposed by chapter 212. If any credit granted  
 1821 under this section is not fully used in the first year for which  
 1822 it becomes available, the unused amount may be carried forward  
 1823 for a period not to exceed 5 years. The carryover may be used in  
 1824 a subsequent year when the tax imposed by this chapter for such  
 1825 year exceeds the credit for such year under this section after

1826 applying the other credits and unused credit carryovers in the  
 1827 order provided in s. 220.02(8).

1828 Section 31. Section 220.1899, Florida Statutes, is  
 1829 repealed.

1830 Section 32. Section 220.191, Florida Statutes, is  
 1831 repealed.

1832 Section 33. Subsection (9) of section 220.194, Florida  
 1833 Statutes, is amended to read:

1834 220.194 Corporate income tax credits for spaceflight  
 1835 projects.—

1836 (9) ANNUAL REPORT.—Beginning in 2014, the Department of  
 1837 Economic Opportunity, in cooperation with Space Florida and the  
 1838 department, shall include in the annual incentives report  
 1839 required under s. 288.0065 ~~288.907~~ a summary of activities  
 1840 relating to the Florida Space Business Incentives Act  
 1841 established under this section.

1842 Section 34. Subsection (1) and paragraph (a) of subsection  
 1843 (2) of section 220.196, Florida Statutes, are amended to read:

1844 220.196 Research and development tax credit.—

1845 (1) DEFINITIONS.—As used in this section, the term:

1846 (a) "Base amount" means the average of the business  
 1847 enterprise's qualified research expenses in this state allowed  
 1848 under 26 U.S.C. s. 41 for the 4 taxable years preceding the  
 1849 taxable year for which the credit is determined. The qualified  
 1850 research expenses taken into account in computing the base

1851 amount shall be determined on a basis consistent with the  
1852 determination of qualified research expenses for the taxable  
1853 year.

1854 (b) "Business enterprise" means any corporation as defined  
1855 in s. 220.03 which meets the definition of a target industry  
1856 business as defined in paragraph (c) ~~s. 288.106~~.

1857 (c) "Target industry business" means a corporate  
1858 headquarters business or any business that is engaged in one of  
1859 the target industries identified pursuant to the following  
1860 criteria developed by the Department of Economic Opportunity:

1861 1. Future growth.—The industry forecast indicates strong  
1862 expectation for future growth in employment and output,  
1863 according to the most recent available data. Special  
1864 consideration shall be given to businesses that export goods to,  
1865 or provide services in, international markets and businesses  
1866 that replace domestic and international imports of goods or  
1867 services.

1868 2. Stability.—The industry is not subject to periodic  
1869 layoffs, whether due to seasonality or sensitivity to volatile  
1870 economic variables such as weather. The industry is also  
1871 relatively resistant to recession, so that the demand for  
1872 products of this industry is not typically subject to decline  
1873 during an economic downturn.

1874 3. High wage.—The industry pays relatively high wages  
1875 compared to statewide or area averages.

1876 4. Market and resource independent.—The industry business  
1877 location is not dependent on markets or resources in the state  
1878 as indicated by industry analysis, except for businesses in the  
1879 renewable energy industry.

1880 5. Industrial base diversification and strengthening.—The  
1881 industry contributes toward expanding or diversifying the  
1882 state's or area's economic base, as indicated by analysis of  
1883 employment and output shares compared to national and regional  
1884 trends. Special consideration shall be given to industries that  
1885 strengthen regional economies by adding value to basic products  
1886 or building regional industrial clusters as indicated by  
1887 industry analysis. Special consideration shall also be given to  
1888 the development of strong industrial clusters that include  
1889 defense and homeland security businesses.

1890 6. Positive economic impact.—The industry has strong  
1891 positive economic impacts on or benefits to the state or  
1892 regional economies. Special consideration shall be given to  
1893 industries that facilitate the development of the state as a hub  
1894 for domestic and global trade and logistics.

1895  
1896 The term does not include any business engaged in retail  
1897 industry activities; any electrical utility company as defined  
1898 in s. 366.02(2); any phosphate or other solid minerals  
1899 severance, mining, or processing operation; any oil or gas  
1900 exploration or production operation; or any business subject to

1901 regulation by the Division of Hotels and Restaurants of the  
1902 Department of Business and Professional Regulation. Any business  
1903 within NAICS code 5611 or 5614, office administrative services  
1904 and business support services, respectively, may be considered a  
1905 target industry business only after the local governing body and  
1906 the Department of Economic Opportunity determine that the  
1907 community in which the business may locate has conditions  
1908 affecting the fiscal and economic viability of the local  
1909 community or area, including, but not limited to, low per capita  
1910 income, high unemployment, high underemployment, and a lack of  
1911 year-round stable employment opportunities, and such conditions  
1912 may be improved by the business locating in such community. By  
1913 January 1 of every 3rd year, beginning January 1, 2011, the  
1914 Department of Economic Opportunity, in consultation with  
1915 economic development organizations, the State University System,  
1916 local governments, employee and employer organizations, market  
1917 analysts, and economists, shall review and, as appropriate,  
1918 revise the list of target industries and submit the list to the  
1919 Governor, the President of the Senate, and the Speaker of the  
1920 House of Representatives.

1921 (d)-(e) "Qualified research expenses" means research  
1922 expenses qualifying for the credit under 26 U.S.C. s. 41 for in-  
1923 house research expenses incurred in this state or contract  
1924 research expenses incurred in this state. The term does not  
1925 include research conducted outside this state or research

1926 | expenses that do not qualify for a credit under 26 U.S.C. s. 41.

1927 | (2) TAX CREDIT.—

1928 | (a) As provided in this section, a business enterprise is  
 1929 | eligible for a credit against the tax imposed by this chapter if  
 1930 | it:

1931 | 1. Has qualified research expenses in this state in the  
 1932 | taxable year exceeding the base amount;

1933 | 2. Claims and is allowed a research credit for such  
 1934 | qualified research expenses under 26 U.S.C. s. 41 for the same  
 1935 | taxable year as subparagraph 1.; and

1936 | 3. Is a ~~qualified~~ target industry business as defined in  
 1937 | paragraph (c) s. 288.106(2)(n). Only ~~qualified~~ target industry  
 1938 | businesses in the manufacturing, life sciences, information  
 1939 | technology, aviation and aerospace, homeland security and  
 1940 | defense, cloud information technology, marine sciences,  
 1941 | materials science, and nanotechnology industries may qualify for  
 1942 | a tax credit under this section. A business applying for a  
 1943 | credit pursuant to this section shall include a letter from the  
 1944 | Department of Economic Opportunity certifying whether the  
 1945 | business meets the requirements of this subparagraph with its  
 1946 | application for credit. The Department of Economic Opportunity  
 1947 | shall provide such a letter upon receiving a request.

1948 | Section 35. Section 272.11, Florida Statutes, is amended  
 1949 | to read:

1950 | 272.11 Capitol information center.—The Department of

1951 Economic Opportunity ~~Enterprise Florida, Inc.~~, shall establish,  
 1952 maintain, and operate a Capitol information center somewhere  
 1953 within the area of the Capitol Center and employ personnel or  
 1954 enter into contracts to maintain same.

1955 Section 36. Paragraph (f) of subsection (1) of section  
 1956 287.0947, Florida Statutes, is amended to read:

1957 287.0947 Florida Advisory Council on Small and Minority  
 1958 Business Development; creation; membership; duties.—

1959 (1) The Secretary of Management Services may create the  
 1960 Florida Advisory Council on Small and Minority Business  
 1961 Development with the purpose of advising and assisting the  
 1962 secretary in carrying out the secretary's duties with respect to  
 1963 minority businesses and economic and business development. It is  
 1964 the intent of the Legislature that the membership of such  
 1965 council include practitioners, laypersons, financiers, and  
 1966 others with business development experience who can provide  
 1967 invaluable insight and expertise for this state in the  
 1968 diversification of its markets and networking of business  
 1969 opportunities. The council shall initially consist of 19  
 1970 persons, each of whom is or has been actively engaged in small  
 1971 and minority business development, either in private industry,  
 1972 in governmental service, or as a scholar of recognized  
 1973 achievement in the study of such matters. Initially, the council  
 1974 shall consist of members representing all regions of the state  
 1975 and shall include at least one member from each group identified

1976 within the definition of "minority person" in s. 288.703(4),  
 1977 considering also gender and nationality subgroups, and shall  
 1978 consist of the following:

1979 (f) A member from the Department of Economic Opportunity  
 1980 ~~board of directors of Enterprise Florida, Inc.~~

1981  
 1982 A candidate for appointment may be considered if eligible to be  
 1983 certified as an owner of a minority business enterprise, or if  
 1984 otherwise qualified under the criteria above. Vacancies may be  
 1985 filled by appointment of the secretary, in the manner of the  
 1986 original appointment.

1987 Section 37. Subsections (2) and (4) of section 288.0001,  
 1988 Florida Statutes, are amended to read:

1989 288.0001 Economic Development Programs Evaluation.—The  
 1990 Office of Economic and Demographic Research and the Office of  
 1991 Program Policy Analysis and Government Accountability (OPPAGA)  
 1992 shall develop and present to the Governor, the President of the  
 1993 Senate, the Speaker of the House of Representatives, and the  
 1994 chairs of the legislative appropriations committees the Economic  
 1995 Development Programs Evaluation.

1996 (2) The Office of Economic and Demographic Research and  
 1997 OPPAGA shall provide a detailed analysis of economic development  
 1998 programs as provided in the following schedule:

1999 (a) By January 1, 2014, and every 3 years thereafter, an  
 2000 analysis of the following:



2001            ~~1. The capital investment tax credit established under s.~~  
 2002            ~~220.191.~~

2003            ~~2. The qualified target industry tax refund established~~  
 2004            ~~under s. 288.106.~~

2005            ~~3. The brownfield redevelopment bonus refund established~~  
 2006            ~~under s. 288.107.~~

2007            ~~4. High impact business performance grants established~~  
 2008            ~~under s. 288.108.~~

2009            ~~5. The Quick Action Closing Fund established under s.~~  
 2010            ~~288.1088.~~

2011            ~~6. The Innovation Incentive Program established under s.~~  
 2012            ~~288.1089.~~

2013            1.7. Enterprise Zone Program incentives established under  
 2014            ss. 212.08(5) and (14)~~(15)~~, 212.096, 220.181, and 220.182.

2015            2.8. The New Markets Development Program established under  
 2016            ss. 288.991-288.9922.

2017            (b) By January 1, 2015, and every 3 years thereafter, an  
 2018            analysis of ~~the following~~:

2019            1. The entertainment industry financial incentive program  
 2020            established under s. 288.1254.

2021            ~~2. The entertainment industry sales tax exemption program~~  
 2022            ~~established under s. 288.1258.~~

2023            2.3. VISIT Florida and its programs established or funded  
 2024            under ss. ~~288.122~~, 288.1226, 288.12265, and 288.124.

2025            3.4. The Florida Sports Foundation and related programs

2026 established under ss. ~~288.1162, 288.11621,~~ 288.1166, 288.1167,  
 2027 288.1168, ~~288.1169,~~ and 288.1171.

2028 (c) By January 1, 2016, and every 3 years thereafter, an  
 2029 analysis of the following:

2030 ~~1. The qualified defense contractor and space flight~~  
 2031 ~~business tax refund program established under s. 288.1045.~~

2032 1.2. The tax exemption for semiconductor, defense, or  
 2033 space technology sales established under s. 212.08(5)(i)  
 2034 ~~212.08(5)(j).~~

2035 2.3. The Military Base Protection Program established  
 2036 under s. 288.980.

2037 3.4. The Manufacturing and Spaceport Investment Incentive  
 2038 Program formerly established under s. 288.1083.

2039 ~~5. The Quick Response Training Program established under~~  
 2040 ~~s. 288.047.~~

2041 4.6. The Incumbent Worker Training Program established  
 2042 under s. 445.003.

2043 ~~7. International trade and business development programs~~  
 2044 ~~established or funded under s. 288.826.~~

2045 (d) By January 1, 2019, and every 3 years thereafter, an  
 2046 analysis of the grant and entrepreneur initiative programs  
 2047 established under s. 295.22(3)(d) and (e).

2048 ~~(e) Beginning January 1, 2018, and every 3 years~~  
 2049 ~~thereafter, an analysis of the Sports Development Program~~  
 2050 ~~established under s. 288.11625.~~

2051 (4) Pursuant to the schedule established in subsection  
 2052 (2), OPPAGA shall evaluate each program over the previous 3  
 2053 years for its effectiveness and value to the taxpayers of this  
 2054 state and include recommendations on each program for  
 2055 consideration by the Legislature. The analysis may include  
 2056 relevant economic development reports or analyses prepared by  
 2057 the department of ~~Economic Opportunity, Enterprise Florida,~~  
 2058 ~~Inc.,~~ or local or regional economic development organizations,†  
 2059 interviews with the parties involved,† or any other relevant  
 2060 data.

2061 Section 38. Section 288.001, Florida Statutes, is  
 2062 repealed.

2063 Section 39. Section 288.012, Florida Statutes, is  
 2064 repealed.

2065 Section 40. Section 288.017, Florida Statutes, is  
 2066 repealed.

2067 Section 41. Subsection (4) of section 288.018, Florida  
 2068 Statutes, is amended to read:

2069 288.018 Regional Rural Development Grants Program.—

2070 (4) The department may expend up to \$750,000 each fiscal  
 2071 year from funds appropriated to the Rural Community Development  
 2072 Revolving Loan Fund for the purposes outlined in this section.  
 2073 ~~The department may contract with Enterprise Florida, Inc., for~~  
 2074 ~~the administration of the purposes specified in this section.~~  
 2075 ~~Funds released to Enterprise Florida, Inc., for this purpose~~

2076 | ~~shall be released quarterly and shall be calculated based on the~~  
 2077 | ~~applications in process.~~

2078 |       Section 42. Section 288.046, Florida Statutes, is  
 2079 | repealed.

2080 |       Section 43. Section 288.047, Florida Statutes, is  
 2081 | repealed.

2082 |       Section 44. Subsections (1) and (4) of section 288.061,  
 2083 | Florida Statutes, are amended to read:

2084 |       288.061 Economic development incentive application  
 2085 | process.—

2086 |       (1) Upon receiving a submitted economic development  
 2087 | incentive application, ~~the Division of Strategic Business~~  
 2088 | ~~Development of the department of Economic Opportunity and~~  
 2089 | ~~designated staff of Enterprise Florida, Inc.,~~ shall review the  
 2090 | application to ensure that the application is complete, whether  
 2091 | and what type of state and local permits may be necessary for  
 2092 | the applicant's project, whether it is possible to waive such  
 2093 | permits, and what state incentives and amounts of such  
 2094 | incentives may be available to the applicant. The department  
 2095 | shall recommend to the executive director to approve or  
 2096 | disapprove an applicant business. If review of the application  
 2097 | demonstrates that the application is incomplete, the executive  
 2098 | director shall notify the applicant business within the first 5  
 2099 | business days after receiving the application.

2100 |       (4) The department shall validate contractor performance

2101 and report such validation in the annual incentives report  
2102 required under s. 288.0065 ~~288.907~~.

2103 Section 45. Subsection (5) of section 288.0655, Florida  
2104 Statutes, is renumbered as subsection (4), and paragraph (e) of  
2105 subsection (2) and subsections (3) and (4) of that section are  
2106 amended to read:

2107 288.0655 Rural Infrastructure Fund.—

2108 (2)

2109 (e) To enable local governments to access the resources  
2110 available pursuant to s. 403.973(17) ~~403.973(18)~~, the department  
2111 may award grants for surveys, feasibility studies, and other  
2112 activities related to the identification and preclearance review  
2113 of land which is suitable for preclearance review. Authorized  
2114 grants under this paragraph may not exceed \$75,000 each, except  
2115 in the case of a project in a rural area of opportunity, in  
2116 which case the grant may not exceed \$300,000. Any funds awarded  
2117 under this paragraph must be matched at a level of 50 percent  
2118 with local funds, except that any funds awarded for a project in  
2119 a rural area of opportunity must be matched at a level of 33  
2120 percent with local funds. If an application for funding is for a  
2121 catalyst site, as defined in s. 288.0656, the requirement for  
2122 local match may be waived pursuant to the process in s.  
2123 288.06561. In evaluating applications under this paragraph, the  
2124 department shall consider the extent to which the application  
2125 seeks to minimize administrative and consultant expenses.

2126           (3) The department, in consultation with ~~Enterprise~~  
 2127 ~~Florida, Inc.~~, the Florida Tourism Industry Marketing  
 2128 Corporation, the Department of Environmental Protection, and the  
 2129 Florida Fish and Wildlife Conservation Commission, as  
 2130 appropriate, shall review and certify applications pursuant to  
 2131 s. 288.061. The review shall include an evaluation of the  
 2132 economic benefit of the projects and their long-term viability.  
 2133 The department shall have final approval for any grant under  
 2134 this section.

2135           ~~(4) By September 1, 2012, the department shall, in~~  
 2136 ~~consultation with the organizations listed in subsection (3),~~  
 2137 ~~and other organizations, reevaluate existing guidelines and~~  
 2138 ~~criteria governing submission of applications for funding,~~  
 2139 ~~review and evaluation of such applications, and approval of~~  
 2140 ~~funding under this section. The department shall consider~~  
 2141 ~~factors including, but not limited to, the project's potential~~  
 2142 ~~for enhanced job creation or increased capital investment, the~~  
 2143 ~~demonstration and level of local public and private commitment,~~  
 2144 ~~whether the project is located in an enterprise zone, in a~~  
 2145 ~~community development corporation service area, or in an urban~~  
 2146 ~~high-crime area as designated under s. 212.097, the unemployment~~  
 2147 ~~rate of the county in which the project would be located, and~~  
 2148 ~~the poverty rate of the community.~~

2149           Section 46. Paragraph (a) of subsection (6) and paragraphs  
 2150 (a) and (c) of subsection (7) of section 288.0656, Florida

2151 Statutes, are amended to read:  
 2152       288.0656 Rural Economic Development Initiative.—  
 2153       (6) (a) By August 1 of each year, the head of each of the  
 2154 following agencies and organizations shall designate a deputy  
 2155 secretary or higher-level staff person from within the agency or  
 2156 organization to serve as the REDI representative for the agency  
 2157 or organization:

- 2158       1. The Department of Transportation.
- 2159       2. The Department of Environmental Protection.
- 2160       3. The Department of Agriculture and Consumer Services.
- 2161       4. The Department of State.
- 2162       5. The Department of Health.
- 2163       6. The Department of Children and Families.
- 2164       7. The Department of Corrections.
- 2165       8. The Department of Education.
- 2166       9. The Department of Juvenile Justice.
- 2167       10. The Fish and Wildlife Conservation Commission.
- 2168       11. Each water management district.
- 2169       ~~12. Enterprise Florida, Inc.~~
- 2170       12.13. CareerSource Florida, Inc.
- 2171       13.14. VISIT Florida.
- 2172       14.15. The Florida Regional Planning Council Association.
- 2173       15.16. The Agency for Health Care Administration.
- 2174       16.17. The Institute of Food and Agricultural Sciences  
 2175 (IFAS).

2176  
 2177 An alternate for each designee shall also be chosen, and the  
 2178 names of the designees and alternates shall be sent to the  
 2179 executive director of the department.

2180 (7)

2181 (a) REDI may recommend to the Governor up to three rural  
 2182 areas of opportunity. The Governor may by executive order  
 2183 designate up to three rural areas of opportunity which will  
 2184 establish these areas as priority assignments for REDI as well  
 2185 as to allow the Governor, acting through REDI, to waive  
 2186 criteria, requirements, or similar provisions of any economic  
 2187 development incentive. Such incentives shall include, but are  
 2188 not limited to, ~~the Qualified Target Industry Tax Refund Program~~  
 2189 ~~under s. 288.106, the Quick Response Training Program under s.~~  
 2190 ~~288.047, the Quick Response Training Program for participants in~~  
 2191 ~~the welfare transition program under s. 288.047(8),~~  
 2192 ~~transportation projects under s. 339.2821, the brownfield~~  
 2193 ~~redevelopment bonus refund under s. 288.107, and the rural job~~  
 2194 tax credit program under ss. 212.098 and 220.1895.

2195 (c) Each rural area of opportunity may designate catalyst  
 2196 projects, provided that each catalyst project is specifically  
 2197 recommended by REDI, ~~identified as a catalyst project by~~  
 2198 ~~Enterprise Florida, Inc.,~~ and confirmed as a catalyst project by  
 2199 the department. All state agencies and departments shall use all  
 2200 available tools and resources to the extent permissible by law



2201 to promote the creation and development of each catalyst project  
 2202 and the development of catalyst sites.

2203 Section 47. Section 288.0658, Florida Statutes, is amended  
 2204 to read:

2205 288.0658 Nature-based recreation; promotion and other  
 2206 assistance by Fish and Wildlife Conservation Commission.—The  
 2207 Florida Fish and Wildlife Conservation Commission is directed to  
 2208 assist ~~Enterprise Florida, Inc.;~~ the Florida Tourism Industry  
 2209 Marketing Corporation, doing business as VISIT Florida;  
 2210 convention and visitor bureaus; tourist development councils;  
 2211 economic development organizations; and local governments  
 2212 through the provision of marketing advice, technical expertise,  
 2213 promotional support, and product development related to nature-  
 2214 based recreation and sustainable use of natural resources. In  
 2215 carrying out this responsibility, the Florida Fish and Wildlife  
 2216 Conservation Commission shall focus its efforts on fostering  
 2217 nature-based recreation in rural communities and regions  
 2218 encompassing rural communities. As used in this section, the  
 2219 term "nature-based recreation" means leisure activities related  
 2220 to the state's lands, waters, and fish and wildlife resources,  
 2221 including, but not limited to, wildlife viewing, fishing,  
 2222 hiking, canoeing, kayaking, camping, hunting, backpacking, and  
 2223 nature photography.

2224 Section 48. Subsection (6) of section 288.075, Florida  
 2225 Statutes, is amended to read:

2226 | 288.075 Confidentiality of records.—

2227 | (6) ECONOMIC INCENTIVE PROGRAMS.—

2228 | (a) The following information held by an economic

2229 | development agency pursuant to the administration of an economic

2230 | incentive program for qualified businesses is confidential and

2231 | exempt from s. 119.07(1) and s. 24(a), Art. I of the State

2232 | Constitution for a period not to exceed the duration of the

2233 | incentive agreement, including an agreement authorizing a tax

2234 | refund or tax credit, or upon termination of the incentive

2235 | agreement:

2236 | 1. The percentage of the business's sales occurring

2237 | outside this state and, ~~for businesses applying under s.~~

2238 | ~~288.1045, the percentage of the business's gross receipts~~

2239 | ~~derived from Department of Defense contracts during the 5 years~~

2240 | ~~immediately preceding the date the business's application is~~

2241 | ~~submitted.~~

2242 | 2. An individual employee's personal identifying

2243 | information that is held as evidence of the achievement or

2244 | nonachievement of the wage requirements of the tax refund, tax

2245 | credit, or incentive agreement programs or of the job creation

2246 | requirements of such programs.

2247 | 3. The amount of:

2248 | a. Taxes on sales, use, and other transactions paid

2249 | pursuant to chapter 212;

2250 | b. Corporate income taxes paid pursuant to chapter 220;

- 2251 c. Intangible personal property taxes paid pursuant to
- 2252 chapter 199;
- 2253 d. Insurance premium taxes paid pursuant to chapter 624;
- 2254 e. Excise taxes paid on documents pursuant to chapter 201;
- 2255 f. Ad valorem taxes paid, as defined in s. 220.03(1); or
- 2256 g. State communications services taxes paid pursuant to
- 2257 chapter 202.

2258

2259 However, an economic development agency may disclose in the

2260 annual incentives report required under s. 288.0065 ~~288.907~~ the

2261 aggregate amount of each tax identified in this subparagraph and

2262 paid by all businesses participating in each economic incentive

2263 program.

2264 (b)~~1.~~ The following information held by an economic

2265 development agency relating to a specific business participating

2266 in an economic incentive program is no longer confidential or

2267 exempt 180 days after a final project order for an economic

2268 incentive agreement is issued, until a date specified in the

2269 final project order, or if the information is otherwise

2270 disclosed, whichever occurs first:

2271 1.a. The name of the qualified business.

2272 2.b. The total number of jobs the business committed to

2273 create or retain.

2274 3.c. The total number of jobs created or retained by the

2275 business.

2276 ~~4.d.~~ Notwithstanding s. 213.053(2), the amount of tax  
 2277 refunds, tax credits, or incentives awarded to, claimed by, or,  
 2278 if applicable, refunded to the state by the business.

2279 ~~5.e.~~ The anticipated total annual wages of employees the  
 2280 business committed to hire or retain.

2281 ~~2. For a business applying for certification under s.~~  
 2282 ~~288.1045 which is based on obtaining a new Department of Defense~~  
 2283 ~~contract, the total number of jobs expected and the amount of~~  
 2284 ~~tax refunds claimed may not be released until the new Department~~  
 2285 ~~of Defense contract is awarded.~~

2286 Section 49. Subsections (7) through (10) of section  
 2287 288.076, Florida Statutes, are renumbered as subsections (6)  
 2288 through (9), respectively, and paragraphs (a), (c), and (e) of  
 2289 subsection (1) and present subsections (6) and (7) of that  
 2290 section are amended to read:

2291 288.076 Return on investment reporting for economic  
 2292 development programs.—

2293 (1) As used in this section, the term:

2294 (a) "Jobs" means full-time equivalent positions,  
 2295 including, but not limited to, positions obtained from a  
 2296 temporary employment agency or employee leasing company or  
 2297 through a union agreement or coemployment under a professional  
 2298 employer organization agreement that result directly from a  
 2299 project in this state. The term does not include temporary  
 2300 construction jobs involved with the construction of facilities

2301 for the project or any jobs previously included in any  
2302 application for tax refunds ~~has the same meaning as provided in~~  
2303 ~~s. 288.106(2)(i).~~

2304 (c) "Project" means the creation of a new business or  
2305 expansion of an existing business ~~has the same meaning as~~  
2306 ~~provided in s. 288.106(2)(m).~~

2307 (e) "State investment" means any state grants, tax  
2308 exemptions, tax refunds, tax credits, or other state incentives  
2309 provided to a business under a program administered by the  
2310 department, ~~including the capital investment tax credit under s.~~  
2311 ~~220.191.~~

2312 ~~(6) Annually, the department shall publish information~~  
2313 ~~relating to the progress of Quick Action Closing Fund projects,~~  
2314 ~~including the average number of days between the date the~~  
2315 ~~department receives a completed application and the date on~~  
2316 ~~which the application is approved.~~

2317 ~~(6)(7)(a)~~ Within 48 hours after expiration of the period  
2318 of confidentiality provided under s. 288.075, the department  
2319 shall publish the contract or agreement described in s. 288.061,  
2320 redacted to protect the participant business from disclosure of  
2321 information that remains confidential or exempt by law.

2322 ~~(b) Within 48 hours after submitting any report of~~  
2323 ~~findings and recommendations made pursuant to s. 288.106(7)(d)~~  
2324 ~~concerning a business's failure to complete a tax refund~~  
2325 ~~agreement pursuant to the tax refund program for qualified~~

2326 ~~target industry businesses, the department shall publish such~~  
2327 ~~report.~~

2328 Section 50. Section 288.095, Florida Statutes, is amended  
2329 to read:

2330 288.095 Economic Development Trust Fund.—

2331 (1) The Economic Development Trust Fund is created within  
2332 the department ~~of Economic Opportunity~~. Moneys deposited into  
2333 the fund must be used only to support the authorized activities  
2334 and operations of the department.

2335 (2) There is created, within the Economic Development  
2336 Trust Fund, the Economic Development Incentives Account. The  
2337 Economic Development Incentives Account consists of moneys  
2338 appropriated to the account for purposes of the tax incentives  
2339 programs formerly authorized under ss. 288.1045 and 288.106, and  
2340 local financial support provided under former ss. 288.1045 and  
2341 288.106. Moneys in the Economic Development Incentives Account  
2342 shall be subject to the provisions of s. 216.301(1)(a).

2343 (3) (a) ~~The department may approve applications for~~  
2344 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~  
2345 The total state share of tax refund payments may not exceed \$35  
2346 million.

2347 (b) The total amount of tax refund claims approved for  
2348 payment by the department based on actual project performance  
2349 may not exceed the amount appropriated to the Economic  
2350 Development Incentives Account for such purposes for the fiscal

2351 year. Claims for tax refunds under former ss. 288.1045 and  
2352 288.106 shall be paid in the order the claims are approved by  
2353 the department. In the event the Legislature does not  
2354 appropriate an amount sufficient to satisfy the tax refunds  
2355 under former ss. 288.1045 and 288.106 in a fiscal year, the  
2356 department shall pay the tax refunds from the appropriation for  
2357 the following fiscal year. By March 1 of each year, the  
2358 department shall notify the legislative appropriations  
2359 committees of the Senate and House of Representatives of any  
2360 anticipated shortfall in the amount of funds needed to satisfy  
2361 claims for tax refunds from the appropriation for the current  
2362 fiscal year.

2363 (c) Moneys in the Economic Development Incentives Account  
2364 may be used only to pay tax refunds and make other payments on  
2365 agreements executed prior to July 1, 2017, authorized under  
2366 former s. 288.1045, s. 288.106, or s. 288.107.

2367 (d) The department may adopt rules necessary to carry out  
2368 ~~the provisions of~~ this subsection, including rules providing for  
2369 the use of moneys in the Economic Development Incentives Account  
2370 and for the administration of the Economic Development  
2371 Incentives Account.

2372 Section 51. Section 288.1045, Florida Statutes, is  
2373 repealed.

2374 Section 52. Section 288.106, Florida Statutes, is  
2375 repealed.

2376           Section 53. Section 288.107, Florida Statutes, is  
 2377 repealed.

2378           Section 54. Section 288.108, Florida Statutes, is  
 2379 repealed.

2380           Section 55. Section 288.1081, Florida Statutes, is  
 2381 repealed.

2382           Section 56. Section 288.1082, Florida Statutes, is  
 2383 repealed.

2384           Section 57. Section 288.1088, Florida Statutes, is  
 2385 repealed.

2386           Section 58. Section 288.1089, Florida Statutes, is  
 2387 repealed.

2388           Section 59. Section 288.111, Florida Statutes, is amended  
 2389 to read:

2390           288.111 Information concerning local manufacturing  
 2391 development programs.—The department shall develop materials  
 2392 that identify each local government that establishes a local  
 2393 manufacturing development program under s. 163.3252. The  
 2394 materials, which the department may elect to develop and  
 2395 maintain in electronic format or in any other format deemed by  
 2396 the department to provide public access, must be updated at  
 2397 least annually. ~~Enterprise Florida, Inc., shall, and other State~~  
 2398 ~~agencies may,~~ distribute the materials to prospective, new,  
 2399 expanding, and relocating businesses seeking to conduct business  
 2400 in this state.



2401           Section 60. Section 288.1162, Florida Statutes, is  
 2402 repealed.

2403           Section 61. Section 288.11621, Florida Statutes, is  
 2404 repealed.

2405           Section 62. Section 288.11625, Florida Statutes, is  
 2406 repealed.

2407           Section 63. Section 288.11631, Florida Statutes, is  
 2408 repealed.

2409           Section 64. Section 288.1169, Florida Statutes, is  
 2410 repealed.

2411           Section 65. Section 288.1201, Florida Statutes, is  
 2412 repealed.

2413           Section 66. (1) The State Economic Enhancement and  
 2414 Development Trust Fund, FLAIR number 40-2-041, within the  
 2415 Department of Economic Opportunity is terminated.

2416           (2) All current balances remaining in, and all revenues  
 2417 of, the trust fund shall be transferred to the General Revenue  
 2418 Fund.

2419           (3) The Department of Economic Opportunity shall pay any  
 2420 outstanding debts and obligations of the terminated fund as soon  
 2421 as practicable, and the Chief Financial Officer shall close out  
 2422 and remove the terminated fund from various state accounting  
 2423 systems using generally accepted accounting principles  
 2424 concerning warrants outstanding, assets, and liabilities.

2425           Section 67. Section 288.122, Florida Statutes, is

2426 repealed.

2427 Section 68. (1) The Tourism Promotional Trust Fund, FLAIR  
 2428 number 40-2-722, within the Department of Economic Opportunity  
 2429 is terminated.

2430 (2) All current balances remaining in, and all revenues  
 2431 of, the trust fund shall be transferred to the General Revenue  
 2432 Fund.

2433 (3) The Department of Economic Opportunity shall pay any  
 2434 outstanding debts and obligations of the terminated fund as soon  
 2435 as practicable, and the Chief Financial Officer shall close out  
 2436 and remove the terminated fund from various state accounting  
 2437 systems using generally accepted accounting principles  
 2438 concerning warrants outstanding, assets, and liabilities.

2439 Section 69. Section 288.1226, Florida Statutes, is amended  
 2440 to read:

2441 288.1226 Florida Tourism Industry Marketing Corporation;  
 2442 use of property; board of directors; duties; audit.—

2443 (1) DEFINITIONS.—For the purposes of this section, the  
 2444 term "corporation" means the Florida Tourism Industry Marketing  
 2445 Corporation.

2446 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing  
 2447 Corporation is a direct-support organization of the Department  
 2448 of Economic Opportunity ~~Enterprise Florida, Inc.~~

2449 (a) The Florida Tourism Industry Marketing Corporation is  
 2450 a corporation not for profit, as defined in s. 501(c)(6) of the

2451 Internal Revenue Code of 1986, as amended, that is incorporated  
 2452 under the provisions of chapter 617 and approved by the  
 2453 Department of State.

2454 (b) The corporation is organized and operated exclusively  
 2455 to request, receive, hold, invest, and administer property and  
 2456 to manage and make expenditures for the operation of the  
 2457 activities, services, functions, and programs of this state  
 2458 which relate to the statewide, national, and international  
 2459 promotion and marketing of tourism.

2460 (c) 1. The corporation is not an agency for the purposes of  
 2461 chapters 120 ~~and~~, 216, ~~and 287~~; ~~ss. 255.21, 255.25, and 255.254,~~  
 2462 ~~relating to leasing of buildings; ss. 283.33 and 283.35,~~  
 2463 ~~relating to bids for printing; s. 215.31; and parts I, II, and~~  
 2464 ~~IV-VIII of chapter 112. However, the corporation shall comply~~  
 2465 ~~with the per diem and travel expense provisions of s. 112.061.~~

2466 2. The corporation is an agency for the purposes of  
 2467 chapter 287.

2468 (d) The corporation is subject to the provisions of  
 2469 chapter 119, relating to public meetings, and those provisions  
 2470 of chapter 286 relating to public meetings and records.

2471 (3) USE OF PROPERTY.—The Department of Economic  
 2472 Opportunity Enterprise Florida, Inc.:

2473 (a) Is authorized to permit the use of property and  
 2474 facilities of the department Enterprise Florida, Inc., by the  
 2475 corporation, subject to the provisions of this section.

2476 (b) Shall prescribe conditions with which the corporation  
 2477 must comply in order to use property and facilities of the  
 2478 department ~~Enterprise Florida, Inc.~~ Such conditions shall  
 2479 provide for budget and audit review and for oversight by the  
 2480 department ~~Enterprise Florida, Inc.~~

2481 (c) May not permit the use of property and facilities of  
 2482 the department ~~Enterprise Florida, Inc.~~, if the corporation does  
 2483 not provide equal employment opportunities to all persons,  
 2484 regardless of race, color, national origin, sex, age, or  
 2485 religion.

2486 (4) BOARD OF DIRECTORS.—The board of directors of the  
 2487 corporation shall be composed of 31 tourism-industry-related  
 2488 members, appointed by the corporation ~~Enterprise Florida, Inc.~~,  
 2489 in conjunction with the department. Board members shall serve  
 2490 without compensation, but are entitled to receive reimbursement  
 2491 for per diem and travel expenses pursuant to s. 112.061. Such  
 2492 expenses must be paid out of funds of the corporation.

2493 (a) The board shall consist of 16 members, appointed in  
 2494 such a manner as to equitably represent all geographic areas of  
 2495 the state, with no fewer than two members from any of the  
 2496 following regions:

2497 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,  
 2498 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,  
 2499 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

2500 2. Region 2, composed of Alachua, Baker, Bradford, Clay,

2501 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,  
 2502 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,  
 2503 Taylor, and Union Counties.

2504 3. Region 3, composed of Brevard, Indian River, Lake,  
 2505 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and  
 2506 Volusia Counties.

2507 4. Region 4, composed of Citrus, Hernando, Hillsborough,  
 2508 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

2509 5. Region 5, composed of Charlotte, Collier, DeSoto,  
 2510 Glades, Hardee, Hendry, Highlands, and Lee Counties.

2511 6. Region 6, composed of Broward, Martin, Miami-Dade,  
 2512 Monroe, and Palm Beach Counties.

2513 (b) The 15 additional tourism-industry-related members  
 2514 shall include 1 representative from the statewide rental car  
 2515 industry; 7 representatives from tourist-related statewide  
 2516 associations, including those that represent hotels,  
 2517 campgrounds, county destination marketing organizations,  
 2518 museums, restaurants, retail, and attractions; 3 representatives  
 2519 from county destination marketing organizations; 1  
 2520 representative from the cruise industry; 1 representative from  
 2521 an automobile and travel services membership organization that  
 2522 has at least 2.8 million members in Florida; 1 representative  
 2523 from the airline industry; and 1 representative from the space  
 2524 tourism industry, who will each serve for a term of 2 years.

2525 (5) POWERS AND DUTIES.—The corporation, in the performance

2526 | of its duties:

2527 |       (a) May make and enter into contracts and assume such  
2528 | other functions as are necessary to carry out the provisions of  
2529 | the 4-year marketing plan required by s. 288.923, and the  
2530 | corporation's contract with the department that ~~Enterprise~~  
2531 | ~~Florida, Inc., which~~ are not inconsistent with this or any other  
2532 | provision of law. A proposed contract with a total cost of  
2533 | \$750,000 or more is subject to the notice and review procedures  
2534 | in s. 216.177. If the chair or vice chair of the Legislative  
2535 | Budget Commission, the President of the Senate, or the Speaker  
2536 | of the House of Representatives timely advise the corporation in  
2537 | writing that such proposed contract is contrary to legislative  
2538 | policy and intent, the corporation may not execute such proposed  
2539 | contract. The corporation may not enter into multiple related  
2540 | contracts to avoid the requirements of this paragraph.

2541 |       (b) May develop a program to provide incentives and to  
2542 | attract and recognize those entities which make significant  
2543 | financial and promotional contributions towards the expanded  
2544 | tourism promotion activities of the corporation.

2545 |       (c) May establish a cooperative marketing program with  
2546 | other public and private entities which allows the use of the  
2547 | VISIT Florida logo in tourism promotion campaigns which meet the  
2548 | standards of the department ~~Enterprise Florida, Inc.~~, for which  
2549 | the corporation may charge a reasonable fee.

2550 |       (d) May sue and be sued and appear and defend in all

2551 actions and proceedings in its corporate name to the same extent  
2552 as a natural person.

2553 (e) May adopt, use, and alter a common corporate seal.  
2554 However, such seal must always contain the words "corporation  
2555 not for profit."

2556 (f) Shall elect or appoint such officers and agents as its  
2557 affairs shall require and allow them reasonable compensation.  
2558 However, each officer or agent, including the President and CEO,  
2559 may not receive compensation, public or private, that exceeds  
2560 \$130,000 per year.

2561 (g) Shall hire and establish salaries and personnel and  
2562 employee benefit programs for such permanent and temporary  
2563 employees as are necessary to carry out the provisions of the 4-  
2564 year marketing plan and the corporation's contract with the  
2565 department that ~~Enterprise Florida, Inc.,~~ which are not  
2566 inconsistent with this or any other provision of law. However,  
2567 an employee may not receive compensation, public or private,  
2568 that exceeds \$130,000 per year. Any retirement, life insurance,  
2569 or health insurance benefits provided to employees of the  
2570 corporation may not exceed the value of such benefits provided  
2571 to employees of the corporation as of January 1, 2017. Any  
2572 public or private payments of performance bonuses or severance  
2573 pay to employees of the corporation are prohibited unless  
2574 specifically authorized by law. The Governor shall review and  
2575 approve or deny requests for out-of-state or international

2576 travel by employees and board members of the corporation and  
2577 individuals whose travel will be paid for by the corporation,  
2578 regardless of the source of the funds used for such travel.

2579 (h) Shall appoint a president and chief executive officer  
2580 of the corporation who shall serve subject to confirmation by  
2581 the Senate ~~provide staff support to the Division of Tourism~~  
2582 ~~Promotion of Enterprise Florida, Inc. The president and chief~~  
2583 ~~executive officer of the Florida Tourism Industry Marketing~~  
2584 ~~Corporation shall serve without compensation as the director of~~  
2585 ~~the division.~~

2586 (i) May adopt, change, amend, and repeal bylaws, not  
2587 inconsistent with law or its articles of incorporation, for the  
2588 administration of the provisions of the 4-year marketing plan  
2589 and the corporation's contract with the department ~~Enterprise~~  
2590 ~~Florida, Inc.~~

2591 (j) May conduct its affairs, carry on its operations, and  
2592 have offices and exercise the powers granted by this act in any  
2593 state, territory, district, or possession of the United States  
2594 or any foreign country. When ~~Where~~ feasible, appropriate, and  
2595 recommended by the 4-year marketing plan developed by the  
2596 Division of Tourism Promotion ~~of Enterprise Florida, Inc.~~, the  
2597 corporation may collocate the programs of foreign tourism  
2598 offices in cooperation with any foreign office operated by any  
2599 agency of this state.

2600 (k) May appear on its own behalf before boards,



2601 | commissions, departments, or other agencies of municipal,  
 2602 | county, state, or federal government.

2603 |         (1) May request or accept any grant, payment, or gift, of  
 2604 | funds or property made by this state or by the United States or  
 2605 | any department or agency thereof or by any individual, firm,  
 2606 | corporation, municipality, county, or organization for any or  
 2607 | all of the purposes of the 4-year marketing plan and the  
 2608 | corporation's contract with the department ~~Enterprise Florida,~~  
 2609 | ~~Inc.~~, that are not inconsistent with this or any other provision  
 2610 | of law. Such funds shall be deposited in a bank account  
 2611 | established by the corporation's board of directors. The  
 2612 | corporation may expend such funds in accordance with the terms  
 2613 | and conditions of any such grant, payment, or gift, in the  
 2614 | pursuit of its administration or in support of the programs it  
 2615 | administers. The corporation shall separately account for the  
 2616 | public funds and the private funds deposited into the  
 2617 | corporation's bank account.

2618 |         (m) Shall establish a plan for participation in the  
 2619 | corporation which will provide additional funding for the  
 2620 | administration and duties of the corporation.

2621 |         (n) In the performance of its duties, may undertake, or  
 2622 | contract for, marketing projects and advertising research  
 2623 | projects.

2624 |         (o) In addition to any indemnification available under  
 2625 | chapter 617, the corporation may indemnify, and purchase and

2626 maintain insurance on behalf of, directors, officers, and  
 2627 employees of the corporation against any personal liability or  
 2628 accountability by reason of actions taken while acting within  
 2629 the scope of their authority.

2630 (p) Shall not create or establish any other entity,  
 2631 corporation, or direct-support organization.

2632 (q) Shall not expend funds, public or private, that  
 2633 directly or indirectly, benefit only one company, corporation or  
 2634 business entity.

2635 (6) ANNUAL AUDIT.—The corporation shall provide for an  
 2636 annual financial audit in accordance with s. 215.981. The annual  
 2637 audit report shall be submitted to the Auditor General; the  
 2638 Office of Program Policy Analysis and Government Accountability;  
 2639 ~~Enterprise Florida, Inc.;~~ and the department for review. The  
 2640 Office of Program Policy Analysis and Government Accountability;  
 2641 ~~Enterprise Florida, Inc.;~~ the department; and the Auditor  
 2642 General have the authority to require and receive from the  
 2643 corporation or from its independent auditor any detail or  
 2644 supplemental data relative to the operation of the corporation.  
 2645 The department shall annually certify whether the corporation is  
 2646 operating in a manner and achieving the objectives that are  
 2647 consistent with the policies and goals of the department  
 2648 ~~Enterprise Florida, Inc.,~~ and its long-range marketing plan. The  
 2649 identity of a donor or prospective donor to the corporation who  
 2650 desires to remain anonymous and all information identifying such

2651 donor or prospective donor are confidential and exempt from the  
2652 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
2653 Constitution. Such anonymity shall be maintained in the  
2654 auditor's report.

2655 (7) REPORT.—The corporation shall provide a quarterly  
2656 report to the department ~~Enterprise Florida, Inc.~~, which shall:

2657 (a) Measure the current vitality of the visitor industry  
2658 of this state as compared to the vitality of such industry for  
2659 the year to date and for comparable quarters of past years.  
2660 Indicators of vitality shall be determined by the department  
2661 ~~Enterprise Florida, Inc.~~, and shall include, but not be limited  
2662 to, estimated visitor count and party size, length of stay,  
2663 average expenditure per party, and visitor origin and  
2664 destination.

2665 (b) Provide detailed, unaudited financial statements of  
2666 sources and uses of public and private funds.

2667 (c) Measure progress towards annual goals and objectives  
2668 set forth in the 4-year marketing plan.

2669 (d) Review all pertinent research findings.

2670 (e) Provide other measures of accountability as requested  
2671 by the department ~~Enterprise Florida, Inc.~~

2672  
2673 The corporation must take all steps necessary to provide all  
2674 data that is used to develop the report, including source data,  
2675 to the Office of Economic and Demographic Research.

2676           (8) PROHIBITIONS; CORPORATE FUNDS; GIFTS.—Notwithstanding  
2677 per diem and travel expenses authorized pursuant s. 112.061,  
2678 funds of the corporation may not be expended for food,  
2679 beverages, lodging, entertainment, or gifts for employees of the  
2680 corporation, board members of the corporation, or employees of a  
2681 tourist or economic development entity that receives revenue  
2682 from a tax imposed pursuant to s. 125.0104, s. 125.0108, or s.  
2683 212.0305. An employee or board member of the corporation may not  
2684 accept or receive food, beverages, lodging, entertainment, or  
2685 gifts from a tourist or economic development entity that  
2686 receives revenue from a tax imposed pursuant to s. 125.0104, s.  
2687 125.0108, or s. 212.0305 ~~PUBLIC RECORDS EXEMPTION.~~—The identity  
2688 ~~of any person who responds to a marketing project or advertising~~  
2689 ~~research project conducted by the corporation in the performance~~  
2690 ~~of its duties on behalf of Enterprise Florida, Inc., or trade~~  
2691 ~~secrets as defined by s. 812.081 obtained pursuant to such~~  
2692 ~~activities, are exempt from s. 119.07(1) and s. 24(a), Art. I of~~  
2693 ~~the State Constitution. This subsection is subject to the Open~~  
2694 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
2695 ~~shall stand repealed on October 2, 2021, unless reviewed and~~  
2696 ~~saved from repeal through reenactment by the Legislature.~~  
2697           (9) LODGING EXPENSES.—Lodging expenses for an employee of  
2698 the corporation may not exceed \$150 per day, excluding taxes.  
2699 However, an employee of the corporation may expend his or her  
2700 own funds for any lodging expenses in excess of \$150 per day.

2701           (10) RELEASE OF APPROPRIATIONS.—Notwithstanding s.  
 2702 216.192, and in accordance with s. 216.351, the annual plan for  
 2703 release of appropriations for the Department of Economic  
 2704 Opportunity shall be quarterly. On July 1 of each fiscal year,  
 2705 25 percent of the original operating budget of the corporation  
 2706 shall be released. The balance of the appropriation shall be  
 2707 held in reserve. By August 15 of each fiscal year, the  
 2708 Department of Economic Opportunity shall submit a proposed  
 2709 operating budget for the corporation including amounts to be  
 2710 expended on advertising, events, other operating capital outlay,  
 2711 and salaries and benefits for each employee to the Legislative  
 2712 Budget Commission. Upon approval of the plan by the Legislative  
 2713 Budget Commission, the remainder of the operating budget for the  
 2714 corporation shall be released pursuant to this subsection.

2715           (11) TRANSPARENCY.—

2716           (a) The corporation is a governmental entity as defined in  
 2717 s. 215.985 and, therefore, is subject to the Transparency  
 2718 Florida Act.

2719           (b) A contract entered into between the corporation and  
 2720 any other entity, including a local government, private, or  
 2721 nonprofit entity, that receives public funds from the state or  
 2722 from a tax imposed pursuant to s. 125.0104, s. 125.0108, or s.  
 2723 212.0305 shall include:

- 2724           1. The purpose of the contract.
- 2725           2. Specific performance standards and responsibilities for

2726 each entity.

2727 3. A detailed project or contract budget, if applicable.

2728 4. The value of any services provided.

2729 5. The salaries of all employees and board members of the  
2730 entity and the projected travel and entertainment expenses for  
2731 such employees and board members.

2732 (c)1. If a marketing partner receives public funds from  
2733 the state or from a tax imposed pursuant to s. 125.0104, s.  
2734 125.0108, or s. 212.0305, the marketing partner shall annually  
2735 report all public and private financial data to the corporation.

2736 2. The financial data shall include:

2737 a. The total amount of revenue received from public and  
2738 private sources.

2739 b. The operating budget.

2740 c. Employee and board member salary and benefit details.

2741 d. An itemized account of all funds spent by a third party  
2742 on behalf of the corporation or a board member or an employee of  
2743 the corporation.

2744 e. Itemized travel and entertainment expenditures.

2745 (d) The following information must be posted on the  
2746 corporation's website:

2747 1. A plain language version of each proposed and executed  
2748 contract exceeding \$35,000 with a private entity, municipality,  
2749 city, town, or vendor of services, supplies, or programs,  
2750 including marketing, or for the purchase or lease or use of

2751 lands, facilities, or properties.

2752 2. Any agreement entered into between the corporation and  
2753 any other entity, including a local government, private, or  
2754 nonprofit entity, that receives public funds or funds from a tax  
2755 imposed pursuant to s. 125.0104, s. 125.0108, or s. 212.0305.

2756 3. Video recordings of each board meeting.

2757 4. A detailed report of expenditures following each  
2758 marketing event paid for with the corporation's funds. Such  
2759 report must be posted within 10 business days after the event.

2760 5. An annual itemized accounting of the total amount of  
2761 funds spent by any third party on behalf of the corporation or  
2762 any board member or employee of the corporation.

2763 6. An annual itemized accounting of the total amount of  
2764 travel and entertainment expenditures by the corporation.

2765 (e) The corporation's website must:

2766 1. Allow users to navigate to related sites to view  
2767 supporting details.

2768 2. Enable a taxpayer to email questions to the corporation  
2769 and make such questions and the corporation's responses publicly  
2770 viewable.

2771 (12) REPEAL.—This section is repealed October 1, 2019,  
2772 unless reviewed and saved from repeal by the Legislature.

2773 Section 70. For the 2017-2018 fiscal year, the sum of \$25  
2774 million in recurring funds is appropriated from the General  
2775 Revenue Fund to the Department of Economic Opportunity for the

2776 operation of VISIT Florida.

2777 Section 71. Section 288.12265, Florida Statutes, is  
2778 amended to read:

2779 288.12265 Welcome centers.—

2780 (1) Responsibility for the welcome centers is assigned to  
2781 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~,  
2782 which shall contract with the Florida Tourism Industry Marketing  
2783 Corporation to employ all welcome center staff.

2784 (2) The Department of Economic Opportunity ~~Enterprise~~  
2785 ~~Florida, Inc.~~, shall administer and operate the welcome centers.  
2786 Pursuant to a contract with the Department of Transportation,  
2787 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~,  
2788 shall be responsible for routine repair, replacement, or  
2789 improvement and the day-to-day management of interior areas  
2790 occupied by the welcome centers. All other repairs,  
2791 replacements, or improvements to the welcome centers shall be  
2792 the responsibility of the Department of Transportation. The  
2793 Department of Economic Opportunity ~~Enterprise Florida, Inc.~~, may  
2794 contract with the Florida Tourism Industry Marketing Corporation  
2795 for the management and operation of the welcome centers.

2796 Section 72. Section 288.125, Florida Statutes, is  
2797 repealed.

2798 Section 73. Section 288.1251, Florida Statutes, is  
2799 repealed.

2800 Section 74. Section 288.1252, Florida Statutes, is



2801 repealed.

2802 Section 75. Section 288.1253, Florida Statutes, is  
 2803 repealed.

2804 Section 76. Section 288.1258, Florida Statutes, is  
 2805 repealed.

2806 Section 77. Section 288.7015, Florida Statutes, is amended  
 2807 to read:

2808 288.7015 Appointment of rules ombudsman; duties.—The  
 2809 Governor shall appoint a rules ombudsman, as defined in s.  
 2810 288.703, in the Executive Office of the Governor, for  
 2811 considering the impact of agency rules on the state's citizens  
 2812 and businesses. ~~In carrying out duties as provided by law, the~~  
 2813 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~  
 2814 ~~point the department may recommend to improve the regulatory~~  
 2815 ~~environment of this state.~~ The duties of the rules ombudsman are  
 2816 to:

2817 (1) Carry out the responsibility provided in s.  
 2818 120.54(3)(b), with respect to small businesses.

2819 (2) Review state agency rules that adversely or  
 2820 disproportionately impact businesses, particularly those  
 2821 relating to small and minority businesses.

2822 (3) Make recommendations on any existing or proposed rules  
 2823 to alleviate unnecessary or disproportionate adverse effects to  
 2824 businesses.

2825 (4) Each state agency shall cooperate fully with the rules

2826 | ombudsman in identifying such rules. Further, each agency shall  
 2827 | take the necessary steps to waive, modify, or otherwise minimize  
 2828 | such adverse effects of any such rules. However, nothing in this  
 2829 | section authorizes any state agency to waive, modify, provide  
 2830 | exceptions to, or otherwise alter any rule that is:

2831 |       (a) Expressly required to implement or enforce any  
 2832 | statutory provision or the express legislative intent thereof;

2833 |       (b) Designed to protect persons against discrimination on  
 2834 | the basis of race, color, national origin, religion, sex, age,  
 2835 | handicap, or marital status; or

2836 |       (c) Likely to prevent a significant risk or danger to the  
 2837 | public health, the public safety, or the environment of the  
 2838 | state.

2839 |       (5) The modification or waiver of any such rule pursuant  
 2840 | to this section must be accomplished in accordance with the  
 2841 | provisions of chapter 120.

2842 |       Section 78. Subsection (11) of section 288.706, Florida  
 2843 | Statutes, is amended to read:

2844 |       288.706 Florida Minority Business Loan Mobilization  
 2845 | Program.—

2846 |       (11) The Department of Management Services shall  
 2847 | collaborate with ~~Enterprise Florida, Inc.,~~ and the department to  
 2848 | assist in the development and enhancement of black business  
 2849 | enterprises.

2850 |       Section 79. Subsection (1) of section 288.773, Florida

2851 Statutes, is amended to read:

2852           288.773 Florida Export Finance Corporation.—The Florida  
 2853 Export Finance Corporation is hereby created as a corporation  
 2854 not for profit, to be incorporated under the provisions of  
 2855 chapter 617 and approved by the Department of State. The  
 2856 corporation is organized on a nonstock basis. The purpose of the  
 2857 corporation is to expand employment and income opportunities for  
 2858 residents of this state through increased exports of goods and  
 2859 services, by providing businesses domiciled in this state  
 2860 information and technical assistance on export opportunities,  
 2861 exporting techniques, and financial assistance through  
 2862 guarantees and direct loan originations for sale in support of  
 2863 export transactions. The corporation shall have the power and  
 2864 authority to carry out the following functions:

2865           (1) To coordinate the efforts of the corporation with  
 2866 programs and goals of the United States Export-Import Bank, the  
 2867 International Trade Administration of the United States  
 2868 Department of Commerce, the Foreign Credit Insurance  
 2869 Association, the department ~~Enterprise Florida, Inc.~~, and other  
 2870 private and public programs and organizations, domestic and  
 2871 foreign, designed to provide export assistance and export-  
 2872 related financing.

2873           Section 80. Paragraph (a) of subsection (1) and paragraphs  
 2874 (a), (c), and (g) of subsection (3) of section 288.776, Florida  
 2875 Statutes, are amended to read:

2876 |           288.776 Board of directors; powers and duties.—

2877 |           (1) (a) The corporation shall have a board of directors  
2878 | consisting of 15 members representing all geographic areas of  
2879 | the state. Minority and gender representation must be considered  
2880 | when making appointments to the board. The board membership must  
2881 | include:

2882 |           1. A representative of the following businesses, all of  
2883 | which must be registered to do business in this state: a foreign  
2884 | bank, a state bank, a federal bank, an insurance company  
2885 | involved in covering trade financing risks, and a small or  
2886 | medium-sized exporter.

2887 |           2. The following persons or their designee: the executive  
2888 | director of the department ~~President of Enterprise Florida,~~  
2889 | ~~Inc.~~, the Chief Financial Officer, the Secretary of State, and a  
2890 | senior official of the United States Department of Commerce.

2891 |           (3) The board shall:

2892 |           (a) Prior to the expenditure of funds from the export  
2893 | finance account, adopt bylaws, rules, and policies which are  
2894 | necessary to carry out the responsibilities under this part,  
2895 | particularly with respect to the implementation of the  
2896 | corporation's programs to insure, coinsure, lend, provide loan  
2897 | guarantees, and make direct, guaranteed, or collateralized loans  
2898 | by the corporation to support export transactions. The  
2899 | corporation's bylaws, rules, and policies shall be reviewed and  
2900 | approved by the department ~~Enterprise Florida, Inc.~~, prior to

2901 final adoption by the board.

2902 (c) Issue an annual report to the department ~~Enterprise~~  
 2903 ~~Florida, Inc.,~~ on the activities of the corporation, including  
 2904 an evaluation of activities and recommendations for change. The  
 2905 evaluation shall include the corporation's impact on the  
 2906 following:

2907 1. Participation of private banks and other private  
 2908 organizations and individuals in the corporation's export  
 2909 financing programs.

2910 2. Access of small and medium-sized businesses in this  
 2911 state to federal export financing programs.

2912 3. Export volume of the small and medium-sized businesses  
 2913 in this state accessing the corporation's programs.

2914 4. Other economic and social benefits to international  
 2915 programs in this state.

2916 (g) Consult with the department ~~Enterprise Florida, Inc.,~~  
 2917 or any state or federal agency, to ensure that the respective  
 2918 loan guarantee or working capital loan origination programs are  
 2919 not duplicative and that each program makes full use of, to the  
 2920 extent practicable, the resources of the other.

2921 Section 81. Section 288.7771, Florida Statutes, is amended  
 2922 to read:

2923 288.7771 Annual report of Florida Export Finance  
 2924 Corporation.—The corporation shall annually prepare and submit  
 2925 to the department ~~Enterprise Florida, Inc., for inclusion in its~~

2926 ~~annual report required under s. 288.906,~~ a complete and detailed  
 2927 report setting forth:

2928 (1) The report required in s. 288.776(3).

2929 (2) Its assets and liabilities at the end of its most  
 2930 recent fiscal year.

2931 Section 82. Paragraph (d) of subsection (1) of section  
 2932 288.8017, Florida Statutes, is amended to read:

2933 288.8017 Awards.—

2934 (1) Triumph Gulf Coast, Inc., shall make awards from  
 2935 available earnings and principal derived under s. 288.8013(2) to  
 2936 projects or programs that meet the priorities for economic  
 2937 recovery, diversification, and enhancement of the  
 2938 disproportionately affected counties, notwithstanding s. 377.43.  
 2939 Awards may be provided for:

2940 (d) Local match requirements of ss. 288.0655 and,  
 2941 ~~288.0659, 288.1045, and 288.106~~ for projects in the  
 2942 disproportionately affected counties;

2943 Section 83. Subsections (4) and (6) of section 288.816,  
 2944 Florida Statutes, are amended to read:

2945 288.816 Intergovernmental relations.—

2946 (4) The state protocol officer shall serve as a contact  
 2947 for the state with the Florida Washington Office, the Florida  
 2948 Congressional Delegation, and United States Government agencies  
 2949 with respect to laws or policies which may affect the interests  
 2950 of the state in the area of international relations. All

2951 inquiries received regarding international economic trade  
 2952 development or reverse investment opportunities shall be  
 2953 referred to the department ~~Enterprise Florida, Inc.~~ In addition,  
 2954 the state protocol officer shall serve as liaison with other  
 2955 states with respect to international programs of interest to  
 2956 Florida. The state protocol officer shall also investigate and  
 2957 make suggestions regarding possible areas of joint action or  
 2958 regional cooperation with these states.

2959 (6) The department ~~and Enterprise Florida, Inc.,~~ shall  
 2960 help to contribute an international perspective to the state's  
 2961 development efforts.

2962 Section 84. Section 288.826, Florida Statutes, is  
 2963 repealed.

2964 Section 85. (1) The Florida International Trade and  
 2965 Promotion Trust Fund, FLAIR number 40-2-338, within the  
 2966 Department of Economic Opportunity is terminated.

2967 (2) All current balances remaining in, and all revenues  
 2968 of, the trust fund shall be transferred to the General Revenue  
 2969 Fund.

2970 (3) The Department of Economic Opportunity shall pay any  
 2971 outstanding debts and obligations of the terminated trust fund  
 2972 as soon as practicable, and the Chief Financial Officer shall  
 2973 close out and remove the terminated trust fund from various  
 2974 state accounting systems using generally accepted accounting  
 2975 principles concerning warrants outstanding, assets, and

2976 liabilities.

2977       Section 86. Section 288.901, Florida Statutes, is

2978 repealed.

2979       Section 87. Section 288.9015, Florida Statutes, is

2980 repealed.

2981       Section 88. Section 288.903, Florida Statutes, is

2982 repealed.

2983       Section 89. Section 288.904, Florida Statutes, is

2984 repealed.

2985       Section 90. Section 288.905, Florida Statutes, is

2986 repealed.

2987       Section 91. Section 288.906, Florida Statutes, is

2988 repealed.

2989       Section 92. Section 288.907, Florida Statutes, is

2990 transferred, renumbered as section 288.0065, Florida Statutes,

2991 and amended to read:

2992       288.0065 ~~288.907~~ Annual incentives report.—By December 30

2993 of each year, ~~Enterprise Florida, Inc., in conjunction with the~~

2994 department, shall provide the Governor, the President of the

2995 Senate, and the Speaker of the House of Representatives a

2996 detailed incentives report quantifying the economic benefits for

2997 all of the economic development incentive programs offered by

2998 the state ~~marketed by Enterprise Florida, Inc.~~ The annual

2999 incentives report must include:

3000       (1) For each incentive program:



3001           (a) A brief description of the incentive program.

3002           (b) The amount of awards granted, by year, since inception

3003 and the annual amount actually transferred from the state

3004 treasury to businesses or for the benefit of businesses for each

3005 of the previous 3 years.

3006           ~~(c) The actual amount of private capital invested, actual~~

3007 ~~number of jobs created, and actual wages paid for incentive~~

3008 ~~agreements completed during the previous 3 years for each target~~

3009 ~~industry sector.~~

3010           (2) For projects completed during the previous state

3011 fiscal year:

3012           (a) The number of economic development incentive

3013 applications received.

3014           ~~(b) The number of recommendations made to the department~~

3015 ~~by Enterprise Florida, Inc., including the number recommended~~

3016 ~~for approval and the number recommended for denial.~~

3017           (b)~~(c)~~ The number of final decisions issued by the

3018 department for approval and for denial.

3019           (c)~~(d)~~ The projects for which a tax refund, tax credit, or

3020 cash grant agreement was executed, identifying for each project:

3021           1. The number of jobs committed to be created.

3022           2. The amount of capital investments committed to be made.

3023           3. The annual average wage committed to be paid.

3024           4. The amount of state economic development incentives

3025 committed to the project from each incentive program under the

3026 project's terms of agreement with the Department of Economic  
 3027 Opportunity.

3028 5. The amount and type of local matching funds committed  
 3029 to the project.

3030 ~~(e) Tax refunds paid or other payments made funded out of~~  
 3031 ~~the Economic Development Incentives Account for each project.~~

3032 (d)~~(f)~~ The types of projects supported.

3033 (3) For economic development projects that received tax  
 3034 refunds, tax credits, or cash grants under the terms of an  
 3035 agreement for incentives:

3036 (a) The number of jobs actually created.

3037 (b) The amount of capital investments actually made.

3038 (c) The annual average wage paid.

3039 (4) For a project receiving economic development  
 3040 incentives approved by the department and receiving federal or  
 3041 local incentives, a description of the federal or local  
 3042 incentives, if available.

3043 (5) The number of withdrawn or terminated projects that  
 3044 did not fulfill the terms of their agreements with the  
 3045 department and, consequently, are not receiving incentives.

3046 ~~(6) For any agreements signed after July 1, 2010, findings~~  
 3047 ~~and recommendations on the efforts of the department to~~  
 3048 ~~ascertain the causes of any business's inability to complete its~~  
 3049 ~~agreement made under s. 288.106.~~

3050 (6)~~(7)~~ The amount of tax refunds, tax credits, or other

3051 | payments made to projects locating or expanding in state  
 3052 | enterprise zones, rural communities, brownfield areas, or  
 3053 | distressed urban communities. The report must include a separate  
 3054 | analysis of the impact of such tax refunds on state enterprise  
 3055 | zones designated under s. 290.0065, rural communities,  
 3056 | brownfield areas, and distressed urban communities.

3057 | ~~(8) The name of and tax refund amount for each business~~  
 3058 | ~~that has received a tax refund under s. 288.1045 or s. 288.106~~  
 3059 | ~~during the preceding fiscal year.~~

3060 | (7)~~(9)~~ An identification of the ~~target industry businesses~~  
 3061 | ~~and~~ high-impact businesses.

3062 | (8)~~(10)~~ A description of the trends relating to business  
 3063 | interest in, and usage of, the various incentives, and the  
 3064 | number of minority-owned or woman-owned businesses receiving  
 3065 | incentives.

3066 | (9)~~(11)~~ An identification of incentive programs not used  
 3067 | and recommendations for program changes or program elimination.

3068 | (10)~~(12)~~ Information related to the validation of  
 3069 | contractor performance required under s. 288.061.

3070 | (11)~~(13)~~ ~~Beginning in 2014,~~ A summation of the activities  
 3071 | related to the Florida Space Business Incentives Act.

3072 | Section 93. Section 288.911, Florida Statutes, is  
 3073 | repealed.

3074 | Section 94. Section 288.912, Florida Statutes, is  
 3075 | transferred, renumbered as section 288.007, Florida Statutes,

3076 and amended to read:

3077 288.007 ~~288.912~~ Inventory of communities seeking to  
 3078 recruit businesses.—By September 30 of each year, a county or  
 3079 municipality that has a population of at least 25,000 or its  
 3080 local economic development organization must submit to the  
 3081 department ~~Enterprise Florida, Inc.~~, a brief overview of the  
 3082 strengths, services, and economic development incentives that  
 3083 its community offers. The local government or its local economic  
 3084 development organization also must identify any industries that  
 3085 it is encouraging to locate or relocate to its area. A county or  
 3086 municipality having a population of 25,000 or fewer or its local  
 3087 economic development organization seeking to recruit businesses  
 3088 may submit information as required in this section and may  
 3089 participate in any activity or initiative resulting from the  
 3090 collection, analysis, and reporting of the information to the  
 3091 department ~~Enterprise Florida, Inc.~~, pursuant to this section.

3092 Section 95. Section 288.92, Florida Statutes, is repealed.

3093 Section 96. Section 288.923, Florida Statutes, is amended  
 3094 to read:

3095 288.923 ~~Division of~~ Tourism marketing; definitions;  
 3096 responsibilities.—

3097 (1) ~~There is created within Enterprise Florida, Inc., the~~  
 3098 ~~Division of Tourism Marketing.~~

3099 ~~(2)~~ As used in this section, the term:

3100 (a) "Tourism marketing" means any effort exercised to

3101 attract domestic and international visitors from outside the  
 3102 state to destinations in this state and to stimulate Florida  
 3103 resident tourism to areas within the state.

3104 (b) "Tourist" means any person who participates in trade  
 3105 or recreation activities outside the county of his or her  
 3106 permanent residence or who rents or leases transient living  
 3107 quarters or accommodations as described in s. 125.0104(3)(a).

3108 (c) "County destination marketing organization" means a  
 3109 public or private agency that is funded by local option tourist  
 3110 development tax revenues under s. 125.0104, or local option  
 3111 convention development tax revenues under s. 212.0305, and is  
 3112 officially designated by a county commission to market and  
 3113 promote the area for tourism or convention business or, in any  
 3114 county that has not levied such taxes, a public or private  
 3115 agency that is officially designated by the county commission to  
 3116 market and promote the area for tourism or convention business.

3117 (d) "Direct-support organization" means the Florida  
 3118 Tourism Industry Marketing Corporation.

3119 (2)~~(3)~~ The Department of Economic Opportunity Enterprise  
 3120 Florida, Inc., shall contract with the Florida Tourism Industry  
 3121 Marketing Corporation, a direct-support organization established  
 3122 in s. 288.1226, to execute tourism promotion and marketing  
 3123 services, functions, and programs for the state, including, but  
 3124 not limited to, the activities prescribed by the 4-year  
 3125 marketing plan. ~~The division shall assist to maintain and~~

3126 ~~implement the contract.~~

3127 (3)~~(4)~~ The department's ~~division's~~ responsibilities and  
 3128 duties include, but are not limited to:

3129 (a) Maintaining and implementing the contract with the  
 3130 Florida Tourism Industry Marketing Corporation.

3131 (b) ~~Advising the department and Enterprise Florida, Inc.,~~  
 3132 ~~on~~ Ensuring the development of domestic and international  
 3133 tourism marketing campaigns featuring Florida by the  
 3134 corporation.

3135 (c) Developing a 4-year marketing plan with the  
 3136 corporation.

3137 1. At a minimum, the marketing plan shall discuss the  
 3138 following:

3139 a. Continuation of overall tourism growth in this state.

3140 b. Expansion to new or under-represented tourist markets.

3141 c. Maintenance of traditional and loyal tourist markets.

3142 d. Coordination of efforts with county destination  
 3143 marketing organizations, other local government marketing  
 3144 groups, privately owned attractions and destinations, and other  
 3145 private sector partners to create a seamless, four-season  
 3146 advertising campaign for the state and its regions.

3147 e. Development of innovative techniques or promotions to  
 3148 build repeat visitation by targeted segments of the tourist  
 3149 population.

3150 f. Consideration of innovative sources of state funding

3151 for tourism marketing.

3152 g. Promotion of nature-based tourism and heritage tourism.

3153 h. Development of a component to address emergency  
 3154 response to natural and manmade disasters from a marketing  
 3155 standpoint.

3156 2. The plan shall be annual in construction and ongoing in  
 3157 nature. Any annual revisions of the plan shall carry forward the  
 3158 concepts of the remaining 3-year portion of the plan and  
 3159 consider a continuum portion to preserve the 4-year timeframe of  
 3160 the plan. The plan also shall include recommendations for  
 3161 specific performance standards and measurable outcomes for the  
 3162 ~~division and~~ direct-support organization. The department, ~~in~~  
 3163 ~~consultation with the board of directors of Enterprise Florida,~~  
 3164 ~~Inc.,~~ shall base the actual performance metrics on these  
 3165 recommendations.

3166 3. The 4-year marketing plan shall be developed in  
 3167 collaboration with the Florida Tourism Industry Marketing  
 3168 Corporation. The plan shall be annually reviewed and approved by  
 3169 the department ~~board of directors of Enterprise Florida, Inc.~~

3170 (d) Drafting and submitting an annual report ~~required by~~  
 3171 ~~s. 288.92.~~ The annual report shall set forth for the department  
 3172 ~~division~~ and the direct-support organization:

3173 1. Operations and accomplishments during the fiscal year,  
 3174 including the economic benefit of the state's investment and  
 3175 effectiveness of the marketing plan.

3176           2. The 4-year marketing plan, including recommendations on  
3177 methods for implementing and funding the plan.

3178           3. The assets and liabilities of the direct-support  
3179 organization at the end of its most recent fiscal year.

3180           4. A copy of the annual financial and compliance audit  
3181 conducted under s. 288.1226(6).

3182           ~~(5) Notwithstanding s. 288.92, the division shall be~~  
3183 ~~staffed by the Florida Tourism Industry Marketing Corporation.~~  
3184 ~~Such staff shall not be considered to be employees of the~~  
3185 ~~division and shall remain employees of the Florida Tourism~~  
3186 ~~Industry Marketing Corporation. Section 288.905 does not apply~~  
3187 ~~to the Florida Tourism Industry Marketing Corporation.~~

3188           (4)~~(6)~~ This section is repealed October 1, 2019, unless  
3189 reviewed and saved from repeal by the Legislature.

3190           Section 97. Section 288.95155, Florida Statutes, is  
3191 repealed.

3192           Section 98. Section 288.9519, Florida Statutes, is  
3193 repealed.

3194           Section 99. Section 288.9520, Florida Statutes, is amended  
3195 to read:

3196           288.9520 Public records exemption.—Materials that relate  
3197 to methods of manufacture or production, potential trade  
3198 secrets, potentially patentable material, actual trade secrets,  
3199 business transactions, financial and proprietary information,  
3200 and agreements or proposals to receive funding that are



3201 received, generated, ascertained, or discovered by the  
 3202 department ~~Enterprise Florida, Inc.~~, including its affiliates or  
 3203 subsidiaries and partnership participants, such as private  
 3204 enterprises, educational institutions, and other organizations,  
 3205 are confidential and exempt from the provisions of s. 119.07(1)  
 3206 and s. 24(a), Art. I of the State Constitution, except that a  
 3207 recipient of department ~~Enterprise Florida, Inc.~~, research funds  
 3208 shall make available, upon request, the title and description of  
 3209 the research project, the name of the researcher, and the amount  
 3210 and source of funding provided for the project.

3211 Section 100. Subsection (10) of section 288.9603, Florida  
 3212 Statutes, is amended to read:

3213 288.9603 Definitions.—

3214 ~~(10) "Partnership" means Enterprise Florida, Inc.~~

3215 Section 101. Subsection (2) of section 288.9604, Florida  
 3216 Statutes, is amended to read:

3217 288.9604 Creation of the authority.—

3218 (2) The Governor, subject to confirmation by the Senate,  
 3219 shall appoint the board of directors of the corporation, who  
 3220 shall be five in number. The terms of office for the directors  
 3221 shall be for 4 years from the date of their appointment. A  
 3222 vacancy occurring during a term shall be filled for the  
 3223 unexpired term. A director shall be eligible for reappointment.  
 3224 At least three of the directors of the corporation shall be  
 3225 bankers who have been selected by the Governor ~~from a list of~~

3226 ~~bankers who were nominated by Enterprise Florida, Inc.,~~ and one  
 3227 of the directors shall be an economic development specialist.

3228 Section 102. Paragraph (v) of subsection (2) of section  
 3229 288.9605, Florida Statutes, is amended to read:

3230 288.9605 Corporation powers.—

3231 (2) The corporation is authorized and empowered to:

3232 ~~(v) Enter into investment agreements with Enterprise~~  
 3233 ~~Florida, Inc., concerning the issuance of bonds and other forms~~  
 3234 ~~of indebtedness and capital.~~

3235 Section 103. Section 288.9614, Florida Statutes, is  
 3236 repealed.

3237 Section 104. Section 288.9621, Florida Statutes, is  
 3238 repealed.

3239 Section 105. Section 288.9622, Florida Statutes, is  
 3240 repealed.

3241 Section 106. Section 288.9623, Florida Statutes, is  
 3242 repealed.

3243 Section 107. Section 288.9624, Florida Statutes, is  
 3244 repealed.

3245 Section 108. Section 288.9625, Florida Statutes, is  
 3246 repealed.

3247 Section 109. Section 288.96255, Florida Statutes, is  
 3248 repealed.

3249 Section 110. Section 288.9626, Florida Statutes, is  
 3250 repealed.

3251           Section 111. Section 288.9627, Florida Statutes, is  
 3252 repealed.

3253           Section 112. Paragraph (b) of subsection (1) of section  
 3254 288.980, Florida Statutes, is amended to read:

3255           288.980 Military base retention; legislative intent;  
 3256 grants program.—

3257           (1)

3258           ~~(b) The Florida Defense Alliance, an organization within~~  
 3259 ~~Enterprise Florida, Inc., is designated as the organization to~~  
 3260 ~~ensure that Florida, its resident military bases and missions,~~  
 3261 ~~and its military host communities are in competitive positions~~  
 3262 ~~as the United States continues its defense realignment and~~  
 3263 ~~downsizing. The defense alliance shall serve as an overall~~  
 3264 ~~advisory body for defense-related activity of Enterprise~~  
 3265 ~~Florida, Inc. The Florida Defense Alliance may receive funding~~  
 3266 ~~from appropriations made for that purpose administered by the~~  
 3267 ~~department.~~

3268           Section 113. Section 288.991, Florida Statutes, is  
 3269 repealed.

3270           Section 114. Section 288.9912, Florida Statutes, is  
 3271 repealed.

3272           Section 115. Section 288.9913, Florida Statutes, is  
 3273 repealed.

3274           Section 116. Section 288.9914, Florida Statutes, is  
 3275 repealed.

3276           Section 117. Section 288.9915, Florida Statutes, is  
 3277 repealed.

3278           Section 118. Section 288.9916, Florida Statutes, is  
 3279 repealed.

3280           Section 119. Section 288.9917, Florida Statutes, is  
 3281 repealed.

3282           Section 120. Section 288.9918, Florida Statutes, is  
 3283 repealed.

3284           Section 121. Section 288.9919, Florida Statutes, is  
 3285 repealed.

3286           Section 122. Section 288.9920, Florida Statutes, is  
 3287 repealed.

3288           Section 123. Section 288.9921, Florida Statutes, is  
 3289 repealed.

3290           Section 124. Section 288.9922, Florida Statutes, is  
 3291 repealed.

3292           Section 125. Subsection (4) of section 288.9932, Florida  
 3293 Statutes, is amended to read:  
 3294           288.9932 Definitions.—As used in this part, the term:  
 3295           ~~(4) "Network" means the Florida Small Business Development~~  
 3296 ~~Center Network.~~

3297           Section 126. Paragraphs (e) and (f) of subsection (4) and  
 3298 paragraph (b) of subsection (8) of section 288.9934, Florida  
 3299 Statutes, are amended to read:  
 3300           288.9934 Microfinance Loan Program.—

3301 (4) CONTRACT AND AWARD OF FUNDS.—

3302 ~~(c) Within 30 days of executing its contract with the~~  
 3303 ~~department, the loan administrator must enter into a memorandum~~  
 3304 ~~of understanding with the network:~~

3305 ~~1. For the provision of business management training,~~  
 3306 ~~business development training, and technical assistance to~~  
 3307 ~~entrepreneurs and small businesses that receive microloans under~~  
 3308 ~~this part; and~~

3309 ~~2. To promote the program to underserved entrepreneurs and~~  
 3310 ~~small businesses.~~

3311 ~~(f) By September 1, 2014, the department shall review~~  
 3312 ~~industry best practices and determine the minimum business~~  
 3313 ~~management training, business development training, and~~  
 3314 ~~technical assistance that must be provided by the network to~~  
 3315 ~~achieve the goals of this part.~~

3316 (8) AUDITS AND REPORTING.—

3317 (b) The loan administrator shall submit quarterly reports  
 3318 to the department as required by s. 288.9936(2) ~~288.9936(3)~~.

3319 Section 127. Section 288.9935, Florida Statutes, is  
 3320 repealed.

3321 Section 128. Paragraph (p) of subsection (1) and  
 3322 subsection (2) of section 288.9936, Florida Statutes, are  
 3323 amended to read:

3324 288.9936 Annual report of the Microfinance Loan Program.—

3325 (1) The department shall include in the report required by

3326 s. 20.60(10) a complete and detailed annual report on the  
3327 Microfinance Loan Program. The report must include:

3328 ~~(p) A description and evaluation of the technical~~  
3329 ~~assistance and business management and development training~~  
3330 ~~provided by the network pursuant to its memorandum of~~  
3331 ~~understanding with the loan administrator.~~

3332 ~~(2) The department shall submit the report provided to the~~  
3333 ~~department from Enterprise Florida, Inc., pursuant to s.~~  
3334 ~~288.9935(8) for inclusion in the department's annual report~~  
3335 ~~required under s. 20.60(10).~~

3336 Section 129. Section 288.9937, Florida Statutes, is  
3337 amended to read:

3338 288.9937 Evaluation of programs.—The Office of Economic  
3339 and Demographic Research shall analyze, evaluate, and determine  
3340 the economic benefits, as defined in s. 288.005, of the first 3  
3341 years of the Microfinance Loan Program ~~and the Microfinance~~  
3342 ~~Guarantee Program~~. The analysis must also evaluate the number of  
3343 jobs created, the increase or decrease in personal income, and  
3344 the impact on state gross domestic product from the direct,  
3345 indirect, and induced effects of the state's investment. The  
3346 analysis must also identify any inefficiencies in the program  
3347 ~~programs~~ and provide recommendations for changes to the program  
3348 ~~programs~~. The office shall submit a report to the President of  
3349 the Senate and the Speaker of the House of Representatives by  
3350 January 1, 2018. This section expires January 31, 2018.

3351 Section 130. Paragraph (h) of subsection (8) and paragraph  
 3352 (a) of subsection (9) of section 290.0056, Florida Statutes, are  
 3353 amended to read:

3354 290.0056 Enterprise zone development agency.—

3355 (8) The enterprise zone development agency shall have the  
 3356 following powers and responsibilities:

3357 (h) To work with the department ~~and Enterprise Florida,~~  
 3358 ~~Inc.,~~ to ensure that the enterprise zone coordinator receives  
 3359 training on an annual basis.

3360 (9) The following powers and responsibilities shall be  
 3361 performed by the governing body creating the enterprise zone  
 3362 development agency acting as the managing agent of the  
 3363 enterprise zone development agency, or, contingent upon approval  
 3364 by such governing body, such powers and responsibilities shall  
 3365 be performed by the enterprise zone development agency:

3366 (a) To review, process, and certify applications for state  
 3367 enterprise zone tax incentives pursuant to ss. 212.08(5)(f) and  
 3368 (g) ~~212.08(5)(g), (h),~~ and (15); 212.096; 220.181; and 220.182.

3369 Section 131. Paragraph (b) of subsection (4) and  
 3370 subsection (7) of section 290.0065, Florida Statutes, are  
 3371 amended to read:

3372 290.0065 State designation of enterprise zones.—

3373 (4)

3374 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The  
 3375 department shall, based on the enterprise zone profile and the

3376 grounds for redesignation expressed in the resolution, determine  
 3377 whether the enterprise zone merits redesignation. The department  
 3378 may also examine and consider the following:

3379 1. Progress made, if any, in the enterprise zone's  
 3380 strategic plan.

3381 2. Use of enterprise zone incentives during the life of  
 3382 the enterprise zone.

3383

3384 If the department determines that the enterprise zone merits  
 3385 redesignation, the department shall notify the governing body in  
 3386 writing of its approval of redesignation.

3387 (7) Upon approval by the department of a resolution  
 3388 authorizing an area to be an enterprise zone pursuant to this  
 3389 section, the department shall assign a unique identifying number  
 3390 to that resolution. ~~The department shall provide the Department~~  
 3391 ~~of Revenue and Enterprise Florida, Inc., with a copy of each~~  
 3392 ~~resolution approved, together with its identifying number.~~

3393 Section 132. Section 290.00677, Florida Statutes, is  
 3394 amended to read:

3395 290.00677 Rural enterprise zones; special qualifications.-

3396 (1) Notwithstanding the enterprise zone residency  
 3397 requirements set out in s. 212.096(1)(c), eligible businesses as  
 3398 defined in s. 212.096(1)(a) located in rural enterprise zones as  
 3399 defined in s. 290.004 may receive the basic minimum credit  
 3400 provided under s. 212.096 for creating a new job and hiring a



3401 person residing within the jurisdiction of a rural community ~~as~~  
3402 ~~defined in s. 288.106(2)~~. All other provisions of s. 212.096,  
3403 including, but not limited to, those relating to the award of  
3404 enhanced credits, apply to such businesses.

3405 (2) Notwithstanding the enterprise zone residency  
3406 requirements set out in s. 220.03(1)(q), businesses as defined  
3407 in s. 220.03(1)(c) located in rural enterprise zones as defined  
3408 in s. 290.004 may receive the basic minimum credit provided  
3409 under s. 220.181 for creating a new job and hiring a person  
3410 residing within the jurisdiction of a rural community ~~as defined~~  
3411 ~~in s. 288.106(2)~~. All other provisions of s. 220.181, including,  
3412 but not limited to, those relating to the award of enhanced  
3413 credits, apply to such businesses.

3414 (3) As used in this section, the term "rural community"  
3415 means:

3416 (a) A county having a population of 75,000 or fewer.

3417 (b) A county having a population of 125,000 or fewer that  
3418 is contiguous to a county having a population of 75,000 or  
3419 fewer.

3420 (c) A municipality within a county described in paragraph  
3421 (a) or paragraph (b).

3422  
3423 For purposes of this subsection, population shall be determined  
3424 in accordance with the most recent official estimate pursuant to  
3425 s. 186.901.

3426 Section 133. Subsections (4), (5), and (6) of section  
 3427 290.007, Florida Statutes, are amended to read:

3428 290.007 State incentives available in enterprise zones.—  
 3429 The following incentives are provided by the state to encourage  
 3430 the revitalization of enterprise zones:

3431 (4) The sales tax exemption for building materials used in  
 3432 the rehabilitation of real property in enterprise zones provided  
 3433 in s. 212.08(5)(f) ~~212.08(5)(g)~~.

3434 (5) The sales tax exemption for business equipment used in  
 3435 an enterprise zone provided in s. 212.08(5)(g) ~~212.08(5)(h)~~.

3436 (6) The sales tax exemption for electrical energy used in  
 3437 an enterprise zone provided in s. 212.08(14) ~~212.08(15)~~.

3438 Section 134. Subsections (3) and (4) of section 290.053,  
 3439 Florida Statutes, are amended to read:

3440 290.053 Response to economic emergencies in small  
 3441 communities.—

3442 (3) A local government entity shall notify the Governor  
 3443 and, the Department of Economic Opportunity, ~~and Enterprise~~  
 3444 ~~Florida, Inc.~~, when one or more of the conditions specified in  
 3445 subsection (2) have occurred or will occur if action is not  
 3446 taken to assist the local governmental entity or the affected  
 3447 community.

3448 (4) Upon notification that one or more of the conditions  
 3449 described in subsection (2) exist, the Governor or his or her  
 3450 designee shall contact the local governmental entity to

3451 determine what actions have been taken by the local governmental  
3452 entity or the affected community to resolve the economic  
3453 emergency. The Governor may waive the eligibility criteria of  
3454 any program or activity administered by the Department of  
3455 Economic Opportunity ~~or Enterprise Florida, Inc.,~~ to provide  
3456 economic relief to the affected community by granting  
3457 participation in such programs or activities. The Governor shall  
3458 consult with the President of the Senate and the Speaker of the  
3459 House of Representatives and shall take other action, as  
3460 necessary, to resolve the economic emergency in the most  
3461 expedient manner possible. All actions taken pursuant to this  
3462 section shall be within current appropriations and shall have no  
3463 annualized impact beyond normal growth.

3464 Section 135. Paragraphs (a), (d), and (e) of subsection  
3465 (3) and subsection (4) of section 295.22, Florida Statutes, are  
3466 amended to read:

3467 295.22 Veterans Employment and Training Services Program.—

3468 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall  
3469 administer the Veterans Employment and Training Services Program  
3470 and perform all of the following functions:

3471 (a) Conduct marketing and recruiting efforts directed at  
3472 veterans who reside in or who have an interest in relocating to  
3473 this state and who are seeking employment. Marketing must  
3474 include information related to how a veteran's military  
3475 experience can be valuable to a business. Such efforts may

3476 include attending veteran job fairs and events, hosting events  
3477 for veterans or the business community, and using digital and  
3478 social media and direct mail campaigns. ~~The corporation shall~~  
3479 ~~also include such marketing as part of its main marketing~~  
3480 ~~campaign.~~

3481 (d) Create a grant program to provide funding to assist  
3482 veterans in meeting the workforce-skill needs of businesses  
3483 seeking to hire veterans, establish criteria for approval of  
3484 requests for funding, and maximize the use of funding for this  
3485 program. Grant funds may be used only in the absence of  
3486 available veteran-specific federally funded programs. Grants may  
3487 fund specialized training specific to a particular business.

3488 1. Grant funds may be allocated to any training provider  
3489 selected by the business, including a career center, a Florida  
3490 College System institution, a state university, or an in-house  
3491 training provider of the business. If grant funds are used to  
3492 provide a technical certificate, a licensure, or a degree, funds  
3493 may be allocated only upon a review that includes, but is not  
3494 limited to, documentation of accreditation and licensure.  
3495 Instruction funded through the program terminates when  
3496 participants demonstrate competence at the level specified in  
3497 the request but may not exceed 48 months. Preference shall be  
3498 given to ~~target industry businesses, as defined in s. 288.106,~~  
3499 ~~and to~~ businesses in the defense supply, cloud virtualization,  
3500 or commercial aviation manufacturing industries.

3501           2. Costs and expenditures for the grant program must be  
 3502 documented and separated from those incurred by the training  
 3503 provider. Costs and expenditures shall be limited to \$8,000 per  
 3504 veteran trainee. Eligible costs and expenditures include:

- 3505           a. Tuition and fees.
- 3506           b. Curriculum development.
- 3507           c. Books and classroom materials.
- 3508           d. Rental fees for facilities at public colleges and  
 3509 universities, including virtual training labs.
- 3510           e. Overhead or indirect costs not to exceed 5 percent of  
 3511 the grant amount.

3512           3. Before funds are allocated for a request pursuant to  
 3513 this section, the corporation shall prepare a grant agreement  
 3514 between the business requesting funds, the educational  
 3515 institution or training provider receiving funding through the  
 3516 program, and the corporation. Such agreement must include, but  
 3517 need not be limited to:

- 3518           a. Identification of the personnel necessary to conduct  
 3519 the instructional program, the qualifications of such personnel,  
 3520 and the respective responsibilities of the parties for paying  
 3521 costs associated with the employment of such personnel.
- 3522           b. Identification of the match provided by the business,  
 3523 including cash and in-kind contributions, equal to at least 50  
 3524 percent of the total grant amount.
- 3525           c. Identification of the estimated duration of the

3526 instructional program.

3527 d. Identification of all direct, training-related costs.

3528 e. Identification of special program requirements that are  
3529 not otherwise addressed in the agreement.

3530 f. Permission to access aggregate information specific to  
3531 the wages and performance of participants upon the completion of  
3532 instruction for evaluation purposes. The agreement must specify  
3533 that any evaluation published subsequent to the instruction may  
3534 not identify the employer or any individual participant.

3535 ~~4. A business may receive a grant under the Quick Response~~  
3536 ~~Training Program created under s. 288.047 and a grant under this~~  
3537 ~~section for the same veteran trainee. If a business receives~~  
3538 ~~funds under both programs, one grant agreement may be entered~~  
3539 ~~into with CareerSource Florida, Inc., as the grant~~  
3540 ~~administrator.~~

3541 (e) Contract with one or more entities to administer an  
3542 entrepreneur initiative program for veterans in this state which  
3543 connects business leaders in the state with veterans seeking to  
3544 become entrepreneurs.

3545 1. The corporation shall award each contract in accordance  
3546 with the competitive bidding requirements in s. 287.057 to one  
3547 or more public or private universities that:

3548 a. Demonstrate the ability to implement the program and  
3549 the commitment of university resources, including financial  
3550 resources, to such programs.

3551 b. Have a military and veteran resource center.

3552 ~~e. Have a regional small business development center in~~  
3553 ~~the Florida Small Business Development Center Network.~~

3554 c.d. As determined by the corporation, have been  
3555 nationally recognized for commitment to the military and  
3556 veterans.

3557 2. Each contract must include performance metrics,  
3558 including a focus on employment and business creation. Each  
3559 university must coordinate with any entrepreneurship center  
3560 located at the university. The university may also work with an  
3561 entity offering related programs to refer veterans or to provide  
3562 services. The entrepreneur initiative program may include  
3563 activities and assistance such as peer-to-peer learning  
3564 sessions, mentoring, technical assistance, business roundtables,  
3565 networking opportunities, support of student organizations,  
3566 speaker series, or other tools within a virtual environment.

3567 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~  
3568 ~~Inc., shall provide information about the corporation and its~~  
3569 ~~services to prospective, new, expanding, and relocating~~  
3570 ~~businesses seeking to conduct business in this state. Enterprise~~  
3571 ~~Florida, Inc., shall, to the greatest extent possible,~~  
3572 ~~collaborate with the corporation to meet the employment needs,~~  
3573 ~~including meeting the job creation requirements, of any business~~  
3574 ~~receiving assistance or services from Enterprise Florida, Inc.~~

3575 Section 136. Section 295.23, Florida Statutes, is

3576 repealed.

3577 Section 137. Paragraph (a) of subsection (6), paragraph  
 3578 (b) of subsection (9), paragraph (a) of subsection (35),  
 3579 subsection (60), and paragraph (b) of subsection (64) of section  
 3580 320.08058, Florida Statutes, are amended to read:

3581 320.08058 Specialty license plates.—

3582 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE  
 3583 PLATES.—

3584 (a) Because the United States Olympic Committee has  
 3585 selected this state to participate in a combined fundraising  
 3586 program that provides for one-half of all money raised through  
 3587 volunteer giving to stay in this state ~~and be administered by~~  
 3588 ~~Enterprise Florida, Inc.,~~ to support amateur sports, ~~and because~~  
 3589 the United States Olympic Committee is a ~~and Enterprise Florida,~~  
 3590 ~~Inc.,~~ are nonprofit organization ~~organizations~~ dedicated to  
 3591 providing athletes with support and training and preparing  
 3592 athletes of all ages and skill levels for sports competition,  
 3593 and because ~~Enterprise Florida, Inc.,~~ ~~assists in the bidding for~~  
 3594 ~~sports competitions that provide significant impact to the~~  
 3595 ~~economy of this state,~~ and the Legislature supports the efforts  
 3596 of the United States Olympic Committee ~~and Enterprise Florida,~~  
 3597 ~~Inc.,~~ the Legislature establishes a Florida United States  
 3598 Olympic Committee license plate for the purpose of providing a  
 3599 continuous funding source to support this worthwhile effort.  
 3600 Florida United States Olympic Committee license plates must



3601 contain the official United States Olympic Committee logo and  
3602 must bear a design and colors that are approved by the  
3603 department. The word "Florida" must be centered at the top of  
3604 the plate.

3605 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

3606 (b) The license plate annual use fees are to be annually  
3607 distributed as follows:

3608 1. Fifty-five percent of the proceeds from the Florida  
3609 Professional Sports Team plate must be deposited into the  
3610 Professional Sports Development Trust Fund within the Department  
3611 of Economic Opportunity. These funds must be used  
3612 solely to attract and support major sports events in this state.  
3613 As used in this subparagraph, the term "major sports events"  
3614 means, but is not limited to, championship or all-star contests  
3615 of Major League Baseball, the National Basketball Association,  
3616 the National Football League, the National Hockey League, Major  
3617 League Soccer, the men's and women's National Collegiate  
3618 Athletic Association Final Four basketball championship, or a  
3619 horseracing or dogracing Breeders' Cup. All funds must be used  
3620 to support and promote major sporting events, and the uses must  
3621 be approved by the Department of Economic Opportunity.

3622 2. The remaining proceeds of the Florida Professional  
3623 Sports Team license plate must be allocated to the Florida  
3624 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be  
3625 deposited into the Professional Sports Development Trust Fund

3626 within the Department of Economic Opportunity. These funds must  
3627 be used by the Florida Sports Foundation ~~Enterprise Florida,~~  
3628 ~~Inc.,~~ to promote the economic development of the sports  
3629 industry; to distribute licensing and royalty fees to  
3630 participating professional sports teams; to promote education  
3631 programs in Florida schools that provide an awareness of the  
3632 benefits of physical activity and nutrition standards; to  
3633 partner with the Department of Education and the Department of  
3634 Health to develop a program that recognizes schools whose  
3635 students demonstrate excellent physical fitness or fitness  
3636 improvement; to institute a grant program for communities  
3637 bidding on minor sporting events that create an economic impact  
3638 for the state; to distribute funds to Florida-based charities  
3639 designated by the Florida Sports Foundation ~~Enterprise Florida,~~  
3640 ~~Inc.,~~ and the participating professional sports teams; and to  
3641 fulfill the sports promotion responsibilities of the Department  
3642 of Economic Opportunity.

3643 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~  
3644 shall provide an annual financial audit in accordance with s.  
3645 215.981 of its financial accounts and records by an independent  
3646 certified public accountant pursuant to the contract established  
3647 by the Department of Economic Opportunity. The auditor shall  
3648 submit the audit report to the Department of Economic  
3649 Opportunity for review and approval. If the audit report is  
3650 approved, the Department of Economic Opportunity shall certify

3651 the audit report to the Auditor General for review.

3652 4. Notwithstanding the provisions of subparagraphs 1. and  
 3653 2., proceeds from the Professional Sports Development Trust Fund  
 3654 may also be used for operational expenses of the Florida Sports  
 3655 Foundation ~~Enterprise Florida, Inc.~~, and financial support of  
 3656 the Sunshine State Games.

3657 (35) FLORIDA GOLF LICENSE PLATES.—

3658 (a) The Department of Highway Safety and Motor Vehicles  
 3659 shall develop a Florida Golf license plate as provided in this  
 3660 section. The word "Florida" must appear at the bottom of the  
 3661 plate. The Dade Amateur Golf Association, following consultation  
 3662 with the Florida Sports Foundation and the PGA TOUR, ~~Enterprise~~  
 3663 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a  
 3664 revised sample plate for consideration by the department.

3665 (60) FLORIDA NASCAR LICENSE PLATES.—

3666 (a) The department shall develop a Florida NASCAR license  
 3667 plate as provided in this section. Florida NASCAR license plates  
 3668 must bear the colors and design approved by the department. The  
 3669 word "Florida" must appear at the top of the plate, and the term  
 3670 "NASCAR" must appear at the bottom of the plate. The National  
 3671 Association for Stock Car Auto Racing, following consultation  
 3672 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may  
 3673 submit a sample plate for consideration by the department.

3674 (b) The license plate annual use fees shall be distributed  
 3675 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The

3676 license plate annual use fees shall be annually allocated as  
 3677 follows:

3678 1. Up to 5 percent of the proceeds from the annual use  
 3679 fees may be used by the Department of Economic Opportunity  
 3680 ~~Enterprise Florida, Inc.,~~ for the administration of the NASCAR  
 3681 license plate program.

3682 2. The National Association for Stock Car Auto Racing  
 3683 shall receive up to \$60,000 in proceeds from the annual use fees  
 3684 to be used to pay startup costs, including costs incurred in  
 3685 developing and issuing the plates. Thereafter, 10 percent of the  
 3686 proceeds from the annual use fees shall be provided to the  
 3687 association for the royalty rights for the use of its marks.

3688 3. The remaining proceeds from the annual use fees shall  
 3689 be distributed to the Florida Sports Foundation ~~Enterprise~~  
 3690 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~  
 3691 ~~Inc.,~~ will retain 15 percent to support its regional grant  
 3692 program, attracting sporting events to Florida; 20 percent to  
 3693 support the marketing of motorsports-related tourism in the  
 3694 state; and 50 percent to be paid to the NASCAR Foundation, a s.  
 3695 501(c)(3) charitable organization, to support Florida-based  
 3696 charitable organizations.

3697 (c) The Florida Sports Foundation ~~Enterprise Florida,~~  
 3698 ~~Inc.,~~ shall provide an annual financial audit in accordance with  
 3699 s. 215.981 of its financial accounts and records by an  
 3700 independent certified public accountant pursuant to the contract

3701 established by the Department of Economic Opportunity. The  
3702 auditor shall submit the audit report to the Department of  
3703 Economic Opportunity for review and approval. If the audit  
3704 report is approved, the Department of Economic Opportunity shall  
3705 certify the audit report to the Auditor General for review.

3706 (64) FLORIDA TENNIS LICENSE PLATES.—

3707 (b) The department shall distribute the annual use fees to  
3708 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The  
3709 license plate annual use fees shall be annually allocated as  
3710 follows:

3711 1. Up to 5 percent of the proceeds from the annual use  
3712 fees may be used by the Florida Sports Foundation ~~Enterprise~~  
3713 ~~Florida, Inc.~~, to administer the license plate program.

3714 2. The United States Tennis Association Florida Section  
3715 Foundation shall receive the first \$60,000 in proceeds from the  
3716 annual use fees to reimburse it for startup costs,  
3717 administrative costs, and other costs it incurs in the  
3718 development and approval process.

3719 3. Up to 5 percent of the proceeds from the annual use  
3720 fees may be used for promoting and marketing the license plates.  
3721 The remaining proceeds shall be available for grants by the  
3722 United States Tennis Association Florida Section Foundation to  
3723 nonprofit organizations to operate youth tennis programs and  
3724 adaptive tennis programs for special populations of all ages,  
3725 and for building, renovating, and maintaining public tennis

3726 courts.

3727 Section 138. Subsections (2), (3), and (6) of section  
 3728 331.3051, Florida Statutes, are amended to read:

3729 331.3051 Duties of Space Florida.—Space Florida shall:

3730 (2) Enter into agreement with the Department of Education,  
 3731 the Department of Transportation, ~~Enterprise Florida, Inc.~~, and  
 3732 CareerSource Florida, Inc., for the purpose of implementing this  
 3733 act.

3734 (3) ~~In cooperation with Enterprise Florida, Inc.~~ Develop  
 3735 a plan to retain, expand, attract, and create aerospace industry  
 3736 entities, public or private, which results in the creation of  
 3737 high-value-added businesses and jobs in this state.

3738 (6) ~~Develop, in cooperation with Enterprise Florida, Inc.~~  
 3739 a plan to provide financing assistance to aerospace businesses.  
 3740 The plan may include the following activities:

3741 (a) Assembling, publishing, and disseminating information  
 3742 concerning financing opportunities and techniques for aerospace  
 3743 projects, programs, and activities; sources of public and  
 3744 private aerospace financing assistance; and sources of  
 3745 aerospace-related financing.

3746 (b) Organizing, hosting, and participating in seminars and  
 3747 other forums designed to disseminate information and technical  
 3748 assistance regarding aerospace-related financing.

3749 (c) Coordinating with programs and goals of the Department  
 3750 of Defense, the National Aeronautics and Space Administration,

3751 the Export-Import Bank of the United States, the International  
3752 Trade Administration of the United States Department of  
3753 Commerce, the Foreign Credit Insurance Association, and other  
3754 private and public programs and organizations, domestic and  
3755 foreign.

3756 (d) Establishing a network of contacts among those  
3757 domestic and foreign public and private organizations that  
3758 provide information, technical assistance, and financial support  
3759 to the aerospace industry.

3760 (e) Financing aerospace business development projects or  
3761 initiatives using funds provided by the Legislature.

3762 Section 139. Section 331.3081, Florida Statutes, is  
3763 amended to read:

3764 331.3081 Board of directors.—Space Florida shall be  
3765 governed by a 13-member independent board of directors. The  
3766 Governor, or his or her designee, shall serve as an ex officio  
3767 voting member and chair of the board. The other 12 members shall  
3768 be appointed from the private sector, 6 of whom shall be  
3769 appointed by the Governor, 3 of whom shall be appointed by the  
3770 President of the Senate, and 3 of whom shall be appointed by the  
3771 Speaker of the House of Representatives ~~that consists of the~~  
3772 ~~members appointed to the board of directors of Enterprise~~  
3773 ~~Florida, Inc., by the Governor, the President of the Senate, and~~  
3774 ~~the Speaker of the House of Representatives pursuant to s.~~  
3775 ~~288.901(5)(a)7. and the Governor, who shall serve ex officio, or~~

3776 | ~~who may appoint a designee to serve, as the chair and a voting~~  
 3777 | ~~member of the board.~~

3778 | Section 140. Paragraph (f) of subsection (1) of section  
 3779 | 339.08, Florida Statutes, is amended to read:

3780 | 339.08 Use of moneys in State Transportation Trust Fund.—

3781 | (1) The department shall expend moneys in the State  
 3782 | Transportation Trust Fund accruing to the department, in  
 3783 | accordance with its annual budget. The use of such moneys shall  
 3784 | be restricted to the following purposes:

3785 | ~~(f) To pay the cost of economic development transportation~~  
 3786 | ~~projects in accordance with s. 339.2821.~~

3787 | Section 141. Section 339.2821, Florida Statutes, is  
 3788 | repealed.

3789 | Section 142. Subsection (2) of section 364.0135, Florida  
 3790 | Statutes, is amended to read:

3791 | 364.0135 Promotion of broadband adoption.—

3792 | (2) The Department of Management Services is authorized to  
 3793 | work collaboratively with, and to receive staffing support and  
 3794 | other resources from, ~~Enterprise Florida, Inc.,~~ state agencies,  
 3795 | local governments, private businesses, and community  
 3796 | organizations to:

3797 | (a) Monitor the adoption of broadband Internet service in  
 3798 | collaboration with communications service providers, including,  
 3799 | but not limited to, wireless and wireline Internet service  
 3800 | providers, to develop geographical information system maps at



3801 the census tract level that will:

3802 1. Identify geographic gaps in broadband services,  
3803 including areas unserved by any broadband provider and areas  
3804 served by a single broadband provider;

3805 2. Identify the download and upload transmission speeds  
3806 made available to businesses and individuals in the state, at  
3807 the census tract level of detail, using data rate benchmarks for  
3808 broadband service used by the Federal Communications Commission  
3809 to reflect different speed tiers; and

3810 3. Provide a baseline assessment of statewide broadband  
3811 deployment in terms of percentage of households with broadband  
3812 availability.

3813 (b) Create a strategic plan that has goals and strategies  
3814 for increasing the use of broadband Internet service in the  
3815 state.

3816 (c) Build and facilitate local technology planning teams  
3817 or partnerships with members representing cross-sections of the  
3818 community, which may include, but are not limited to,  
3819 representatives from the following organizations and industries:  
3820 libraries, K-12 education, colleges and universities, local  
3821 health care providers, private businesses, community  
3822 organizations, economic development organizations, local  
3823 governments, tourism, parks and recreation, and agriculture.

3824 (d) Encourage the use of broadband Internet service,  
3825 especially in the rural, unserved, and underserved communities

3826 of the state through grant programs having effective strategies  
3827 to facilitate the statewide deployment of broadband Internet  
3828 service. For any grants to be awarded, priority must be given to  
3829 projects that:

3830 1. Provide access to broadband education, awareness,  
3831 training, access, equipment, and support to libraries, schools,  
3832 colleges and universities, health care providers, and community  
3833 support organizations.

3834 2. Encourage the sustainable adoption of broadband in  
3835 primarily unserved areas by removing barriers to entry.

3836 3. Work toward encouraging investments in establishing  
3837 affordable and sustainable broadband Internet service in  
3838 unserved areas of the state.

3839 4. Facilitate the development of applications, programs,  
3840 and services, including, but not limited to, telework,  
3841 telemedicine, and e-learning to increase the usage of, and  
3842 demand for, broadband Internet service in the state.

3843 Section 143. Paragraph (d) of subsection (1) of section  
3844 376.82, Florida Statutes, is amended to read:

3845 376.82 Eligibility criteria and liability protection.—

3846 (1) ELIGIBILITY.—Any person who has not caused or  
3847 contributed to the contamination of a brownfield site on or  
3848 after July 1, 1997, is eligible to participate in the brownfield  
3849 program established in ss. 376.77-376.85, subject to the  
3850 following:

3851 (d) After July 1, 1997, petroleum and drycleaning  
 3852 contamination sites shall not receive both restoration funding  
 3853 assistance available for the discharge under this chapter ~~and~~  
 3854 ~~any state assistance available under s. 288.107.~~ Nothing in this  
 3855 act shall affect the cleanup criteria, priority ranking, and  
 3856 other rights and obligations inherent in petroleum contamination  
 3857 and drycleaning contamination site rehabilitation under ss.  
 3858 376.30-376.317, or the availability of economic incentives  
 3859 otherwise provided for by law.

3860 Section 144. Paragraph (h) of subsection (2) of section  
 3861 377.703, Florida Statutes, is amended to read:

3862 377.703 Additional functions of the Department of  
 3863 Agriculture and Consumer Services.—

3864 (2) DUTIES.—The department shall perform the following  
 3865 functions, unless as otherwise provided, consistent with the  
 3866 development of a state energy policy:

3867 (h) The department shall promote the development and use  
 3868 of renewable energy resources, in conformance with chapter 187  
 3869 and s. 377.601, by:

3870 1. Establishing goals and strategies for increasing the  
 3871 use of renewable energy in this state.

3872 2. Aiding and promoting the commercialization of renewable  
 3873 energy resources, in cooperation with the Florida Energy Systems  
 3874 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~  
 3875 ~~Inc.,~~ and any other federal, state, or local governmental agency

3876 that may seek to promote research, development, and the  
 3877 demonstration of renewable energy equipment and technology.

3878 3. Identifying barriers to greater use of renewable energy  
 3879 resources in this state, and developing specific recommendations  
 3880 for overcoming identified barriers, with findings and  
 3881 recommendations to be submitted annually in the report to the  
 3882 Governor and Legislature required under paragraph (f).

3883 4. In cooperation with the Department of Environmental  
 3884 Protection, the Department of Transportation, the Department of  
 3885 Economic Opportunity, ~~Enterprise Florida, Inc.~~, the Florida  
 3886 Energy Systems Consortium, the Florida Solar Energy Center, and  
 3887 the Florida Solar Energy Industries Association, investigating  
 3888 opportunities, pursuant to the national Energy Policy Act of  
 3889 1992, the Housing and Community Development Act of 1992, and any  
 3890 subsequent federal legislation, for renewable energy resources,  
 3891 electric vehicles, and other renewable energy manufacturing,  
 3892 distribution, installation, and financing efforts that enhance  
 3893 this state's position as the leader in renewable energy  
 3894 research, development, and use.

3895 5. Undertaking other initiatives to advance the  
 3896 development and use of renewable energy resources in this state.

3897  
 3898 In the exercise of its responsibilities under this paragraph,  
 3899 the department shall seek the assistance of the renewable energy  
 3900 industry in this state and other interested parties and may

3901 enter into contracts, retain professional consulting services,  
3902 and expend funds appropriated by the Legislature for such  
3903 purposes.

3904 Section 145. Subsection (5) of section 377.804, Florida  
3905 Statutes, is amended to read:

3906 377.804 Renewable Energy and Energy-Efficient Technologies  
3907 Grants Program.—

3908 (5) The department shall solicit the expertise of state  
3909 agencies, ~~Enterprise Florida, Inc.~~, and state universities, and  
3910 may solicit the expertise of other public and private entities  
3911 it deems appropriate, in evaluating project proposals. State  
3912 agencies shall cooperate with the department and provide such  
3913 assistance as requested.

3914 Section 146. Paragraph (a) of subsection (4) of section  
3915 377.809, Florida Statutes, is amended to read:

3916 377.809 Energy Economic Zone Pilot Program.—

3917 (4) (a) Beginning July 1, 2012, all the incentives and  
3918 benefits provided for enterprise zones pursuant to state law  
3919 shall be available to the energy economic zones designated  
3920 pursuant to this section on or before July 1, 2010. In order to  
3921 provide incentives, by March 1, 2012, each local governing body  
3922 that has jurisdiction over an energy economic zone must, by  
3923 local ordinance, establish the boundary of the energy economic  
3924 zone, specify applicable energy-efficiency standards, and  
3925 determine eligibility criteria for the application of state and

3926 local incentives and benefits in the energy economic zone.  
 3927 ~~However, in order to receive benefits provided under s. 288.106,~~  
 3928 ~~a business must be a qualified target industry business under s.~~  
 3929 ~~288.106 for state purposes.~~ An energy economic zone's boundary  
 3930 may be revised by local ordinance. Such incentives and benefits  
 3931 include those in ss. ~~212.08,~~ 212.096, 220.181, 220.182, 220.183,  
 3932 ~~288.106,~~ and 624.5105 and the public utility discounts provided  
 3933 in s. 290.007(8). ~~The exemption provided in s. 212.08(5)(c)~~  
 3934 ~~shall be for renewable energy as defined in s. 377.803.~~ For  
 3935 purposes of this section, any applicable requirements for  
 3936 employee residency for higher refund or credit thresholds must  
 3937 be based on employee residency in the energy economic zone or an  
 3938 enterprise zone. A business in an energy economic zone may also  
 3939 be eligible for funding under s. ss. 288.047 and 445.003, ~~and a~~  
 3940 ~~transportation project in an energy economic zone shall be~~  
 3941 ~~provided priority in funding under s. 339.2821.~~ Other projects  
 3942 shall be given priority ranking to the extent practicable for  
 3943 grants administered under state energy programs.

3944 Section 147. Subsection (24) of section 380.06, Florida  
 3945 Statutes, is amended to read:

3946 380.06 Developments of regional impact.—

3947 (24) STATUTORY EXEMPTIONS.—

3948 (a) Any proposed hospital is exempt from this section.

3949 (b) Any proposed electrical transmission line or  
 3950 electrical power plant is exempt from this section.

3951 (c) Any proposed addition to an existing sports facility  
 3952 complex is exempt from this section if the addition meets the  
 3953 following characteristics:

3954 1. It would not operate concurrently with the scheduled  
 3955 hours of operation of the existing facility.

3956 2. Its seating capacity would be no more than 75 percent  
 3957 of the capacity of the existing facility.

3958 3. The sports facility complex property is owned by a  
 3959 public body before July 1, 1983.

3960

3961 This exemption does not apply to any pari-mutuel facility.

3962 (d) Any proposed addition or cumulative additions  
 3963 subsequent to July 1, 1988, to an existing sports facility  
 3964 complex owned by a state university is exempt if the increased  
 3965 seating capacity of the complex is no more than 30 percent of  
 3966 the capacity of the existing facility.

3967 (e) Any addition of permanent seats or parking spaces for  
 3968 an existing sports facility located on property owned by a  
 3969 public body before July 1, 1973, is exempt from this section if  
 3970 future additions do not expand existing permanent seating or  
 3971 parking capacity more than 15 percent annually in excess of the  
 3972 prior year's capacity.

3973 (f) Any increase in the seating capacity of an existing  
 3974 sports facility having a permanent seating capacity of at least  
 3975 50,000 spectators is exempt from this section, provided that

3976 such an increase does not increase permanent seating capacity by  
3977 more than 5 percent per year and not to exceed a total of 10  
3978 percent in any 5-year period, and provided that the sports  
3979 facility notifies the appropriate local government within which  
3980 the facility is located of the increase at least 6 months before  
3981 the initial use of the increased seating, in order to permit the  
3982 appropriate local government to develop a traffic management  
3983 plan for the traffic generated by the increase. Any traffic  
3984 management plan shall be consistent with the local comprehensive  
3985 plan, the regional policy plan, and the state comprehensive  
3986 plan.

3987 (g) Any expansion in the permanent seating capacity or  
3988 additional improved parking facilities of an existing sports  
3989 facility is exempt from this section, if the following  
3990 conditions exist:

3991 1.a. The sports facility had a permanent seating capacity  
3992 on January 1, 1991, of at least 41,000 spectator seats;

3993 b. The sum of such expansions in permanent seating  
3994 capacity does not exceed a total of 10 percent in any 5-year  
3995 period and does not exceed a cumulative total of 20 percent for  
3996 any such expansions; or

3997 c. The increase in additional improved parking facilities  
3998 is a one-time addition and does not exceed 3,500 parking spaces  
3999 serving the sports facility; and

4000 2. The local government having jurisdiction of the sports



4001 facility includes in the development order or development permit  
4002 approving such expansion under this paragraph a finding of fact  
4003 that the proposed expansion is consistent with the  
4004 transportation, water, sewer and stormwater drainage provisions  
4005 of the approved local comprehensive plan and local land  
4006 development regulations relating to those provisions.

4007  
4008 Any owner or developer who intends to rely on this statutory  
4009 exemption shall provide to the department a copy of the local  
4010 government application for a development permit. Within 45 days  
4011 after receipt of the application, the department shall render to  
4012 the local government an advisory and nonbinding opinion, in  
4013 writing, stating whether, in the department's opinion, the  
4014 prescribed conditions exist for an exemption under this  
4015 paragraph. The local government shall render the development  
4016 order approving each such expansion to the department. The  
4017 owner, developer, or department may appeal the local government  
4018 development order pursuant to s. 380.07, within 45 days after  
4019 the order is rendered. The scope of review shall be limited to  
4020 the determination of whether the conditions prescribed in this  
4021 paragraph exist. If any sports facility expansion undergoes  
4022 development-of-regional-impact review, all previous expansions  
4023 which were exempt under this paragraph shall be included in the  
4024 development-of-regional-impact review.

4025 (h) Expansion to port harbors, spoil disposal sites,

4026 navigation channels, turning basins, harbor berths, and other  
4027 related inwater harbor facilities of ports listed in s.  
4028 403.021(9)(b), port transportation facilities and projects  
4029 listed in s. 311.07(3)(b), and intermodal transportation  
4030 facilities identified pursuant to s. 311.09(3) are exempt from  
4031 this section when such expansions, projects, or facilities are  
4032 consistent with comprehensive master plans that are in  
4033 compliance with s. 163.3178.

4034 (i) Any proposed facility for the storage of any petroleum  
4035 product or any expansion of an existing facility is exempt from  
4036 this section.

4037 (j) Any renovation or redevelopment within the same land  
4038 parcel which does not change land use or increase density or  
4039 intensity of use.

4040 (k) Waterport and marina development, including dry  
4041 storage facilities, are exempt from this section.

4042 (l) Any proposed development within an urban service  
4043 boundary established under s. 163.3177(14), Florida Statutes  
4044 (2010), which is not otherwise exempt pursuant to subsection  
4045 (29), is exempt from this section if the local government having  
4046 jurisdiction over the area where the development is proposed has  
4047 adopted the urban service boundary and has entered into a  
4048 binding agreement with jurisdictions that would be impacted and  
4049 with the Department of Transportation regarding the mitigation  
4050 of impacts on state and regional transportation facilities.

4051 (m) Any proposed development within a rural land  
4052 stewardship area created under s. 163.3248.

4053 (n) The establishment, relocation, or expansion of any  
4054 military installation as defined in s. 163.3175, is exempt from  
4055 this section.

4056 (o) Any self-storage warehousing that does not allow  
4057 retail or other services is exempt from this section.

4058 (p) Any proposed nursing home or assisted living facility  
4059 is exempt from this section.

4060 (q) Any development identified in an airport master plan  
4061 and adopted into the comprehensive plan pursuant to s.  
4062 163.3177(6)(b)4. is exempt from this section.

4063 (r) Any development identified in a campus master plan and  
4064 adopted pursuant to s. 1013.30 is exempt from this section.

4065 (s) Any development in a detailed specific area plan which  
4066 is prepared and adopted pursuant to s. 163.3245 is exempt from  
4067 this section.

4068 (t) Any proposed solid mineral mine and any proposed  
4069 addition to, expansion of, or change to an existing solid  
4070 mineral mine is exempt from this section. A mine owner will  
4071 enter into a binding agreement with the Department of  
4072 Transportation to mitigate impacts to strategic intermodal  
4073 system facilities pursuant to the transportation thresholds in  
4074 subsection (19) or rule 9J-2.045(6), Florida Administrative  
4075 Code. Proposed changes to any previously approved solid mineral

4076 mine development-of-regional-impact development orders having  
4077 vested rights are is not subject to further review or approval  
4078 as a development-of-regional-impact or notice-of-proposed-change  
4079 review or approval pursuant to subsection (19), except for those  
4080 applications pending as of July 1, 2011, which shall be governed  
4081 by s. 380.115(2). Notwithstanding the foregoing, however,  
4082 pursuant to s. 380.115(1), previously approved solid mineral  
4083 mine development-of-regional-impact development orders shall  
4084 continue to enjoy vested rights and continue to be effective  
4085 unless rescinded by the developer. All local government  
4086 regulations of proposed solid mineral mines shall be applicable  
4087 to any new solid mineral mine or to any proposed addition to,  
4088 expansion of, or change to an existing solid mineral mine.

4089 (u) Notwithstanding any provisions in an agreement with or  
4090 among a local government, regional agency, or the state land  
4091 planning agency or in a local government's comprehensive plan to  
4092 the contrary, a project no longer subject to development-of-  
4093 regional-impact review under revised thresholds is not required  
4094 to undergo such review.

4095 (v) Any development within a county with a research and  
4096 education authority created by special act and that is also  
4097 within a research and development park that is operated or  
4098 managed by a research and development authority pursuant to part  
4099 V of chapter 159 is exempt from this section.

4100 (w) Any development in an energy economic zone designated

4101 pursuant to s. 377.809 is exempt from this section upon approval  
4102 by its local governing body.

4103 ~~(x) Any proposed development that is located in a local~~  
4104 ~~government jurisdiction that does not qualify for an exemption~~  
4105 ~~based on the population and density criteria in paragraph~~  
4106 ~~(29) (a), that is approved as a comprehensive plan amendment~~  
4107 ~~adopted pursuant to s. 163.3184(4), and that is the subject of~~  
4108 ~~an agreement pursuant to s. 288.106(5) is exempt from this~~  
4109 ~~section. This exemption shall only be effective upon a written~~  
4110 ~~agreement executed by the applicant, the local government, and~~  
4111 ~~the state land planning agency. The state land planning agency~~  
4112 ~~shall only be a party to the agreement upon a determination that~~  
4113 ~~the development is the subject of an agreement pursuant to s.~~  
4114 ~~288.106(5) and that the local government has the capacity to~~  
4115 ~~adequately assess the impacts of the proposed development. The~~  
4116 ~~local government shall only be a party to the agreement upon~~  
4117 ~~approval by the governing body of the local government and upon~~  
4118 ~~providing at least 21 days' notice to adjacent local governments~~  
4119 ~~that includes, at a minimum, information regarding the location,~~  
4120 ~~density and intensity of use, and timing of the proposed~~  
4121 ~~development. This exemption does not apply to areas within the~~  
4122 ~~boundary of any area of critical state concern designated~~  
4123 ~~pursuant to s. 380.05, within the boundary of the Wekiva Study~~  
4124 ~~Area as described in s. 369.316, or within 2 miles of the~~  
4125 ~~boundary of the Everglades Protection Area as defined in s.~~

4126 | ~~373.4592(2).~~

4127 |

4128 | If a use is exempt from review as a development of regional  
 4129 | impact under paragraphs (a)-(u), but will be part of a larger  
 4130 | project that is subject to review as a development of regional  
 4131 | impact, the impact of the exempt use must be included in the  
 4132 | review of the larger project, ~~unless such exempt use involves a~~  
 4133 | ~~development of regional impact that includes a landowner,~~  
 4134 | ~~tenant, or user that has entered into a funding agreement with~~  
 4135 | ~~the Department of Economic Opportunity under the Innovation~~  
 4136 | ~~Incentive Program and the agreement contemplates a state award~~  
 4137 | ~~of at least \$50 million.~~

4138 | Section 148. Subsections (1) and (5) of section 380.0657,  
 4139 | Florida Statutes, are amended to read:

4140 | 380.0657 Expedited permitting process for economic  
 4141 | development projects.—

4142 | (1) The Department of Environmental Protection and, as  
 4143 | appropriate, the water management districts created under  
 4144 | chapter 373 shall adopt programs to expedite the processing of  
 4145 | wetland resource and environmental resource permits for ~~economic~~  
 4146 | ~~development projects that have been identified by a municipality~~  
 4147 | ~~or county as meeting the definition of target industry~~  
 4148 | ~~businesses under s. 288.106, or any intermodal logistics center~~  
 4149 | receiving or sending cargo to or from Florida ports, with the  
 4150 | exception of those projects requiring approval by the Board of

4151 Trustees of the Internal Improvement Trust Fund.

4152 (5) Notwithstanding the provisions of this section, permit  
4153 applications for projects to be located in a charter county that  
4154 has a population of 1.2 million or more and has entered into a  
4155 delegation agreement with the Department of Environmental  
4156 Protection or the applicable water management district to  
4157 process environmental resource permits, wetland resource  
4158 management permits, or surface water management permits pursuant  
4159 to chapter 373 are eligible for expedited permitting under this  
4160 section only upon designation by resolution of the charter  
4161 county's governing board. ~~Before the governing board decides~~  
4162 ~~that a project is eligible for expedited permitting, it may~~  
4163 ~~require the county's economic development agency, or such other~~  
4164 ~~agency that provides advice to the governing board on economic~~  
4165 ~~matters, to review and recommend whether the project meets the~~  
4166 ~~definition of a target industry business as defined in s.~~  
4167 ~~288.106 and to identify the tangible benefits and impacts of the~~  
4168 ~~project.~~ The governing board's decision shall be made without  
4169 consideration of the project's geographic location within the  
4170 charter county. ~~If the governing board designates the project as~~  
4171 ~~a target industry business, the permit application for the~~  
4172 ~~project shall be approved or denied within the timeframe~~  
4173 ~~provided in subsection (4).~~

4174 Section 149. Paragraph (b) of subsection (3) of section  
4175 403.42, Florida Statutes, is amended to read:

4176 403.42 Florida Clean Fuel Act.—

4177 (3) CLEAN FUEL FLORIDA ADVISORY BOARD ESTABLISHED;

4178 MEMBERSHIP; DUTIES AND RESPONSIBILITIES.—

4179 (b)1. The advisory board shall consist of the Executive

4180 Director of the Department of Economic Opportunity, the

4181 Secretary of Environmental Protection, or a designee from that

4182 department, the Commissioner of Education, or a designee from

4183 that department, the Secretary of Transportation, or a designee

4184 from that department, the Commissioner of Agriculture, or a

4185 designee from that department, the Secretary of Management

4186 Services, or a designee from that department, and a

4187 representative of each of the following, who shall be appointed

4188 by the Secretary of Environmental Protection:

4189 a. The Florida biodiesel industry.

4190 b. The Florida electric utility industry.

4191 c. The Florida natural gas industry.

4192 d. The Florida propane gas industry.

4193 e. An automobile manufacturers' association.

4194 f. A Florida Clean Cities Coalition designated by the

4195 United States Department of Energy.

4196 ~~g. Enterprise Florida, Inc.~~

4197 g.h. EV Ready Broward.

4198 ~~h.i.~~ The Florida petroleum industry.

4199 ~~i.j.~~ The Florida League of Cities.

4200 j.k. The Florida Association of Counties.



4201        ~~k.1.~~ Floridians for Better Transportation.  
 4202        ~~l.m.~~ A motor vehicle manufacturer.  
 4203        ~~m.n.~~ Florida Local Environment Resource Agencies.  
 4204        ~~n.o.~~ Project for an Energy Efficient Florida.  
 4205        ~~o.p.~~ Florida Transportation Builders Association.

4206            2. The purpose of the advisory board is to serve as a  
 4207 resource for the department and to provide the Governor, the  
 4208 Legislature, and the Secretary of Environmental Protection with  
 4209 private sector and other public agency perspectives on achieving  
 4210 the goal of increasing the use of alternative fuel vehicles in  
 4211 this state.

4212            3. Members shall be appointed to serve terms of 1 year  
 4213 each, with reappointment at the discretion of the Secretary of  
 4214 Environmental Protection. Vacancies shall be filled for the  
 4215 remainder of the unexpired term in the same manner as the  
 4216 original appointment.

4217            4. The board shall annually select a chairperson.

4218            5.a. The board shall meet at least once each quarter or  
 4219 more often at the call of the chairperson or the Secretary of  
 4220 Environmental Protection.

4221            b. Meetings are exempt from the notice requirements of  
 4222 chapter 120, and sufficient notice shall be given to afford  
 4223 interested persons reasonable notice under the circumstances.

4224            6. Members of the board are entitled to travel expenses  
 4225 while engaged in the performance of board duties.

4226           7. The board shall terminate 5 years after the effective  
4227 date of this act.

4228           Section 150. Subsection (5) of section 403.7032, Florida  
4229 Statutes, is amended to read:

4230           403.7032 Recycling.—

4231           (5) The Department of Environmental Protection shall  
4232 create the Recycling Business Assistance Center by December 1,  
4233 2010. In carrying out its duties under this subsection, the  
4234 department shall consult with state agency personnel appointed  
4235 to serve as economic development liaisons under s. 288.021 ~~and~~  
4236 ~~seek technical assistance from Enterprise Florida, Inc.,~~ to  
4237 ensure the Recycling Business Assistance Center is positioned to  
4238 succeed. The purpose of the center shall be to serve as the  
4239 mechanism for coordination among state agencies and the private  
4240 sector in order to coordinate policy and overall strategic  
4241 planning for developing new markets and expanding and enhancing  
4242 existing markets for recyclable materials in this state, other  
4243 states, and foreign countries. The duties of the center must  
4244 include, at a minimum:

4245           (a) Identifying and developing new markets and expanding  
4246 and enhancing existing markets for recyclable materials.

4247           (b) Pursuing expanded end uses for recycled materials.

4248           (c) Targeting materials for concentrated market  
4249 development efforts.

4250           (d) Developing proposals for new incentives for market

4251 development, particularly focusing on targeted materials.

4252 (e) Providing guidance on issues such as permitting,  
4253 finance options for recycling market development, site location,  
4254 research and development, grant program criteria for recycled  
4255 materials markets, recycling markets education and information,  
4256 and minimum content.

4257 (f) Coordinating the efforts of various governmental  
4258 entities having market development responsibilities in order to  
4259 optimize supply and demand for recyclable materials.

4260 (g) Evaluating source-reduced products as they relate to  
4261 state procurement policy. The evaluation shall include, but is  
4262 not limited to, the environmental and economic impact of source-  
4263 reduced product purchases to the state. For the purposes of this  
4264 paragraph, the term "source-reduced" means any method, process,  
4265 product, or technology that significantly or substantially  
4266 reduces the volume or weight of a product while providing, at a  
4267 minimum, equivalent or generally similar performance and service  
4268 to and for the users of such materials.

4269 (h) Providing evaluation of solid waste management grants,  
4270 pursuant to s. 403.7095, to reduce the flow of solid waste to  
4271 disposal facilities and encourage the sustainable recovery of  
4272 materials from Florida's waste stream.

4273 (i) Providing below-market financing for companies that  
4274 manufacture products from recycled materials or convert  
4275 recyclable materials into raw materials for use in manufacturing

4276 | pursuant to the Florida Recycling Loan Program as administered  
 4277 | by the Florida First Capital Finance Corporation.

4278 |       (j) Maintaining a continuously updated online directory  
 4279 | listing the public and private entities that collect, transport,  
 4280 | broker, process, or remanufacture recyclable materials in the  
 4281 | state.

4282 |       (k) Providing information on the availability and benefits  
 4283 | of using recycled materials to private entities and industries  
 4284 | in the state.

4285 |       (l) Distributing any materials prepared in implementing  
 4286 | this subsection to the public, private entities, industries,  
 4287 | governmental entities, or other organizations upon request.

4288 |       (m) Coordinating with the Department of Economic  
 4289 | Opportunity and its partners to provide job placement and job  
 4290 | training services to job seekers through the state's workforce  
 4291 | services programs.

4292 |       Section 151. Subsections (16) through (19) of section  
 4293 | 403.973, Florida Statutes, are renumbered as subsections (15)  
 4294 | through (18), respectively, and present subsections (15) and  
 4295 | (17) of that section are amended to read:

4296 |       403.973 Expedited permitting; amendments to comprehensive  
 4297 | plans.—

4298 |       ~~(15) The Department of Economic Opportunity, working with~~  
 4299 | ~~the agencies providing cooperative assistance and input~~  
 4300 | ~~regarding the memoranda of agreement, shall review sites~~

4301 ~~proposed for the location of facilities that the Department of~~  
4302 ~~Economic Opportunity has certified to be eligible for the~~  
4303 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~  
4304 ~~after the request for the review by the Department of Economic~~  
4305 ~~Opportunity, the agencies shall provide to the Department of~~  
4306 ~~Economic Opportunity a statement as to each site's necessary~~  
4307 ~~permits under local, state, and federal law and an~~  
4308 ~~identification of significant permitting issues, which if~~  
4309 ~~unresolved, may result in the denial of an agency permit or~~  
4310 ~~approval or any significant delay caused by the permitting~~  
4311 ~~process.~~

4312 (16)~~(17)~~ The Department of Economic Opportunity shall be  
4313 responsible for certifying a business as eligible for undergoing  
4314 expedited review under this section. ~~Enterprise Florida, Inc.,~~ A  
4315 county or municipal government, or the Rural Economic  
4316 Development Initiative may recommend to the Department of  
4317 Economic Opportunity that a project meeting the minimum job  
4318 creation threshold undergo expedited review.

4319 Section 152. Paragraph (c) of subsection (1) of section  
4320 443.091, Florida Statutes, is amended to read:

4321 443.091 Benefit eligibility conditions.—

4322 (1) An unemployed individual is eligible to receive  
4323 benefits for any week only if the Department of Economic  
4324 Opportunity finds that:

4325 (c) To make continued claims for benefits, she or he is

4326 reporting to the department in accordance with this paragraph  
4327 and department rules. Department rules may not conflict with s.  
4328 443.111(1)(b), which requires that each claimant continue to  
4329 report regardless of any pending appeal relating to her or his  
4330 eligibility or disqualification for benefits.

4331 1. For each week of unemployment claimed, each report  
4332 must, at a minimum, include the name, address, and telephone  
4333 number of each prospective employer contacted, or the date the  
4334 claimant reported to a one-stop career center, pursuant to  
4335 paragraph (d).

4336 2. The department shall offer an online assessment aimed  
4337 at identifying an individual's skills, abilities, and career  
4338 aptitude. The skills assessment must be voluntary, and the  
4339 department shall allow a claimant to choose whether to take the  
4340 skills assessment. The online assessment shall be made available  
4341 to any person seeking services from a local workforce  
4342 development board or a one-stop career center.

4343 a. If the claimant chooses to take the online assessment,  
4344 the outcome of the assessment shall be made available to the  
4345 claimant, local workforce development board, and one-stop career  
4346 center. The department, local workforce development board, or  
4347 one-stop career center shall use the assessment to develop a  
4348 plan for referring individuals to training and employment  
4349 opportunities. Aggregate data on assessment outcomes may be made  
4350 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~

4351 ~~Inc.,~~ for use in the development of policies related to  
4352 education and training programs that will ensure that businesses  
4353 in this state have access to a skilled and competent workforce.

4354 b. Individuals shall be informed of and offered services  
4355 through the one-stop delivery system, including career  
4356 counseling, the provision of skill match and job market  
4357 information, and skills upgrade and other training  
4358 opportunities, and shall be encouraged to participate in such  
4359 services at no cost to the individuals. The department shall  
4360 coordinate with CareerSource Florida, Inc., the local workforce  
4361 development boards, and the one-stop career centers to identify,  
4362 develop, and use best practices for improving the skills of  
4363 individuals who choose to participate in skills upgrade and  
4364 other training opportunities. The department may contract with  
4365 an entity to create the online assessment in accordance with the  
4366 competitive bidding requirements in s. 287.057. The online  
4367 assessment must work seamlessly with the Reemployment Assistance  
4368 Claims and Benefits Information System.

4369 Section 153. Paragraphs (b) through (g) of subsection (6)  
4370 of section 445.004, Florida Statutes, are redesignated as  
4371 paragraphs (a) through (f), respectively, and paragraph (d) of  
4372 subsection (3), paragraphs (b) and (d) of subsection (5), and  
4373 paragraph (a) of subsection (6) of that section are amended to  
4374 read:

4375 445.004 CareerSource Florida, Inc.; creation; purpose;

4376 membership; duties and powers.—

4377 (3)

4378 (d) The board must include ~~the vice chairperson of the~~  
 4379 ~~board of directors of Enterprise Florida, Inc.,~~ and one member  
 4380 representing each of the Workforce Innovation and Opportunity  
 4381 Act partners, including the Division of Career and Adult  
 4382 Education, and other entities representing programs identified  
 4383 in the Workforce Innovation and Opportunity Act, as determined  
 4384 necessary.

4385 (5) CareerSource Florida, Inc., shall have all the powers  
 4386 and authority not explicitly prohibited by statute which are  
 4387 necessary or convenient to carry out and effectuate its purposes  
 4388 as determined by statute, Pub. L. No. 113-128, and the Governor,  
 4389 as well as its functions, duties, and responsibilities,  
 4390 including, but not limited to, the following:

4391 (b) Providing oversight and policy direction to ensure  
 4392 that the following programs are administered by the department  
 4393 in compliance with approved plans and under contract with  
 4394 CareerSource Florida, Inc.:

4395 1. Programs authorized under Title I of the Workforce  
 4396 Innovation and Opportunity Act, Pub. L. No. 113-128, with the  
 4397 exception of programs funded directly by the United States  
 4398 Department of Labor under Title I, s. 167.

4399 2. Programs authorized under the Wagner-Peyser Act of  
 4400 1933, as amended, 29 U.S.C. ss. 49 et seq.



4401           3. Activities authorized under Title II of the Trade Act  
 4402 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade  
 4403 Adjustment Assistance Program.

4404           4. Activities authorized under 38 U.S.C. chapter 41,  
 4405 including job counseling, training, and placement for veterans.

4406           5. Employment and training activities carried out under  
 4407 funds awarded to this state by the United States Department of  
 4408 Housing and Urban Development.

4409           6. Welfare transition services funded by the Temporary  
 4410 Assistance for Needy Families Program, created under the  
 4411 Personal Responsibility and Work Opportunity Reconciliation Act  
 4412 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,  
 4413 of the Social Security Act, as amended.

4414           7. Displaced homemaker programs, provided under s. 446.50.

4415           8. The Florida Bonding Program, provided under Pub. L. No.  
 4416 97-300, s. 164(a)(1).

4417           9. The Food Assistance Employment and Training Program,  
 4418 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.  
 4419 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;  
 4420 and the Hunger Prevention Act, Pub. L. No. 100-435.

4421           ~~10. The Quick Response Training Program, provided under~~  
 4422 ~~ss. 288.046-288.047. Matching funds and in-kind contributions~~  
 4423 ~~that are provided by clients of the Quick Response Training~~  
 4424 ~~Program shall count toward the requirements of s. 288.904,~~  
 4425 ~~pertaining to the return on investment from activities of~~

4426 ~~Enterprise Florida, Inc.~~

4427 10.11. The Work Opportunity Tax Credit, provided under the  
 4428 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,  
 4429 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

4430 11.12. Offender placement services, provided under ss.  
 4431 944.707-944.708.

4432 (d) Contracting with public and private entities as  
 4433 necessary to further the directives of this section. All  
 4434 contracts executed by CareerSource Florida, Inc., must include  
 4435 specific performance expectations and deliverables. All  
 4436 CareerSource Florida, Inc., contracts, including those  
 4437 solicited, managed, or paid by the department pursuant to s.  
 4438 20.60(5)(b) ~~20.60(5)(e)~~ are exempt from s. 112.061, but shall be  
 4439 governed by subsection (1).

4440 (6) CareerSource Florida, Inc., may take action that it  
 4441 deems necessary to achieve the purposes of this section,  
 4442 including, but not limited to:

4443 (a) Creating a state employment, education, and training  
 4444 policy that ensures that programs to prepare workers are  
 4445 responsive to present and future business and industry needs ~~and~~  
 4446 ~~complement the initiatives of Enterprise Florida, Inc.~~

4447 Section 154. Subsection (5) of section 445.045, Florida  
 4448 Statutes, is amended to read:

4449 445.045 Development of an Internet-based system for  
 4450 information technology industry promotion and workforce

4451 recruitment.—

4452 (5) In furtherance of the requirements of this section  
 4453 that the website promote and market the information technology  
 4454 industry by communicating information on the scope of the  
 4455 industry in this state, CareerSource Florida, Inc., shall  
 4456 ~~coordinate its efforts with the high-technology industry~~  
 4457 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~  
 4458 ~~Through links or actual content, the website developed under~~  
 4459 ~~this section shall serve as a forum for distributing the~~  
 4460 ~~marketing campaign developed by Enterprise Florida, Inc., under~~  
 4461 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~  
 4462 solicit input from the not-for-profit corporation created to  
 4463 advocate on behalf of the information technology industry as an  
 4464 outgrowth of the Information Service Technology Development Task  
 4465 Force created under chapter 99-354, Laws of Florida.

4466 Section 155. Subsections (2) and (5) of section 446.44,  
 4467 Florida Statutes, are amended to read:

4468 446.44 Duties of Rural Workforce Services Program.—It  
 4469 shall be the direct responsibility of the Rural Workforce  
 4470 Services Program to promote and deliver employment and workforce  
 4471 services and resources to the rural undeveloped and  
 4472 underdeveloped counties of the state in an effort to:

4473 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~  
 4474 ~~pollution-free industry to the rural counties.~~

4475 (4) ~~(5)~~ Develop rural workforce programs that will be

4476 | evaluated, planned, and implemented through communications and  
 4477 | planning with appropriate:

4478 |       (a) Departments of state and federal governments.

4479 |       ~~(b) Units of Enterprise Florida, Inc.~~

4480 |       (b)(e) Agencies and organizations of the public and  
 4481 | private sectors at the state, regional, and local levels.

4482 |       Section 156. Subsection (5) of section 477.0135, Florida  
 4483 | Statutes, is amended to read:

4484 |             477.0135 Exemptions.—

4485 |       (5) A license is not required of any individual providing  
 4486 | makeup, special effects, or cosmetology services to an actor,  
 4487 | stunt person, musician, extra, or other talent during a  
 4488 | production recognized by the Office of Film and Entertainment as  
 4489 | a qualified production ~~as defined in s. 288.1254(1)~~. Such  
 4490 | services are not required to be performed in a licensed salon.  
 4491 | Individuals exempt under this subsection may not provide such  
 4492 | services to the general public.

4493 |       Section 157. Subsection (1) of section 570.81, Florida  
 4494 | Statutes, is amended to read:

4495 |             570.81 Agricultural Economic Development Project Review  
 4496 | Committee; powers and duties.—

4497 |       (1) There is created an Agricultural Economic Development  
 4498 | Project Review Committee consisting of five members appointed by  
 4499 | the commissioner. The members shall be appointed based upon the  
 4500 | recommendations submitted by each entity represented on the

4501 committee and shall include:

4502 (a) The commissioner or the commissioner's designee.

4503 (b) One representative from the Farm Credit Service.

4504 (c) One representative from the Department of Economic  
 4505 Opportunity ~~Enterprise Florida, Inc.~~

4506 (d) One representative from the Florida Farm Bureau  
 4507 Federation.

4508 (e) One agricultural economist from the Institute of Food  
 4509 and Agricultural Sciences or from Florida Agricultural and  
 4510 Mechanical University.

4511 Section 158. Subsection (2) of section 570.85, Florida  
 4512 Statutes, is amended to read:

4513 570.85 Agritourism.—

4514 (2) The Department of Agriculture and Consumer Services  
 4515 may provide marketing advice, technical expertise, promotional  
 4516 support, and product development related to agritourism to  
 4517 assist the following in their agritourism initiatives:

4518 ~~Enterprise Florida, Inc.;~~ convention and visitor bureaus, +  
 4519 tourist development councils, + economic development  
 4520 organizations, + and local governments. In carrying out this  
 4521 responsibility, the department shall focus its agritourism  
 4522 efforts on rural and urban communities.

4523 Section 159. Paragraph (c) of subsection (1) of section  
 4524 624.5105, Florida Statutes, is amended to read:

4525 624.5105 Community contribution tax credit; authorization;

4526 | limitations; eligibility and application requirements;  
 4527 | administration; definitions; expiration.—

4528 | (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

4529 | (c) The total amount of tax credit which may be granted  
 4530 | for all programs approved under this section and ss.

4531 | 212.08(5)(o) ~~212.08(5)(p)~~ and 220.183 is \$18.4 million in the  
 4532 | 2015-2016 fiscal year, \$21.4 million in the 2016-2017 fiscal  
 4533 | year, and \$21.4 million in the 2017-2018 fiscal year for  
 4534 | projects that provide housing opportunities for persons with  
 4535 | special needs as defined in s. 420.0004 or homeownership  
 4536 | opportunities for low-income or very-low-income households as  
 4537 | defined in s. 420.9071 and \$3.5 million annually for all other  
 4538 | projects.

4539 | Section 160. Section 625.3255, Florida Statutes, is  
 4540 | repealed.

4541 | Section 161. Subsection (4) of section 657.042, Florida  
 4542 | Statutes, is amended to read:

4543 | 657.042 Investment powers and limitations.—A credit union  
 4544 | may invest its funds subject to the following definitions,  
 4545 | restrictions, and limitations:

4546 | (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF  
 4547 | CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of  
 4548 | the credit union may be invested in ~~any of the following:~~

4549 | ~~(a)~~ Corporate obligations of any one corporation which is  
 4550 | an affiliate or subsidiary of the credit union or a service

4551 corporation, except that the total investment in all such  
4552 corporate obligations shall not exceed 10 percent of the capital  
4553 of the credit union.

4554 ~~(b) Any capital participation instrument or evidence of~~  
4555 ~~indebtedness issued by Enterprise Florida, Inc., pursuant to the~~  
4556 ~~Florida Small and Minority Business Assistance Act.~~

4557 Section 162. Paragraph (f) of subsection (4) of section  
4558 658.67, Florida Statutes, is amended to read:

4559 658.67 Investment powers and limitations.—A bank may  
4560 invest its funds, and a trust company may invest its corporate  
4561 funds, subject to the following definitions, restrictions, and  
4562 limitations:

4563 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR  
4564 LESS OF CAPITAL ACCOUNTS.—

4565 ~~(f) Up to 10 percent of the capital accounts of a bank or~~  
4566 ~~trust company may be invested in any capital participation~~  
4567 ~~instrument or evidence of indebtedness issued by Enterprise~~  
4568 ~~Florida, Inc., pursuant to the Florida Small and Minority~~  
4569 ~~Business Assistance Act.~~

4570 Section 163. Paragraph (h) of subsection (2) of section  
4571 1004.015, Florida Statutes, is amended to read:

4572 1004.015 Higher Education Coordinating Council.—

4573 (2) Members of the council shall include:

4574 (h) The secretary of the Department of Economic  
4575 Opportunity, or his or her designee ~~president of Enterprise~~

4576 ~~Florida, Inc., or a designated member of the Stakeholders~~  
 4577 ~~Council appointed by the president.~~

4578 Section 164. Paragraph (d) of subsection (5) of section  
 4579 1004.65, Florida Statutes, is amended to read:

4580 1004.65 Florida College System institutions; governance,  
 4581 mission, and responsibilities.—

4582 (5) The primary mission and responsibility of Florida  
 4583 College System institutions is responding to community needs for  
 4584 postsecondary academic education and career degree education.  
 4585 This mission and responsibility includes being responsible for:

4586 (d) Promoting economic development for the state within  
 4587 each Florida College System institution district through the  
 4588 provision of special programs, including, but not limited to,  
 4589 the:

4590 ~~1. Enterprise Florida-related programs.~~

4591 1.2. Technology transfer centers.

4592 2.3. Economic development centers.

4593 3.4. Workforce literacy programs.

4594 Section 165. Paragraph (b) of subsection (10) of section  
 4595 1004.78, Florida Statutes, is amended to read:

4596 1004.78 Technology transfer centers at Florida College  
 4597 System institutions.—

4598 (10) The State Board of Education may award grants to  
 4599 Florida College System institutions, or consortia of public and  
 4600 private colleges and universities and other public and private



4601 entities, for the purpose of supporting the objectives of this  
4602 section. Grants awarded pursuant to this subsection shall be in  
4603 accordance with rules of the State Board of Education. Such  
4604 rules shall include the following provisions:

4605 (b) Grants to centers funded with state revenues  
4606 appropriated specifically for technology transfer activities  
4607 shall be reviewed and approved by the State Board of Education  
4608 using proposal solicitation, evaluation, and selection  
4609 procedures established by the state board in consultation with  
4610 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~  
4611 Such procedures may include designation of specific areas or  
4612 applications of technology as priorities for the receipt of  
4613 funding.

4614 Section 166. Subsection (4) of section 1011.76, Florida  
4615 Statutes, is amended to read:

4616 1011.76 Small School District Stabilization Program.—

4617 (4) The Department of Education may award the school  
4618 district a stabilization grant intended to protect the district  
4619 from continued financial reductions. The amount of the grant  
4620 will be determined by the Department of Education and may be  
4621 equivalent to the amount of the decline in revenues projected  
4622 for the next fiscal year. In addition, the Department of  
4623 Economic Opportunity may implement a rural economic development  
4624 initiative to identify the economic factors that are negatively  
4625 impacting the community ~~and may consult with Enterprise Florida,~~

4626 ~~Inc., in developing a plan to assist the county with its~~  
4627 ~~economic transition.~~ The grant will be available to the school  
4628 district for a period of up to 5 years to the extent that  
4629 funding is provided for such purpose in the General  
4630 Appropriations Act.

4631 Section 167. Paragraph (c) of subsection (6) of section  
4632 1011.80, Florida Statutes, is amended to read:

4633 1011.80 Funds for operation of workforce education  
4634 programs.—

4635 (6)

4636 (c) A program is established to assist school districts  
4637 and Florida College System institutions in responding to the  
4638 needs of new and expanding businesses and thereby strengthening  
4639 the state's workforce and economy. The program may be funded in  
4640 the General Appropriations Act. The district or Florida College  
4641 System institution shall use the program to provide customized  
4642 training for businesses ~~which satisfies the requirements of s.~~  
4643 ~~288.047.~~ Business firms whose employees receive the customized  
4644 training must provide 50 percent of the cost of the training.  
4645 Balances remaining in the program at the end of the fiscal year  
4646 shall not revert to the general fund, but shall be carried over  
4647 for 1 additional year and used for the purpose of serving  
4648 incumbent worker training needs of area businesses with fewer  
4649 than 100 employees. Priority shall be given to businesses that  
4650 must increase or upgrade their use of technology to remain

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4651 competitive.

4652 Section 168. Subsection (1) of section 1011.94, Florida  
4653 Statutes, is amended to read:

4654 1011.94 University Major Gifts Program.—

4655 (1) There is established a University Major Gifts Program.  
4656 The purpose of the program is to enable each university to  
4657 provide donors with an incentive in the form of matching grants  
4658 for donations for the establishment of permanent endowments and  
4659 sales tax exemption matching funds received pursuant to s.  
4660 212.08(5)(i) ~~212.08(5)(j)~~, which must be invested, with the  
4661 proceeds of the investment used to support libraries and  
4662 instruction and research programs, as defined by the Board of  
4663 Governors.

4664 Section 169. This act shall take effect July 1, 2017.