

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 and 288.012, F.S., relating
 49 | to the Florida Small Business Development Center
 50 | Network and the State of Florida international

51 offices, respectively; amending ss. 288.017 and
52 288.018, F.S.; conforming provisions to changes made
53 by the act; repealing ss. 288.046 and 288.047, F.S.,
54 relating to quick-response training for economic
55 development; amending s. 288.061, F.S.; conforming
56 provisions to changes made by the act; amending s.
57 288.0655, F.S.; conforming a cross-reference;
58 conforming provisions to changes made by the act;
59 amending ss. 288.0656, 288.0658, 288.075, 288.076, and
60 288.095, F.S.; conforming provisions to changes made
61 by the act; repealing ss. 288.1045, 288.106, 288.107,
62 288.108, 288.1081, 288.1082, 288.1088, and 288.1089,
63 F.S., relating to the qualified defense contractor and
64 space flight business tax refund program, a tax refund
65 program for qualified target industry businesses,
66 brownfield redevelopment bonus refunds, high-impact
67 business, the Economic Gardening Business Loan Pilot
68 Program, the Economic Gardening Technical Assistance
69 Pilot Program, the Quick Action Closing Fund, and the
70 Innovation Incentive Program, respectively; amending
71 s. 288.111, F.S.; conforming a provision to changes
72 made by the act; repealing ss. 288.1162, 288.11621,
73 288.11625, and 288.11631, F.S., relating to
74 professional sports franchises, spring training
75 baseball franchises, sports development, and retention

76 of Major League Baseball spring training baseball
77 franchises, respectively; repealing ss. 288.1169,
78 288.1201, and 288.122, F.S., relating to the
79 International Game Fish Association World Center
80 facility, the State Economic Enhancement and
81 Development Trust Fund, and the Tourism Promotional
82 Trust Fund, respectively; terminating such trust
83 funds; transferring the balances and revenues of such
84 trust funds to the General Revenue Fund; requiring the
85 department to pay outstanding debts and obligations of
86 such trust funds; requiring the Chief Financial
87 Officer to close out and remove such trust funds from
88 state accounting systems; amending s. 288.1226, F.S.;
89 providing that the Florida Tourism Industry Marketing
90 Corporation is a direct-support organization of the
91 Department of Economic Opportunity, rather than
92 Enterprise Florida, Inc.; conforming provisions to
93 changes made by the act; amending s. 288.12265, F.S.;
94 transferring responsibility for administering and
95 operating welcome centers from Enterprise Florida,
96 Inc., to the Department of Economic Opportunity;
97 amending s. 288.124, F.S.; authorizing the Florida
98 Tourism Industry Marketing Corporation, rather than
99 Enterprise Florida, Inc., to establish a convention
100 grants program and guidelines therefor; repealing ss.

101 288.125, 288.1251, 288.1252, 288.1253, and 288.1258,
 102 F.S., relating to a definition of the term
 103 "entertainment industry," the promotion and
 104 development of the entertainment industry by the
 105 Office of Film and Entertainment, the Florida Film and
 106 Entertainment Advisory Council, and certain travel and
 107 entertainment expenses, and entertainment industry
 108 qualified production companies, respectively; amending
 109 ss. 288.7015 and 288.706, F.S.; conforming provisions
 110 to changes made by the act; amending ss. 288.773,
 111 288.776, 288.7771, 288.8017, and 288.816, F.S.;
 112 conforming provisions to changes made by the act;
 113 repealing s. 288.826, F.S., relating to the Florida
 114 International Trade and Promotion Trust Fund;
 115 terminating such trust fund; transferring the balances
 116 and revenues of such trust fund to the General Revenue
 117 Fund; requiring the department to pay outstanding
 118 debts and obligations of such trust fund; requiring
 119 the Chief Financial Officer to close out and remove
 120 such trust fund from state accounting systems;
 121 repealing ss. 288.901, 288.9015, 288.903, 288.904,
 122 288.905, and 288.906, F.S., relating to Enterprise
 123 Florida, Inc., powers of board of directors of
 124 Enterprise Florida, Inc., duties of Enterprise
 125 Florida, Inc., funding for Enterprise Florida, Inc.,

126 the president and employees of Enterprise Florida,
127 Inc., and the annual report and audits of Enterprise
128 Florida, Inc., and its divisions, respectively;
129 transferring, renumbering, and amending s. 288.907,
130 F.S.; conforming provisions to changes made by the
131 act; repealing s. 288.911, F.S., relating to the
132 creation and implementation of a marketing and image
133 campaign; transferring, renumbering, and amending s.
134 288.912, F.S.; conforming provisions to changes made
135 by the act; repealing s. 288.92, F.S., relating to the
136 divisions of Enterprise Florida, Inc.; amending s.
137 288.923, F.S.; conforming provisions to changes made
138 by the act; repealing ss. 288.95155 and 288.9519,
139 F.S., relating to the Florida Small Business
140 Technology Growth Program and a not-for-profit
141 corporation intended to promote the competitiveness
142 and profitability of high-technology business and
143 industry, respectively; amending ss. 288.9520,
144 288.9603, 288.9604, and 288.9605, F.S.; conforming
145 provisions to changes made by the act; repealing ss.
146 288.9614, 288.9621, 288.9622, 288.9623, 288.9624,
147 288.9625, 288.96255, 288.9626, and 288.9627, F.S.,
148 relating to the Florida Capital Formation Act and
149 findings and intent and definitions relating thereto,
150 the Florida Opportunity Fund, the Institute for the

151 Commercialization of Public Research, the Florida
152 Technology Seed Capital Fund, and exemptions from
153 public records and public meetings requirements for
154 such fund and institute, respectively; amending s.
155 288.980, F.S.; conforming a provision to changes made
156 by the act; repealing ss. 288.991, 288.9912, 288.9913,
157 288.9914, 288.9915, 288.9916, 288.9917, 288.9918,
158 288.9919, 288.9920, 288.9921, and 288.9922, F.S.,
159 relating to the New Markets Development Program;
160 amending ss. 288.9932 and 288.9934, F.S.; conforming
161 provisions to changes made by the act; repealing s.
162 288.9935, F.S., relating to the Microfinance Guarantee
163 Program; amending ss. 288.9936, 288.9937, 290.0056,
164 290.0065, 290.00677, 290.007, 290.053, 295.22,
165 320.08058, 331.3051, 331.3081, and 339.08, F.S.;
166 conforming provisions to changes made by the act;
167 conforming cross-references; repealing s. 339.2821,
168 F.S., relating to economic development transportation
169 projects; amending ss. 364.0135, 376.82, 377.703,
170 377.804, 377.809, 380.06, 380.0657, 403.42, 403.7032,
171 403.973, 443.091, 445.004, 445.045, 446.44, 477.0135,
172 570.81, 570.85, and 624.5105, F.S.; conforming
173 provisions to changes made by the act; conforming a
174 cross-reference; repealing s. 625.3255, F.S., relating
175 to a capital participation instrument; amending ss.

176 657.042, 658.67, 1004.015, 1004.65, 1004.78, 1011.76,
177 1011.80, and 1011.94, F.S.; conforming provisions to
178 changes made by the act; conforming a cross-reference;
179 providing an effective date.

180

181 WHEREAS, economic development incentives foster unfair
182 competition by benefitting select firms and industries, and

183 WHEREAS, economic development incentives often subsidize
184 private companies and their shareholders for economic actions
185 they would have taken regardless of such incentives, and

186 WHEREAS, economic development incentives cause market
187 distortions which result in inefficiencies and inequities in the
188 marketplace, and

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

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

196 WHEREAS, economic development scholars and professionals
197 lack consensus on how influential economic development and
198 business incentives are on the economy, generally, or on a
199 business when choosing its location, NOW, THEREFORE,

200

201 Be It Enacted by the Legislature of the State of Florida:

202

203 Section 1. Paragraph (i) of subsection (3) of section
204 11.45, Florida Statutes, is amended to read:

205 11.45 Definitions; duties; authorities; reports; rules.—

206 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The
207 Auditor General may, pursuant to his or her own authority, or at
208 the direction of the Legislative Auditing Committee, conduct
209 audits or other engagements as determined appropriate by the
210 Auditor General of:

211 ~~(i) Enterprise Florida, Inc., including any of its boards,~~
212 ~~advisory committees, or similar groups created by Enterprise~~
213 ~~Florida, Inc., and programs. The audit report may not reveal the~~
214 ~~identity of any person who has anonymously made a donation to~~
215 ~~Enterprise Florida, Inc., pursuant to this paragraph. The~~
216 ~~identity of a donor or prospective donor to Enterprise Florida,~~
217 ~~Inc., who desires to remain anonymous and all information~~
218 ~~identifying such donor or prospective donor are confidential and~~
219 ~~exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I~~
220 ~~of the State Constitution. Such anonymity shall be maintained in~~
221 ~~the auditor's report.~~

222 Section 2. Paragraph (a) of subsection (3) of section
223 14.32, Florida Statutes, is amended to read:

224 14.32 Office of Chief Inspector General.—

225 (3) Related to public-private partnerships, the Chief

226 Inspector General:

227 (a) Shall advise public-private partnerships, ~~including~~
 228 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and
 229 improvement of internal control measures necessary to ensure
 230 fiscal accountability.

231 Section 3. Section 15.18, Florida Statutes, is amended to
 232 read:

233 15.18 International and cultural relations.—The Divisions
 234 of Cultural Affairs, Historical Resources, and Library and
 235 Information Services of the Department of State promote programs
 236 having substantial cultural, artistic, and indirect economic
 237 significance that emphasize American creativity. The Secretary
 238 of State, as the head administrator of these divisions, shall
 239 hereafter be known as "Florida's Chief Cultural Officer." As
 240 this officer, the Secretary of State is encouraged to initiate
 241 and develop relationships between the state and foreign cultural
 242 officers, their representatives, and other foreign governmental
 243 officials in order to promote Florida as the center of American
 244 creativity. The Secretary of State shall coordinate
 245 international activities pursuant to this section with
 246 ~~Enterprise Florida, Inc.,~~ and any ~~other~~ organization the
 247 secretary deems appropriate. For the accomplishment of this
 248 purpose, the Secretary of State shall have the power and
 249 authority to:

250 (1) Disseminate any information pertaining to the State of

251 Florida which promotes the state's cultural assets.

252 (2) Plan and carry out activities designed to cause
 253 improved cultural and governmental programs and exchanges with
 254 foreign countries.

255 (3) Plan and implement cultural and social activities for
 256 visiting foreign heads of state, diplomats, dignitaries, and
 257 exchange groups.

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

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

264 (6) Provide, arrange, and make expenditures for the
 265 achievement of any or all of the purposes specified in this
 266 section.

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

269 15.182 International travel by state-funded musical,
 270 cultural, or artistic organizations; notification to the
 271 Department of Economic Opportunity.—

272 (2) The Department of Economic Opportunity, ~~in conjunction~~
 273 ~~with Enterprise Florida, Inc.,~~ shall act as an intermediary
 274 between performing musical, cultural, and artistic organizations
 275 and Florida businesses to encourage and coordinate joint

276 | undertakings. Such coordination may include, but is not limited
277 | to, encouraging business and industry to sponsor cultural
278 | events, assistance with travel of such organizations, and
279 | coordinating travel schedules of cultural performance groups and
280 | international trade missions.

281 | Section 5. Subsections (4) and (5), paragraph (b) of
282 | subsection (9), and subsections (10) and (11) of section 20.60,
283 | Florida Statutes, are amended to read:

284 | 20.60 Department of Economic Opportunity; creation; powers
285 | and duties.—

286 | (4) The purpose of the department is to assist the
287 | Governor in working with the Legislature, state agencies,
288 | business leaders, and economic development professionals to
289 | formulate and implement coherent and consistent policies and
290 | strategies designed to promote economic opportunities for all
291 | Floridians. To accomplish such purposes, the department shall:

292 | (a) Facilitate the direct involvement of the Governor and
293 | the Lieutenant Governor in economic development and workforce
294 | development projects designed to create, expand, and retain
295 | businesses in this state, to recruit business from around the
296 | world, and to facilitate other job-creating efforts.

297 | (b) Recruit new businesses to this state and promote the
298 | expansion of existing businesses by expediting permitting and
299 | location decisions, worker placement and training, and incentive
300 | awards.

301 (c) Promote viable, sustainable communities by providing
 302 technical assistance and guidance on growth and development
 303 issues, grants, and other assistance to local communities.

304 (d) Ensure that the state's goals and policies relating to
 305 economic development, workforce development, community planning
 306 and development, and affordable housing are fully integrated
 307 with appropriate implementation strategies.

308 (e) Manage the activities of public-private partnerships
 309 and state agencies in order to avoid duplication and promote
 310 coordinated and consistent implementation of programs in areas
 311 including, but not limited to, tourism; international trade and
 312 investment; business recruitment, creation, retention, and
 313 expansion; minority and small business development; rural
 314 community development; commercialization of products, services,
 315 or ideas developed in public universities or other public
 316 institutions; and the development and promotion of professional
 317 and amateur sporting events.

318 (f) Coordinate with state agencies on the processing of
 319 state development approvals or permits to minimize the
 320 duplication of information provided by the applicant and the
 321 time before approval or disapproval.

322 ~~(5) The divisions within the department have specific~~
 323 ~~responsibilities to achieve the duties, responsibilities, and~~
 324 ~~goals of the department. Specifically:~~

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

326 (g)~~1.~~ Analyze and evaluate business prospects identified
 327 by the Governor and~~,~~ the executive director of the department,
 328 ~~and Enterprise Florida, Inc.~~

329 (h)~~2.~~ Administer certain tax refund, tax credit, and grant
 330 programs created in law. Notwithstanding any other provision of
 331 law, the department may expend interest earned from the
 332 investment of program funds deposited in the Grants and
 333 Donations Trust Fund to contract for the administration of those
 334 programs, or portions of the programs, assigned to the
 335 department by law, by the appropriations process, or by the
 336 Governor. Such expenditures shall be subject to review under
 337 chapter 216.

338 (i)~~3.~~ Develop measurement protocols for the state
 339 incentive programs and for the contracted entities which will be
 340 used to determine their performance and competitive value to the
 341 state. Performance measures, benchmarks, and sanctions must be
 342 developed in consultation with the legislative appropriations
 343 committees and the appropriate substantive committees, and are
 344 subject to the review and approval process provided in s.
 345 216.177. The approved performance measures, standards, and
 346 sanctions shall be included and made a part of the strategic
 347 plan for contracts entered into for delivery of programs
 348 authorized by this section.

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

351 1.a. Strategies for the promotion of business formation,
352 expansion, recruitment, and retention through aggressive
353 marketing, international development, and export assistance,
354 which lead to more and better jobs and higher wages for all
355 geographic regions, disadvantaged communities, and populations
356 of the state, including rural areas, minority businesses, and
357 urban core areas.

358 2.b. The development of realistic policies and programs to
359 further the economic diversity of the state, its regions, and
360 their associated industrial clusters.

361 3.e. Specific provisions for the stimulation of economic
362 development and job creation in rural areas and midsize cities
363 and counties of the state, including strategies for rural
364 marketing and the development of infrastructure in rural areas.

365 4.d. Provisions for the promotion of the successful long-
366 term economic development of the state with increased emphasis
367 in market research and information.

368 5.e. Plans for the generation of foreign investment in the
369 state which create jobs paying above-average wages and which
370 result in reverse investment in the state, including programs
371 that establish viable overseas markets, assist in meeting the
372 financing requirements of export-ready firms, broaden
373 opportunities for international joint venture relationships, use
374 the resources of academic and other institutions, coordinate
375 trade assistance and facilitation services, and facilitate

376 availability of and access to education and training programs
 377 that assure requisite skills and competencies necessary to
 378 compete successfully in the global marketplace.

379 6.f. The identification of business sectors that are of
 380 current or future importance to the state's economy and to the
 381 state's global business image, and development of specific
 382 strategies to promote the development of such sectors.

383 7.g. Strategies for talent development necessary in the
 384 state to encourage economic development growth, taking into
 385 account factors such as the state's talent supply chain,
 386 education and training opportunities, and available workforce.

387 (k)5. Update the strategic plan every 5 years.

388 (l)6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource
 389 Florida, Inc.; local governments; the general public; local and
 390 regional economic development organizations; other local, state,
 391 and federal economic, international, and workforce development
 392 entities; the business community; and educational institutions
 393 to assist with the strategic plan.

394 (5) The divisions within the department have specific
 395 responsibilities to achieve the duties, responsibilities, and
 396 goals of the department. Specifically:

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

398 1. Assist local governments and their communities in
 399 finding creative planning solutions to help them foster vibrant,
 400 healthy communities, while protecting the functions of important

401 state resources and facilities.

402 2. Administer state and federal grant programs as provided
 403 by law to provide community development and project planning
 404 activities to maintain viable communities, revitalize existing
 405 communities, and expand economic development and employment
 406 opportunities, including:

- 407 a. The Community Services Block Grant Program.
- 408 b. The Community Development Block Grant Program in
 409 chapter 290.
- 410 c. The Low-Income Home Energy Assistance Program in
 411 chapter 409.
- 412 d. The Weatherization Assistance Program in chapter 409.
- 413 e. The Neighborhood Stabilization Program.
- 414 f. The local comprehensive planning process and the
 415 development of regional impact process.
- 416 g. The Front Porch Florida Initiative through the Office
 417 of Urban Opportunity, which is created within the division. The
 418 purpose of the office is to administer the Front Porch Florida
 419 initiative, a comprehensive, community-based urban core
 420 redevelopment program that enables urban core residents to craft
 421 solutions to the unique challenges of each designated community.

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

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

- 425 1. Prepare and submit a unified budget request for

426 workforce development in accordance with chapter 216 for, and in
 427 conjunction with, CareerSource Florida, Inc., and its board.

428 2. Ensure that the state appropriately administers federal
 429 and state workforce funding by administering plans and policies
 430 of CareerSource Florida, Inc., under contract with CareerSource
 431 Florida, Inc. The operating budget and midyear amendments
 432 thereto must be part of such contract.

433 a. All program and fiscal instructions to local workforce
 434 development boards shall emanate from the Department of Economic
 435 Opportunity pursuant to plans and policies of CareerSource
 436 Florida, Inc., which shall be responsible for all policy
 437 directions to the local workforce development boards.

438 b. Unless otherwise provided by agreement with
 439 CareerSource Florida, Inc., administrative and personnel
 440 policies of the Department of Economic Opportunity apply.

441 3. Implement the state's reemployment assistance program.
 442 The Department of Economic Opportunity shall ensure that the
 443 state appropriately administers the reemployment assistance
 444 program pursuant to state and federal law.

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

447 (9) The executive director shall:

448 (b) Serve as the manager for the state with respect to
 449 contracts with the Florida Tourism Industry Marketing
 450 Corporation ~~Enterprise Florida, Inc., the Institute for the~~

451 ~~Commercialization of Public Research, and all applicable direct-~~
452 ~~support organizations.~~ To accomplish the provisions of this
453 section and applicable provisions of chapter 288, and
454 notwithstanding the provisions of part I of chapter 287, the
455 director shall enter into specific contracts with the Florida
456 Tourism Industry Marketing Corporation ~~Enterprise Florida, Inc.,~~
457 ~~the Institute for the Commercialization of Public Research, and~~
458 ~~other appropriate direct support organizations.~~ Such contracts
459 may be for multiyear terms and shall include specific
460 performance measures for each year. ~~For purposes of this~~
461 ~~section, the Florida Tourism Industry Marketing Corporation is~~
462 ~~not an appropriate direct support organization.~~

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

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

470 (b) The report must incorporate annual reports of other
471 programs, including:

472 1. The displaced homemaker program established under s.
473 446.50.

474 2. Information provided by the Department of Revenue under
475 s. 290.014.

476 3. Information provided by enterprise zone development
477 agencies under s. 290.0056 and an analysis of the activities and
478 accomplishments of each enterprise zone.

479 ~~4. The Economic Gardening Business Loan Pilot Program~~
480 ~~established under s. 288.1081 and the Economic Gardening~~
481 ~~Technical Assistance Pilot Program established under s.~~
482 ~~288.1082.~~

483 ~~4.5.~~ A detailed report of the performance of the Black
484 Business Loan Program and a cumulative summary of quarterly
485 report data required under s. 288.714.

486 ~~5.6.~~ The Rural Economic Development Initiative established
487 under s. 288.0656.

488 ~~6.7.~~ The Florida Unique Abilities Partner Program.

489 (11) The department shall establish annual performance
490 standards for ~~Enterprise Florida, Inc.,~~ CareerSource Florida,
491 Inc., the Florida Tourism Industry Marketing Corporation, and
492 Space Florida and report annually on how these performance
493 measures are being met in the annual report required under
494 subsection (10).

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

496 Section 7. (1) All duties, functions, records, pending
497 issues, existing contracts, administrative authority,
498 administrative rules, and unexpended balances of appropriations,
499 allocations, and other public funds relating to the programs in
500 Enterprise Florida, Inc., are transferred by a type two transfer

501 to the Department of Economic Opportunity.

502 (2) (a) The Florida Sports Foundation, incorporated under
503 chapter 617, Florida Statutes, which was previously merged into
504 and transferred to Enterprise Florida, Inc., may enter into an
505 agreement with the Department of Economic Opportunity to
506 continue any existing program, activity, duty, or function
507 necessary for the operation of the foundation.

508 (b) Any funds held in trust which were donated to or
509 earned by the Florida Sports Foundation may be used by the
510 foundation for the original purposes for which the funds were
511 received.

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

516 (b) Any funds held in trust which were donated to or
517 earned by the Florida Tourism Industry Marketing Corporation may
518 be used by the corporation for the original purposes for which
519 the funds were received.

520 (4) It is the intent of the Legislature that the changes
521 made by this act be accomplished with minimal disruption of
522 services provided to the public and with minimal disruption to
523 employees of any organization.

524 Section 8. For programs established pursuant to ss.
525 212.08(5)q), 212.097, 220.1899, 220.191, 288.047, 288.1045,

526 | 288.106, 288.107, 288.108, 288.1081, 288.1082, 288.1088,
 527 | 288.1089, 288.1162, 288.11621, 288.11625, 288.11631,
 528 | 288.1254(11), 288.9916, and 339.2821, Florida Statutes, no new
 529 | or additional applications or certifications shall be approved,
 530 | no new letters of certification may be issued, no new contracts
 531 | or agreements may be executed, and no new awards may be made.
 532 | All certifications are rescinded except for those certified
 533 | applicants or projects that continue to meet the criteria in
 534 | effect before July 1, 2017. Any existing contracts or agreements
 535 | authorized under any of these programs shall continue in full
 536 | force and effect in accordance with the statutory requirements
 537 | in effect when the contract or agreement was executed or last
 538 | modified. However, no further modifications, extensions, or
 539 | waivers may be made or granted relating to such contracts or
 540 | agreements except computations by the Department of Revenue of
 541 | the income generated by or arising out of the qualifying
 542 | project.

543 | Section 9. Paragraph (n) of subsection (3) of section
 544 | 125.0104, Florida Statutes, is amended to read:

545 | 125.0104 Tourist development tax; procedure for levying;
 546 | authorized uses; referendum; enforcement.—

547 | (3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.—

548 | (n) In addition to any other tax that is imposed under
 549 | this section, a county that has imposed the tax under paragraph
 550 | (1) may impose an additional tax that is no greater than 1

551 percent on the exercise of the privilege described in paragraph
552 (a) by a majority plus one vote of the membership of the board
553 of county commissioners in order to:

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

555 a. The construction, reconstruction, or renovation of a
556 facility either publicly owned and operated, or publicly owned
557 and operated by the owner of a professional sports franchise or
558 other lessee with sufficient expertise or financial capability
559 to operate such facility, and to pay the planning and design
560 costs incurred prior to the issuance of such bonds for a new
561 professional sports franchise ~~as defined in s. 288.1162.~~ As used
562 in this sub-subparagraph, the term "new professional sports
563 franchise" means a professional sports franchise that was not
564 based in this state before April 1, 1987.

565 b. The acquisition, construction, reconstruction, or
566 renovation of a facility either publicly owned and operated, or
567 publicly owned and operated by the owner of a professional
568 sports franchise or other lessee with sufficient expertise or
569 financial capability to operate such facility, and to pay the
570 planning and design costs incurred prior to the issuance of such
571 bonds for a retained spring training franchise.

572 2. Promote and advertise tourism in the State of Florida
573 and nationally and internationally; however, if tax revenues are
574 expended for an activity, service, venue, or event, the
575 activity, service, venue, or event shall have as one of its main

576 | purposes the attraction of tourists as evidenced by the
577 | promotion of the activity, service, venue, or event to tourists.

578 |
579 | A county that imposes the tax authorized in this paragraph may
580 | not expend any ad valorem tax revenues for the acquisition,
581 | construction, reconstruction, or renovation of a facility for
582 | which tax revenues are used pursuant to subparagraph 1. The
583 | provision of paragraph (b) which prohibits any county authorized
584 | to levy a convention development tax pursuant to s. 212.0305
585 | from levying more than the 2-percent tax authorized by this
586 | section shall not apply to the additional tax authorized by this
587 | paragraph in counties which levy convention development taxes
588 | pursuant to s. 212.0305(4)(a). Subsection (4) does not apply to
589 | the adoption of the additional tax authorized in this paragraph.
590 | The effective date of the levy and imposition of the tax
591 | authorized under this paragraph is the first day of the second
592 | month following approval of the ordinance by the board of county
593 | commissioners or the first day of any subsequent month specified
594 | in the ordinance. A certified copy of such ordinance shall be
595 | furnished by the county to the Department of Revenue within 10
596 | days after approval of the ordinance.

597 | Section 10. Subsection (11) of section 159.803, Florida
598 | Statutes, is amended to read:

599 | 159.803 Definitions.—As used in this part, the term:

600 | (11) "Florida First Business project" means any project

601 which is certified by the Department of Economic Opportunity as
 602 eligible to receive an allocation from the Florida First
 603 Business allocation pool established pursuant to s. 159.8083.
 604 The Department of Economic Opportunity may certify ~~these~~
 605 ~~projects meeting the criteria set forth in s. 288.106(4)(b) or~~
 606 any project providing a substantial economic benefit to this
 607 state.

608 Section 11. Paragraph (a) of subsection (8) of section
 609 166.231, Florida Statutes, is amended to read:

610 166.231 Municipalities; public service tax.—

611 (8) (a) Beginning July 1, 1995, a municipality may by
 612 ordinance exempt not less than 50 percent of the tax imposed
 613 under this section on purchasers of electrical energy who are
 614 determined to be eligible for the exemption provided by s.
 615 212.08(14) ~~212.08(15)~~ by the Department of Revenue. The
 616 exemption shall be administered as provided in that section. A
 617 copy of any ordinance adopted pursuant to this subsection shall
 618 be provided to the Department of Revenue not less than 14 days
 619 prior to its effective date.

620 Section 12. Section 189.033, Florida Statutes, is amended
 621 to read:

622 189.033 Independent special district services in
 623 disproportionately affected county; rate reduction for providers
 624 providing economic benefits.—If the governing body of an
 625 independent special district that provides water, wastewater,

626 and sanitation services in a disproportionately affected county,
627 ~~as defined in s. 288.106(8),~~ determines that a new user or the
628 expansion of an existing user of one or more of its utility
629 systems will provide a significant benefit to the community in
630 terms of increased job opportunities, economies of scale, or
631 economic development in the area, the governing body may
632 authorize a reduction of its rates, fees, or charges for that
633 user for a specified period of time. A governing body that
634 exercises this power must do so by resolution that states the
635 anticipated economic benefit justifying the reduction as well as
636 the period of time that the reduction will remain in place. As
637 used in this section, the term "disproportionally affected
638 county" means Bay County, Escambia County, Franklin County, Gulf
639 County, Okaloosa County, Santa Rosa County, Walton County, or
640 Wakulla County.

641 Section 13. Subsections (11) through (19) of section
642 196.012, Florida Statutes, are renumbered as subsections (12)
643 through (20), respectively, a new subsection (11) is added to
644 that section, and paragraph (a) of present subsection (14),
645 paragraph (a) of present subsection (15), and present subsection
646 (16) of that section are amended to read:

647 196.012 Definitions.—For the purpose of this chapter, the
648 following terms are defined as follows, except where the context
649 clearly indicates otherwise:

650 (11) "Target industry business" means a corporate

651 headquarters business or any business that is engaged in one of
652 the target industries identified pursuant to the following
653 criteria developed by the Department of Economic Opportunity:

654 (a) Future growth.—The industry forecast indicates strong
655 expectation for future growth in employment and output,
656 according to the most recent available data. Special
657 consideration should be given to businesses that export goods
658 to, or provide services in, international markets and businesses
659 that replace domestic and international imports of goods or
660 services.

661 (b) Stability.—The industry is not subject to periodic
662 layoffs, whether due to seasonality or sensitivity to volatile
663 economic variables such as weather. The industry is also
664 relatively resistant to recession, so that the demand for
665 products of this industry is not typically subject to decline
666 during an economic downturn.

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

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

673 (e) Industrial base diversification and strengthening.—The
674 industry contributes toward expanding or diversifying the
675 state's or area's economic base, as indicated by analysis of

676 employment and output shares compared to national and regional
677 trends. Special consideration should be given to industries that
678 strengthen regional economies by adding value to basic products
679 or building regional industrial clusters as indicated by
680 industry analysis. Special consideration should also be given to
681 the development of strong industrial clusters that include
682 defense and homeland security businesses.

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

688
689 The term does not include any business engaged in retail
690 industry activities; any electrical utility company as defined
691 in s. 366.02(2); any phosphate or other solid minerals
692 severance, mining, or processing operation; any oil or gas
693 exploration or production operation; or any business subject to
694 regulation by the Division of Hotels and Restaurants of the
695 Department of Business and Professional Regulation. Any business
696 within NAICS code 5611 or 5614, office administrative services
697 and business support services, respectively, may be considered a
698 target industry business only after the local governing body and
699 the Department of Economic Opportunity determine that the
700 community in which the business may locate has conditions

701 affecting the fiscal and economic viability of the local
 702 community or area, including, but not limited to, low per capita
 703 income, high unemployment, high underemployment, and a lack of
 704 year-round stable employment opportunities, and such conditions
 705 may be improved by the business locating in such community. By
 706 January 1 of every 3rd year, beginning January 1, 2011, the
 707 Department of Economic Opportunity, in consultation with
 708 economic development organizations, the State University System,
 709 local governments, employee and employer organizations, market
 710 analysts, and economists, shall review and, as appropriate,
 711 revise the list of target industries and submit the list to the
 712 Governor, the President of the Senate, and the Speaker of the
 713 House of Representatives.

714 (15)~~(14)~~ "New business" means:

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

720 a. manufactures, processes, compounds, fabricates, or
 721 produces for sale items of tangible personal property at a fixed
 722 location and which comprises an industrial or manufacturing
 723 plant; or

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

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

732 3. An office space in this state owned and used by a
 733 business or organization newly domiciled in this state; provided
 734 such office space houses 50 or more full-time employees of such
 735 business or organization; provided that such business or
 736 organization office first begins operation on a site clearly
 737 separate from any other commercial or industrial operation owned
 738 by the same business or organization.

739 (16)~~(15)~~ "Expansion of an existing business" means:

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

746 2. A business or organization establishing 25 or more new
 747 jobs to employ 25 or more full-time employees in this state, the
 748 sales factor of which, as defined by s. 220.15(5), for the
 749 facility with respect to which it requests an economic
 750 development ad valorem tax exemption is less than 0.50 for each

751 year the exemption is claimed; provided that such business
 752 increases operations on a site located within the same county,
 753 municipality, or both colocated with a commercial or industrial
 754 operation owned by the same business or organization under
 755 common control with the same business or organization, resulting
 756 in a net increase in employment of not less than 10 percent or
 757 an increase in productive output or sales of not less than 10
 758 percent.

759 (17)~~(16)~~ "Permanent resident" means a person who has
 760 established a permanent residence as defined in subsection (18)
 761 ~~(17)~~.

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

764 196.101 Exemption for totally and permanently disabled
 765 persons.—

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

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

773 196.121 Homestead exemptions; forms.—

774 (2) The forms shall require the taxpayer to furnish
 775 certain information to the property appraiser for the purpose of

776 determining that the taxpayer is a permanent resident as defined
777 in s. 196.012(17) ~~196.012(16)~~. Such information may include, but
778 need not be limited to, the factors enumerated in s. 196.015.

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

781 196.1995 Economic development ad valorem tax exemption.—

782 (6) With respect to a new business as defined in ~~by~~ s.
783 196.012(15)(c) ~~196.012(14)(e)~~, the municipality annexing the
784 property on which the business is situated may grant an economic
785 development ad valorem tax exemption under this section to that
786 business for a period that will expire upon the expiration of
787 the exemption granted by the county. If the county renews the
788 exemption under subsection (7), the municipality may also extend
789 its exemption. A municipal economic development ad valorem tax
790 exemption granted under this subsection may not extend beyond
791 the duration of the county exemption.

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

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

797 (b) The total amount of revenue available to the county or
798 municipality from ad valorem tax sources for the current fiscal
799 year, the total amount of revenue lost to the county or
800 municipality for the current fiscal year by virtue of economic

801 development ad valorem tax exemptions currently in effect, and
 802 the estimated revenue loss to the county or municipality for the
 803 current fiscal year attributable to the exemption of the
 804 business named in the ordinance;

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

809 (d) A finding that the business named in the ordinance
 810 meets the requirements of s. 196.012(15) or (16) ~~196.012(14) or~~
 811 ~~(15)~~.

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

814 201.15 Distribution of taxes collected.—All taxes
 815 collected under this chapter are hereby pledged and shall be
 816 first made available to make payments when due on bonds issued
 817 pursuant to s. 215.618 or s. 215.619, or any other bonds
 818 authorized to be issued on a parity basis with such bonds. Such
 819 pledge and availability for the payment of these bonds shall
 820 have priority over any requirement for the payment of service
 821 charges or costs of collection and enforcement under this
 822 section. All taxes collected under this chapter, except taxes
 823 distributed to the Land Acquisition Trust Fund pursuant to
 824 subsections (1) and (2), are subject to the service charge
 825 imposed in s. 215.20(1). Before distribution pursuant to this

826 section, the Department of Revenue shall deduct amounts
 827 necessary to pay the costs of the collection and enforcement of
 828 the tax levied by this chapter. The costs and service charge may
 829 not be levied against any portion of taxes pledged to debt
 830 service on bonds to the extent that the costs and service charge
 831 are required to pay any amounts relating to the bonds. All of
 832 the costs of the collection and enforcement of the tax levied by
 833 this chapter and the service charge shall be available and
 834 transferred to the extent necessary to pay debt service and any
 835 other amounts payable with respect to bonds authorized before
 836 January 1, 2017, secured by revenues distributed pursuant to
 837 this section. All taxes remaining after deduction of costs shall
 838 be distributed as follows:

839 (4) After the required distributions to the Land
 840 Acquisition Trust Fund pursuant to subsections (1) and (2) and
 841 deduction of the service charge imposed pursuant to s.
 842 215.20(1), the remainder shall be distributed as follows:

843 (a) The lesser of 24.18442 percent of the remainder or
 844 \$541.75 million in each fiscal year shall be paid into the State
 845 Treasury to the credit of the State Transportation Trust Fund.
 846 Of such funds, \$75 million for each fiscal year shall be
 847 transferred to the General Revenue Fund ~~State Economic~~
 848 ~~Enhancement and Development Trust Fund within the Department of~~
 849 ~~Economic Opportunity~~. Notwithstanding any other law, the
 850 remaining amount credited to the State Transportation Trust Fund

851 shall be used for:

852 1. Capital funding for the New Starts Transit Program,
 853 authorized by Title 49, U.S.C. s. 5309 and specified in s.
 854 341.051, in the amount of 10 percent of the funds;

855 2. The Small County Outreach Program specified in s.
 856 339.2818, in the amount of 10 percent of the funds;

857 3. The Strategic Intermodal System specified in ss.
 858 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent
 859 of the funds after deduction of the payments required pursuant
 860 to subparagraphs 1. and 2.; and

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

867 (c) Eleven and twenty-four hundredths percent of the
 868 remainder in each fiscal year shall be paid into the State
 869 Treasury to the credit of the State Housing Trust Fund. Of such
 870 funds, the first \$35 million shall be transferred annually,
 871 subject to any distribution required under subsection (5), to
 872 the General Revenue Fund ~~State Economic Enhancement and~~
 873 ~~Development Trust Fund within the Department of Economic~~
 874 ~~Opportunity~~. The remainder shall be used as follows:

875 1. Half of that amount shall be used for the purposes for

876 | which the State Housing Trust Fund was created and exists by
877 | law.

878 | 2. Half of that amount shall be paid into the State
879 | Treasury to the credit of the Local Government Housing Trust
880 | Fund and used for the purposes for which the Local Government
881 | Housing Trust Fund was created and exists by law.

882 | (d) Twelve and ninety-three hundredths percent of the
883 | remainder in each fiscal year shall be paid into the State
884 | Treasury to the credit of the State Housing Trust Fund. Of such
885 | funds, the first \$40 million shall be transferred annually,
886 | subject to any distribution required under subsection (5), to
887 | the General Revenue Fund ~~State Economic Enhancement and~~
888 | ~~Development Trust Fund within the Department of Economic~~
889 | ~~Opportunity~~. The remainder shall be used as follows:

890 | 1. Twelve and one-half percent of that amount shall be
891 | deposited into the State Housing Trust Fund and expended by the
892 | Department of Economic Opportunity and the Florida Housing
893 | Finance Corporation for the purposes for which the State Housing
894 | Trust Fund was created and exists by law.

895 | 2. Eighty-seven and one-half percent of that amount shall
896 | be distributed to the Local Government Housing Trust Fund and
897 | used for the purposes for which the Local Government Housing
898 | Trust Fund was created and exists by law. Funds from this
899 | category may also be used to provide for state and local
900 | services to assist the homeless.

901 Section 18. Paragraph (a) of subsection (1) of section
 902 212.031, Florida Statutes, is amended to read:

903 212.031 Tax on rental or license fee for use of real
 904 property.—

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

- 909 1. Assessed as agricultural property under s. 193.461.
- 910 2. Used exclusively as dwelling units.
- 911 3. Property subject to tax on parking, docking, or storage
 912 spaces under s. 212.03(6).

913 4. Recreational property or the common elements of a
 914 condominium when subject to a lease between the developer or
 915 owner thereof and the condominium association in its own right
 916 or as agent for the owners of individual condominium units or
 917 the owners of individual condominium units. However, only the
 918 lease payments on such property shall be exempt from the tax
 919 imposed by this chapter, and any other use made by the owner or
 920 the condominium association shall be fully taxable under this
 921 chapter.

922 5. A public or private street or right-of-way and poles,
 923 conduits, fixtures, and similar improvements located on such
 924 streets or rights-of-way, occupied or used by a utility or
 925 provider of communications services, as defined by s. 202.11,

926 | for utility or communications or television purposes. For
927 | purposes of this subparagraph, the term "utility" means any
928 | person providing utility services as defined in s. 203.012. This
929 | exception also applies to property, wherever located, on which
930 | the following are placed: towers, antennas, cables, accessory
931 | structures, or equipment, not including switching equipment,
932 | used in the provision of mobile communications services as
933 | defined in s. 202.11. For purposes of this chapter, towers used
934 | in the provision of mobile communications services, as defined
935 | in s. 202.11, are considered to be fixtures.

936 | 6. A public street or road which is used for
937 | transportation purposes.

938 | 7. Property used at an airport exclusively for the purpose
939 | of aircraft landing or aircraft taxiing or property used by an
940 | airline for the purpose of loading or unloading passengers or
941 | property onto or from aircraft or for fueling aircraft.

942 | 8.a. Property used at a port authority, as defined in s.
943 | 315.02(2), exclusively for the purpose of oceangoing vessels or
944 | tugs docking, or such vessels mooring on property used by a port
945 | authority for the purpose of loading or unloading passengers or
946 | cargo onto or from such a vessel, or property used at a port
947 | authority for fueling such vessels, or to the extent that the
948 | amount paid for the use of any property at the port is based on
949 | the charge for the amount of tonnage actually imported or
950 | exported through the port by a tenant.

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

955 ~~9. Property used as an integral part of the performance of~~
956 ~~qualified production services. As used in this subparagraph, the~~
957 ~~term "qualified production services" means any activity or~~
958 ~~service performed directly in connection with the production of~~
959 ~~a qualified motion picture, as defined in s. 212.06(1)(b), and~~
960 ~~includes:~~

961 ~~a. Photography, sound and recording, casting, location~~
962 ~~managing and scouting, shooting, creation of special and optical~~
963 ~~effects, animation, adaptation (language, media, electronic, or~~
964 ~~otherwise), technological modifications, computer graphics, set~~
965 ~~and stage support (such as electricians, lighting designers and~~
966 ~~operators, greensmen, prop managers and assistants, and grips),~~
967 ~~wardrobe (design, preparation, and management), hair and makeup~~
968 ~~(design, production, and application), performing (such as~~
969 ~~acting, dancing, and playing), designing and executing stunts,~~
970 ~~coaching, consulting, writing, scoring, composing,~~
971 ~~choreographing, script supervising, directing, producing,~~
972 ~~transmitting dailies, dubbing, mixing, editing, cutting,~~
973 ~~looping, printing, processing, duplicating, storing, and~~
974 ~~distributing;~~

975 ~~b. The design, planning, engineering, construction,~~

976 ~~alteration, repair, and maintenance of real or personal property~~
 977 ~~including stages, sets, props, models, paintings, and facilities~~
 978 ~~principally required for the performance of those services~~
 979 ~~listed in sub-subparagraph a.; and~~

980 ~~e. Property management services directly related to~~
 981 ~~property used in connection with the services described in sub-~~
 982 ~~subparagraphs a. and b.~~

983
 984 ~~This exemption will inure to the taxpayer upon presentation of~~
 985 ~~the certificate of exemption issued to the taxpayer under the~~
 986 ~~provisions of s. 288.1258.~~

987 9.10. Leased, subleased, licensed, or rented to a person
 988 providing food and drink concessionaire services within the
 989 premises of a convention hall, exhibition hall, auditorium,
 990 stadium, theater, arena, civic center, performing arts center,
 991 publicly owned recreational facility, or any business operated
 992 under a permit issued pursuant to chapter 550. A person
 993 providing retail concessionaire services involving the sale of
 994 food and drink or other tangible personal property within the
 995 premises of an airport shall be subject to tax on the rental of
 996 real property used for that purpose, but shall not be subject to
 997 the tax on any license to use the property. For purposes of this
 998 subparagraph, the term "sale" shall not include the leasing of
 999 tangible personal property.

1000 10.11. Property occupied pursuant to an instrument calling

1001 for payments which the department has declared, in a Technical
 1002 Assistance Advisement issued on or before March 15, 1993, to be
 1003 nontaxable pursuant to rule 12A-1.070(19)(c), Florida
 1004 Administrative Code; provided that this subparagraph shall only
 1005 apply to property occupied by the same person before and after
 1006 the execution of the subject instrument and only to those
 1007 payments made pursuant to such instrument, exclusive of renewals
 1008 and extensions thereof occurring after March 15, 1993.

1009 11.12. Property used or occupied predominantly for space
 1010 flight business purposes. As used in this subparagraph, "space
 1011 flight business" means the manufacturing, processing, or
 1012 assembly of a space facility, space propulsion system, space
 1013 vehicle, satellite, or station of any kind possessing the
 1014 capacity for space flight, as defined by s. 212.02(23), or
 1015 components thereof, and also means the following activities
 1016 supporting space flight: vehicle launch activities, flight
 1017 operations, ground control or ground support, and all
 1018 administrative activities directly related thereto. Property
 1019 shall be deemed to be used or occupied predominantly for space
 1020 flight business purposes if more than 50 percent of the
 1021 property, or improvements thereon, is used for one or more space
 1022 flight business purposes. Possession by a landlord, lessor, or
 1023 licensor of a signed written statement from the tenant, lessee,
 1024 or licensee claiming the exemption shall relieve the landlord,
 1025 lessor, or licensor from the responsibility of collecting the

1026 tax, and the department shall look solely to the tenant, lessee,
 1027 or licensee for recovery of such tax if it determines that the
 1028 exemption was not applicable.

1029 12.13. Rented, leased, subleased, or licensed to a person
 1030 providing telecommunications, data systems management, or
 1031 Internet services at a publicly or privately owned convention
 1032 hall, civic center, or meeting space at a public lodging
 1033 establishment as defined in s. 509.013. This subparagraph
 1034 applies only to that portion of the rental, lease, or license
 1035 payment that is based upon a percentage of sales, revenue
 1036 sharing, or royalty payments and not based upon a fixed price.
 1037 This subparagraph is intended to be clarifying and remedial in
 1038 nature and shall apply retroactively. This subparagraph does not
 1039 provide a basis for an assessment of any tax not paid, or create
 1040 a right to a refund of any tax paid, pursuant to this section
 1041 before July 1, 2010.

1042 Section 19. Paragraph (b) of subsection (1) of section
 1043 212.06, Florida Statutes, is amended to read:

1044 212.06 Sales, storage, use tax; collectible from dealers;
 1045 "dealer" defined; dealers to collect from purchasers;
 1046 legislative intent as to scope of tax.—

1047 (1)

1048 (b) Except as otherwise provided, any person who
 1049 manufactures, produces, compounds, processes, or fabricates in
 1050 any manner tangible personal property for his or her own use

1051 shall pay a tax upon the cost of the product manufactured,
 1052 produced, compounded, processed, or fabricated without any
 1053 deduction therefrom on account of the cost of material used,
 1054 labor or service costs, or transportation charges,
 1055 notwithstanding the provisions of s. 212.02 defining "cost
 1056 price." However, the tax levied under this paragraph shall not
 1057 be imposed upon any person who manufactures or produces
 1058 electrical power or energy, steam energy, or other energy at a
 1059 single location, when such power or energy is used directly and
 1060 exclusively at such location, or at other locations if the
 1061 energy is transferred through facilities of the owner in the
 1062 operation of machinery or equipment that is used to manufacture,
 1063 process, compound, produce, fabricate, or prepare for shipment
 1064 tangible personal property for sale or to operate pollution
 1065 control equipment, maintenance equipment, or monitoring or
 1066 control equipment used in such operations. The manufacture or
 1067 production of electrical power or energy that is used for space
 1068 heating, lighting, office equipment, or air-conditioning or any
 1069 other, nonprocessing, noncompounding, nonproducing,
 1070 nonfabricating, or nonshipping activity is taxable. Electrical
 1071 power or energy consumed or dissipated in the transmission or
 1072 distribution of electrical power or energy for resale is also
 1073 not taxable. ~~Fabrication labor shall not be taxable when a~~
 1074 ~~person is using his or her own equipment and personnel, for his~~
 1075 ~~or her own account, as a producer, subproducer, or coproducer of~~

1076 ~~a qualified motion picture. For purposes of this chapter, the~~
1077 ~~term "qualified motion picture" means all or any part of a~~
1078 ~~series of related images, either on film, tape, or other~~
1079 ~~embodiment, including, but not limited to, all items comprising~~
1080 ~~part of the original work and film-related products derived~~
1081 ~~therefrom as well as duplicates and prints thereof and all sound~~
1082 ~~recordings created to accompany a motion picture, which is~~
1083 ~~produced, adapted, or altered for exploitation in, on, or~~
1084 ~~through any medium or device and at any location, primarily for~~
1085 ~~entertainment, commercial, industrial, or educational purposes.~~
1086 ~~This exemption for fabrication labor associated with production~~
1087 ~~of a qualified motion picture will inure to the taxpayer upon~~
1088 ~~presentation of the certificate of exemption issued to the~~
1089 ~~taxpayer under the provisions of s. 288.1258. A person who~~
1090 manufactures factory-built buildings for his or her own use in
1091 the performance of contracts for the construction or improvement
1092 of real property shall pay a tax only upon the person's cost
1093 price of items used in the manufacture of such buildings.

1094 Section 20. Section 212.0602, Florida Statutes, is
1095 repealed.

1096 Section 21. Paragraph (a) of subsection (3) of section
1097 212.0606, Florida Statutes, is amended to read:

1098 212.0606 Rental car surcharge.—

1099 (3) (a) Notwithstanding s. 212.20, and less the costs of
1100 administration, 80 percent of the proceeds of this surcharge

1101 shall be deposited in the State Transportation Trust Fund, ~~15.75~~
1102 ~~percent of the proceeds of this surcharge shall be deposited in~~
1103 ~~the Tourism Promotional Trust Fund created in s. 288.122,~~ and 20
1104 4.25 percent of the proceeds of this surcharge shall be
1105 deposited in the General Revenue Fund ~~Florida International~~
1106 ~~Trade and Promotion Trust Fund~~. For the purposes of this
1107 subsection, "proceeds" of the surcharge means all funds
1108 collected and received by the department under this section,
1109 including interest and penalties on delinquent surcharges. The
1110 department shall provide the Department of Transportation rental
1111 car surcharge revenue information for the previous state fiscal
1112 year by September 1 of each year.

1113 Section 22. Paragraphs (g) through (q) of subsection (5)
1114 of section 212.08, Florida Statutes, are redesignated as
1115 paragraphs (f) through (p), respectively, subsections (12)
1116 through (18) are renumbered as subsections (11) through (17),
1117 respectively, and paragraph (f) and present paragraphs (h) and
1118 (j) of subsection (5), subsection (12), and paragraph (f) of
1119 present subsection (15) of that section are amended to read:

1120 212.08 Sales, rental, use, consumption, distribution, and
1121 storage tax; specified exemptions.—The sale at retail, the
1122 rental, the use, the consumption, the distribution, and the
1123 storage to be used or consumed in this state of the following
1124 are hereby specifically exempt from the tax imposed by this
1125 chapter.

1126 (5) EXEMPTIONS; ACCOUNT OF USE.—

1127 ~~(f) Motion picture or video equipment used in motion~~
1128 ~~picture or television production activities and sound recording~~
1129 ~~equipment used in the production of master tapes and master~~
1130 ~~records.—~~

1131 ~~1. Motion picture or video equipment and sound recording~~
1132 ~~equipment purchased or leased for use in this state in~~
1133 ~~production activities is exempt from the tax imposed by this~~
1134 ~~chapter. The exemption provided by this paragraph shall inure to~~
1135 ~~the taxpayer upon presentation of the certificate of exemption~~
1136 ~~issued to the taxpayer under the provisions of s. 288.1258.~~

1137 ~~2. For the purpose of the exemption provided in~~
1138 ~~subparagraph 1.:~~

1139 ~~a. "Motion picture or video equipment" and "sound~~
1140 ~~recording equipment" includes only tangible personal property or~~
1141 ~~other property that has a depreciable life of 3 years or more~~
1142 ~~and that is used by the lessee or purchaser exclusively as an~~
1143 ~~integral part of production activities; however, motion picture~~
1144 ~~or video equipment and sound recording equipment does not~~
1145 ~~include supplies, tape, records, film, or video tape used in~~
1146 ~~productions or other similar items; vehicles or vessels; or~~
1147 ~~general office equipment not specifically suited to production~~
1148 ~~activities. In addition, the term does not include equipment~~
1149 ~~purchased or leased by television or radio broadcasting or cable~~
1150 ~~companies licensed by the Federal Communications Commission.~~

1151 ~~Furthermore, a building and its structural components are not~~
1152 ~~motion picture or video equipment and sound recording equipment~~
1153 ~~unless the building or structural component is so closely~~
1154 ~~related to the motion picture or video equipment and sound~~
1155 ~~recording equipment that it houses or supports that the building~~
1156 ~~or structural component can be expected to be replaced when the~~
1157 ~~motion picture or video equipment and sound recording equipment~~
1158 ~~are replaced. Heating and air conditioning systems are not~~
1159 ~~motion picture or video equipment and sound recording equipment~~
1160 ~~unless the sole justification for their installation is to meet~~
1161 ~~the requirements of the production activities, even though the~~
1162 ~~system may provide incidental comfort to employees or serve, to~~
1163 ~~an insubstantial degree, nonproduction activities.~~

1164 ~~b. "Production activities" means activities directed~~
1165 ~~toward the preparation of a:~~

1166 ~~(I) Master tape or master record embodying sound; or~~

1167 ~~(II) Motion picture or television production which is~~
1168 ~~produced for theatrical, commercial, advertising, or educational~~
1169 ~~purposes and utilizes live or animated actions or a combination~~
1170 ~~of live and animated actions. The motion picture or television~~
1171 ~~production shall be commercially produced for sale or for~~
1172 ~~showing on screens or broadcasting on television and may be on~~
1173 ~~film or video tape.~~

1174 ~~(g)(h) Business property used in an enterprise zone.-~~

1175 1. Business property purchased for use by businesses

1176 | located in an enterprise zone which is subsequently used in an
1177 | enterprise zone shall be exempt from the tax imposed by this
1178 | chapter. This exemption inures to the business only through a
1179 | refund of previously paid taxes. A refund shall be authorized
1180 | upon an affirmative showing by the taxpayer to the satisfaction
1181 | of the department that the requirements of this paragraph have
1182 | been met.

1183 | 2. To receive a refund, the business must file under oath
1184 | with the governing body or enterprise zone development agency
1185 | having jurisdiction over the enterprise zone where the business
1186 | is located, as applicable, an application which includes:

1187 | a. The name and address of the business claiming the
1188 | refund.

1189 | b. The identifying number assigned pursuant to s. 290.0065
1190 | to the enterprise zone in which the business is located.

1191 | c. A specific description of the property for which a
1192 | refund is sought, including its serial number or other permanent
1193 | identification number.

1194 | d. The location of the property.

1195 | e. The sales invoice or other proof of purchase of the
1196 | property, showing the amount of sales tax paid, the date of
1197 | purchase, and the name and address of the sales tax dealer from
1198 | whom the property was purchased.

1199 | f. Whether the business is a small business as defined by
1200 | s. 288.703.

1201 g. If applicable, the name and address of each permanent
1202 employee of the business, including, for each employee who is a
1203 resident of an enterprise zone, the identifying number assigned
1204 pursuant to s. 290.0065 to the enterprise zone in which the
1205 employee resides.

1206 3. Within 10 working days after receipt of an application,
1207 the governing body or enterprise zone development agency shall
1208 review the application to determine if it contains all the
1209 information required pursuant to subparagraph 2. and meets the
1210 criteria set out in this paragraph. The governing body or agency
1211 shall certify all applications that contain the information
1212 required pursuant to subparagraph 2. and meet the criteria set
1213 out in this paragraph as eligible to receive a refund. If
1214 applicable, the governing body or agency shall also certify if
1215 20 percent of the employees of the business are residents of an
1216 enterprise zone, excluding temporary and part-time employees.
1217 The certification shall be in writing, and a copy of the
1218 certification shall be transmitted to the executive director of
1219 the Department of Revenue. The business shall be responsible for
1220 forwarding a certified application to the department within the
1221 time specified in subparagraph 4.

1222 4. An application for a refund pursuant to this paragraph
1223 must be submitted to the department within 6 months after the
1224 tax is due on the business property that is purchased.

1225 5. The amount refunded on purchases of business property

1226 | under this paragraph shall be the lesser of 97 percent of the
 1227 | sales tax paid on such business property or \$5,000, or, if no
 1228 | less than 20 percent of the employees of the business are
 1229 | residents of an enterprise zone, excluding temporary and part-
 1230 | time employees, the amount refunded on purchases of business
 1231 | property under this paragraph shall be the lesser of 97 percent
 1232 | of the sales tax paid on such business property or \$10,000. A
 1233 | refund approved pursuant to this paragraph shall be made within
 1234 | 30 days after formal approval by the department of the
 1235 | application for the refund. A refund may not be granted under
 1236 | this paragraph unless the amount to be refunded exceeds \$100 in
 1237 | sales tax paid on purchases made within a 60-day time period.

1238 | 6. The department shall adopt rules governing the manner
 1239 | and form of refund applications and may establish guidelines as
 1240 | to the requisites for an affirmative showing of qualification
 1241 | for exemption under this paragraph.

1242 | 7. If the department determines that the business property
 1243 | is used outside an enterprise zone within 3 years from the date
 1244 | of purchase, the amount of taxes refunded to the business
 1245 | purchasing such business property shall immediately be due and
 1246 | payable to the department by the business, together with the
 1247 | appropriate interest and penalty, computed from the date of
 1248 | purchase, in the manner provided by this chapter.

1249 | Notwithstanding this subparagraph, business property used
 1250 | exclusively in:

- 1251 a. Licensed commercial fishing vessels,
- 1252 b. Fishing guide boats, or
- 1253 c. Ecotourism guide boats

1254

1255 that leave and return to a fixed location within an area
 1256 designated under s. 379.2353, Florida Statutes 2010, are
 1257 eligible for the exemption provided under this paragraph if all
 1258 requirements of this paragraph are met. Such vessels and boats
 1259 must be owned by a business that is eligible to receive the
 1260 exemption provided under this paragraph. This exemption does not
 1261 apply to the purchase of a vessel or boat.

1262 8. The department shall deduct an amount equal to 10
 1263 percent of each refund granted under this paragraph from the
 1264 amount transferred into the Local Government Half-cent Sales Tax
 1265 Clearing Trust Fund pursuant to s. 212.20 for the county area in
 1266 which the business property is located and shall transfer that
 1267 amount to the General Revenue Fund.

1268 9. For the purposes of this exemption, "business property"
 1269 means new or used property defined as "recovery property" in s.
 1270 168(c) of the Internal Revenue Code of 1954, as amended, except:

- 1271 a. Property classified as 3-year property under s.
 1272 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended;
- 1273 b. Industrial machinery and equipment as defined in sub-
 1274 subparagraph (b)6.a. and eligible for exemption under paragraph
 1275 (b);

1276 c. Building materials as defined in sub-subparagraph
 1277 (f) 8.a. ~~(g) 8.a.~~; and

1278 d. Business property having a sales price of under \$5,000
 1279 per unit.

1280 10. This paragraph expires on the date specified in s.
 1281 290.016 for the expiration of the Florida Enterprise Zone Act.

1282 (i) ~~(j)~~ Machinery and equipment used in semiconductor,
 1283 defense, or space technology production.—

1284 1.a. Industrial machinery and equipment used in
 1285 semiconductor technology facilities certified under subparagraph
 1286 5. to manufacture, process, compound, or produce semiconductor
 1287 technology products for sale or for use by these facilities are
 1288 exempt from the tax imposed by this chapter. For purposes of
 1289 this paragraph, industrial machinery and equipment includes
 1290 molds, dies, machine tooling, other appurtenances or accessories
 1291 to machinery and equipment, testing equipment, test beds,
 1292 computers, and software, whether purchased or self-fabricated,
 1293 and, if self-fabricated, includes materials and labor for
 1294 design, fabrication, and assembly.

1295 b. Industrial machinery and equipment used in defense or
 1296 space technology facilities certified under subparagraph 5. to
 1297 design, manufacture, assemble, process, compound, or produce
 1298 defense technology products or space technology products for
 1299 sale or for use by these facilities are exempt from the tax
 1300 imposed by this chapter.

1301 2. Building materials purchased for use in manufacturing
 1302 or expanding clean rooms in semiconductor-manufacturing
 1303 facilities are exempt from the tax imposed by this chapter.

1304 3. In addition to meeting the criteria mandated by
 1305 subparagraph 1. or subparagraph 2., a business must be certified
 1306 by the Department of Economic Opportunity in order to qualify
 1307 for exemption under this paragraph.

1308 4. For items purchased tax-exempt pursuant to this
 1309 paragraph, possession of a written certification from the
 1310 purchaser, certifying the purchaser's entitlement to the
 1311 exemption, relieves the seller of the responsibility of
 1312 collecting the tax on the sale of such items, and the department
 1313 shall look solely to the purchaser for recovery of the tax if it
 1314 determines that the purchaser was not entitled to the exemption.

1315 5.a. To be eligible to receive the exemption provided by
 1316 subparagraph 1. or subparagraph 2., a qualifying business entity
 1317 shall initially apply to the Department of Economic Opportunity
 1318 ~~Enterprise Florida, Inc.~~ The original certification is valid for
 1319 a period of 2 years. In lieu of submitting a new application,
 1320 the original certification may be renewed biennially by
 1321 submitting to the Department of Economic Opportunity a
 1322 statement, certified under oath, that there has not been a
 1323 material change in the conditions or circumstances entitling the
 1324 business entity to the original certification. The initial
 1325 application and the certification renewal statement shall be

1326 developed by the Department of Economic Opportunity.

1327 b. ~~The Division of Strategic Business Development of the~~
 1328 Department of Economic Opportunity shall review each submitted
 1329 initial application and determine whether or not the application
 1330 is complete within 5 working days. Once complete, the department
 1331 ~~division~~ shall, within 10 working days, evaluate the application
 1332 and recommend approval or disapproval ~~to the Department of~~
 1333 ~~Economic Opportunity.~~

1334 c. Upon receipt of the initial application and
 1335 recommendation ~~from the division~~ or upon receipt of a
 1336 certification renewal statement, the Department of Economic
 1337 Opportunity shall certify within 5 working days those applicants
 1338 who are found to meet the requirements of this section and
 1339 notify the applicant of the original certification or
 1340 certification renewal. If the Department of Economic Opportunity
 1341 finds that the applicant does not meet the requirements, it
 1342 shall notify the applicant ~~and Enterprise Florida, Inc.,~~ within
 1343 10 working days that the application for certification has been
 1344 denied and the reasons for denial. The Department of Economic
 1345 Opportunity has final approval authority for certification under
 1346 this section.

1347 d. The initial application and certification renewal
 1348 statement must indicate, for program evaluation purposes only,
 1349 the average number of full-time equivalent employees at the
 1350 facility over the preceding calendar year, the average wage and

1351 benefits paid to those employees over the preceding calendar
1352 year, the total investment made in real and tangible personal
1353 property over the preceding calendar year, and the total value
1354 of tax-exempt purchases and taxes exempted during the previous
1355 year. The department shall assist the Department of Economic
1356 Opportunity in evaluating and verifying information provided in
1357 the application for exemption.

1358 e. The Department of Economic Opportunity may use the
1359 information reported on the initial application and
1360 certification renewal statement for evaluation purposes only.

1361 6. A business certified to receive this exemption may
1362 elect to designate one or more state universities or community
1363 colleges as recipients of up to 100 percent of the amount of the
1364 exemption. To receive these funds, the institution must agree to
1365 match the funds with equivalent cash, programs, services, or
1366 other in-kind support on a one-to-one basis for research and
1367 development projects requested by the certified business. The
1368 rights to any patents, royalties, or real or intellectual
1369 property must be vested in the business unless otherwise agreed
1370 to by the business and the university or community college.

1371 7. As used in this paragraph, the term:

1372 a. "Semiconductor technology products" means raw
1373 semiconductor wafers or semiconductor thin films that are
1374 transformed into semiconductor memory or logic wafers, including
1375 wafers containing mixed memory and logic circuits; related

1376 assembly and test operations; active-matrix flat panel displays;
1377 semiconductor chips; semiconductor lasers; optoelectronic
1378 elements; and related semiconductor technology products as
1379 determined by the Department of Economic Opportunity.

1380 b. "Clean rooms" means manufacturing facilities enclosed
1381 in a manner that meets the clean manufacturing requirements
1382 necessary for high-technology semiconductor-manufacturing
1383 environments.

1384 c. "Defense technology products" means products that have
1385 a military application, including, but not limited to, weapons,
1386 weapons systems, guidance systems, surveillance systems,
1387 communications or information systems, munitions, aircraft,
1388 vessels, or boats, or components thereof, which are intended for
1389 military use and manufactured in performance of a contract with
1390 the United States Department of Defense or the military branch
1391 of a recognized foreign government or a subcontract thereunder
1392 which relates to matters of national defense.

1393 d. "Space technology products" means products that are
1394 specifically designed or manufactured for application in space
1395 activities, including, but not limited to, space launch
1396 vehicles, space flight vehicles, missiles, satellites or
1397 research payloads, avionics, and associated control systems and
1398 processing systems and components of any of the foregoing. The
1399 term does not include products that are designed or manufactured
1400 for general commercial aviation or other uses even though those

1401 products may also serve an incidental use in space applications.

1402 ~~(12) PARTIAL EXEMPTION; MASTER TAPES, RECORDS, FILMS, OR~~
 1403 ~~VIDEO TAPES.—~~

1404 ~~(a) There are exempt from the taxes imposed by this~~
 1405 ~~chapter the gross receipts from the sale or lease of, and the~~
 1406 ~~storage, use, or other consumption in this state of, master~~
 1407 ~~tapes or master records embodying sound, or master films or~~
 1408 ~~master video tapes; except that amounts paid to recording~~
 1409 ~~studios or motion picture or television studios for the tangible~~
 1410 ~~elements of such master tapes, records, films, or video tapes~~
 1411 ~~are taxable as otherwise provided in this chapter. This~~
 1412 ~~exemption will inure to the taxpayer upon presentation of the~~
 1413 ~~certificate of exemption issued to the taxpayer under the~~
 1414 ~~provisions of s. 288.1258.~~

1415 ~~(b) For the purposes of this subsection, the term:~~

1416 ~~1. "Amounts paid for the tangible elements" does not~~
 1417 ~~include any amounts paid for the copyrightable, artistic, or~~
 1418 ~~other intangible elements of such master tapes, records, films,~~
 1419 ~~or video tapes, whether designated as royalties or otherwise,~~
 1420 ~~including, but not limited to, services rendered in producing,~~
 1421 ~~fabricating, processing, or imprinting tangible personal~~
 1422 ~~property or any other services or production expenses in~~
 1423 ~~connection therewith which may otherwise be construed as~~
 1424 ~~constituting a "sale" under s. 212.02.~~

1425 ~~2. "Master films or master video tapes" means films or~~

1426 ~~video tapes utilized by the motion picture and television~~
 1427 ~~production industries in making visual images for reproduction.~~

1428 ~~3. "Master tapes or master records embodying sound" means~~
 1429 ~~tapes, records, and other devices utilized by the recording~~
 1430 ~~industry in making recordings embodying sound.~~

1431 ~~4. "Motion picture or television studio" means a facility~~
 1432 ~~in which film or video tape productions or parts of productions~~
 1433 ~~are made and which contains the necessary equipment and~~
 1434 ~~personnel for this purpose and includes a mobile unit or vehicle~~
 1435 ~~that is equipped in much the same manner as a stationary studio~~
 1436 ~~and used in the making of film or video tape productions.~~

1437 ~~5. "Recording studio" means a place where, by means of~~
 1438 ~~mechanical or electronic devices, voices, music, or other sounds~~
 1439 ~~are transmitted to tapes, records, or other devices capable of~~
 1440 ~~reproducing sound.~~

1441 ~~6. "Recording industry" means any person engaged in an~~
 1442 ~~occupation or business of making recordings embodying sound for~~
 1443 ~~a livelihood or for a profit.~~

1444 ~~7. "Motion picture or television production industry"~~
 1445 ~~means any person engaged in an occupation or business for a~~
 1446 ~~livelihood or for profit of making visual motion picture or~~
 1447 ~~television visual images for showing on screen or television for~~
 1448 ~~theatrical, commercial, advertising, or educational purposes.~~

1449 ~~(14)-(15) ELECTRICAL ENERGY USED IN AN ENTERPRISE ZONE.-~~

1450 (f) For the purpose of the exemption provided in this

1451 subsection, the term "qualified business" means a business which
1452 is:

1453 1. First occupying a new structure to which electrical
1454 service, other than that used for construction purposes, has not
1455 been previously provided or furnished;

1456 2. Newly occupying an existing, remodeled, renovated, or
1457 rehabilitated structure to which electrical service, other than
1458 that used for remodeling, renovation, or rehabilitation of the
1459 structure, has not been provided or furnished in the three
1460 preceding billing periods; or

1461 3. Occupying a new, remodeled, rebuilt, renovated, or
1462 rehabilitated structure for which a refund has been granted
1463 pursuant to paragraph (5)(f) ~~(5)(g)~~.

1464 Section 23. Section 212.097, Florida Statutes, is
1465 repealed.

1466 Section 24. Paragraph (a) of subsection (1) of section
1467 212.098, Florida Statutes, is amended to read:

1468 212.098 Rural Job Tax Credit Program.—

1469 (1) As used in this section, the term:

1470 (a) "Eligible business" means any sole proprietorship,
1471 firm, partnership, or corporation that is located in a qualified
1472 county and is predominantly engaged in, or is headquarters for a
1473 business predominantly engaged in, activities usually provided
1474 for consideration by firms classified within the following
1475 standard industrial classifications: SIC 01-SIC 09 (agriculture,

1476 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422
1477 (public warehousing and storage); SIC 70 (hotels and other
1478 lodging places); SIC 7391 (research and development); SIC 781
1479 (motion picture production and allied services); SIC 7992
1480 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~
1481 ~~targeted industry eligible for the qualified target industry~~
1482 ~~business tax refund under s. 288.106.~~ A call center or similar
1483 customer service operation that services a multistate market or
1484 an international market is also an eligible business. In
1485 addition, the Department of Economic Opportunity may, as part of
1486 its final budget request submitted pursuant to s. 216.023,
1487 recommend additions to or deletions from the list of standard
1488 industrial classifications used to determine an eligible
1489 business, and the Legislature may implement such
1490 recommendations. Excluded from eligible receipts are receipts
1491 from retail sales, except such receipts for hotels and other
1492 lodging places classified in SIC 70, public golf courses in SIC
1493 7992, and amusement parks in SIC 7996. For purposes of this
1494 paragraph, the term "predominantly" means that more than 50
1495 percent of the business's gross receipts from all sources is
1496 generated by those activities usually provided for consideration
1497 by firms in the specified standard industrial classification.
1498 The determination of whether the business is located in a
1499 qualified county and the tier ranking of that county must be
1500 based on the date of application for the credit under this

1501 section. Commonly owned and controlled entities are to be
 1502 considered a single business entity.

1503 Section 25. Paragraph (d) of subsection (6) of section
 1504 212.20, Florida Statutes, is amended to read:

1505 212.20 Funds collected, disposition; additional powers of
 1506 department; operational expense; refund of taxes adjudicated
 1507 unconstitutionally collected.—

1508 (6) Distribution of all proceeds under this chapter and
 1509 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1510 (d) The proceeds of all other taxes and fees imposed
 1511 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
 1512 and (2)(b) shall be distributed as follows:

1513 1. In any fiscal year, the greater of \$500 million, minus
 1514 an amount equal to 4.6 percent of the proceeds of the taxes
 1515 collected pursuant to chapter 201, or 5.2 percent of all other
 1516 taxes and fees imposed pursuant to this chapter or remitted
 1517 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
 1518 monthly installments into the General Revenue Fund.

1519 2. After the distribution under subparagraph 1., 8.9744
 1520 percent of the amount remitted by a sales tax dealer located
 1521 within a participating county pursuant to s. 218.61 shall be
 1522 transferred into the Local Government Half-cent Sales Tax
 1523 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
 1524 transferred shall be reduced by 0.1 percent, and the department
 1525 shall distribute this amount to the Public Employees Relations

1526 Commission Trust Fund less \$5,000 each month, which shall be
 1527 added to the amount calculated in subparagraph 3. and
 1528 distributed accordingly.

1529 3. After the distribution under subparagraphs 1. and 2.,
 1530 0.0966 percent shall be transferred to the Local Government
 1531 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
 1532 to s. 218.65.

1533 4. After the distributions under subparagraphs 1., 2., and
 1534 3., 2.0810 percent of the available proceeds shall be
 1535 transferred monthly to the Revenue Sharing Trust Fund for
 1536 Counties pursuant to s. 218.215.

1537 5. After the distributions under subparagraphs 1., 2., and
 1538 3., 1.3653 percent of the available proceeds shall be
 1539 transferred monthly to the Revenue Sharing Trust Fund for
 1540 Municipalities pursuant to s. 218.215. If the total revenue to
 1541 be distributed pursuant to this subparagraph is at least as
 1542 great as the amount due from the Revenue Sharing Trust Fund for
 1543 Municipalities and the former Municipal Financial Assistance
 1544 Trust Fund in state fiscal year 1999-2000, no municipality shall
 1545 receive less than the amount due from the Revenue Sharing Trust
 1546 Fund for Municipalities and the former Municipal Financial
 1547 Assistance Trust Fund in state fiscal year 1999-2000. If the
 1548 total proceeds to be distributed are less than the amount
 1549 received in combination from the Revenue Sharing Trust Fund for
 1550 Municipalities and the former Municipal Financial Assistance

1551 Trust Fund in state fiscal year 1999-2000, each municipality
 1552 shall receive an amount proportionate to the amount it was due
 1553 in state fiscal year 1999-2000.

1554 6. Of the remaining proceeds:

1555 a. In each fiscal year, the sum of \$29,915,500 shall be
 1556 divided into as many equal parts as there are counties in the
 1557 state, and one part shall be distributed to each county. The
 1558 distribution among the several counties must begin each fiscal
 1559 year on or before January 5th and continue monthly for a total
 1560 of 4 months. If a local or special law required that any moneys
 1561 accruing to a county in fiscal year 1999-2000 under the then-
 1562 existing provisions of s. 550.135 be paid directly to the
 1563 district school board, special district, or a municipal
 1564 government, such payment must continue until the local or
 1565 special law is amended or repealed. The state covenants with
 1566 holders of bonds or other instruments of indebtedness issued by
 1567 local governments, special districts, or district school boards
 1568 before July 1, 2000, that it is not the intent of this
 1569 subparagraph to adversely affect the rights of those holders or
 1570 relieve local governments, special districts, or district school
 1571 boards of the duty to meet their obligations as a result of
 1572 previous pledges or assignments or trusts entered into which
 1573 obligated funds received from the distribution to county
 1574 governments under then-existing s. 550.135. This distribution
 1575 specifically is in lieu of funds distributed under s. 550.135

1576 before July 1, 2000.

1577 b. The department shall distribute \$166,667 monthly to
1578 each applicant certified as a facility for a new or retained
1579 professional sports franchise pursuant to former s. 288.1162. Up
1580 to \$41,667 shall be distributed monthly by the department to
1581 each certified applicant as defined in former s. 288.11621 for a
1582 facility for a spring training franchise. However, not more than
1583 \$416,670 may be distributed monthly in the aggregate to all
1584 certified applicants for facilities for spring training
1585 franchises. Distributions begin 60 days after such certification
1586 and continue for not more than 30 years, except as otherwise
1587 provided in former s. 288.11621. A certified applicant
1588 identified in this sub-subparagraph may not receive more in
1589 distributions than expended by the applicant for the public
1590 purposes provided in former s. 288.1162(5) or former s.
1591 288.11621(3).

1592 c. Beginning 30 days after notice by the Department of
1593 Economic Opportunity to the Department of Revenue that an
1594 applicant has been certified as the professional golf hall of
1595 fame pursuant to s. 288.1168 and is open to the public, \$166,667
1596 shall be distributed monthly, for up to 300 months, to the
1597 applicant.

1598 ~~d. Beginning 30 days after notice by the Department of~~
1599 ~~Economic Opportunity to the Department of Revenue that the~~
1600 ~~applicant has been certified as the International Game Fish~~

1601 ~~Association World Center facility pursuant to s. 288.1169, and~~
1602 ~~the facility is open to the public, \$83,333 shall be distributed~~
1603 ~~monthly, for up to 168 months, to the applicant. This~~
1604 ~~distribution is subject to reduction pursuant to s. 288.1169. A~~
1605 ~~lump sum payment of \$999,996 shall be made after certification~~
1606 ~~and before July 1, 2000.~~

1607 d.e. The department shall distribute up to \$83,333 monthly
1608 to each certified applicant as defined in former s. 288.11631
1609 for a facility used by a single spring training franchise, or up
1610 to \$166,667 monthly to each certified applicant as defined in
1611 former s. 288.11631 for a facility used by more than one spring
1612 training franchise. Monthly distributions begin 60 days after
1613 such certification or July 1, 2016, whichever is later, and
1614 continue for not more than 20 years to each certified applicant
1615 as defined in former s. 288.11631 for a facility used by a
1616 single spring training franchise or not more than 25 years to
1617 each certified applicant as defined in former s. 288.11631 for a
1618 facility used by more than one spring training franchise. A
1619 certified applicant identified in this sub-subparagraph may not
1620 receive more in distributions than expended by the applicant for
1621 the public purposes provided in former s. 288.11631(3).

1622 ~~f. Beginning 45 days after notice by the Department of~~
1623 ~~Economic Opportunity to the Department of Revenue that an~~
1624 ~~applicant has been approved by the Legislature and certified by~~
1625 ~~the Department of Economic Opportunity under s. 288.11625 or~~

1626 ~~upon a date specified by the Department of Economic Opportunity~~
1627 ~~as provided under s. 288.11625(6)(d), the department shall~~
1628 ~~distribute each month an amount equal to one-twelfth of the~~
1629 ~~annual distribution amount certified by the Department of~~
1630 ~~Economic Opportunity for the applicant. The department may not~~
1631 ~~distribute more than \$7 million in the 2014-2015 fiscal year or~~
1632 ~~more than \$13 million annually thereafter under this sub-~~
1633 ~~subparagraph.~~

1634 e.g. Beginning December 1, 2015, and ending June 30, 2016,
1635 the department shall distribute \$26,286 monthly to the State
1636 Transportation Trust Fund. Beginning July 1, 2016, the
1637 department shall distribute \$15,333 monthly to the State
1638 Transportation Trust Fund.

1639 7. All other proceeds must remain in the General Revenue
1640 Fund.

1641 Section 26. Subsection (2) of section 218.61, Florida
1642 Statutes, is amended to read:

1643 218.61 Local government half-cent sales tax; designated
1644 proceeds; trust fund.—

1645 (2) Money remitted by a sales tax dealer located within
1646 the county and transferred into the Local Government Half-cent
1647 Sales Tax Clearing Trust Fund shall be earmarked for
1648 distribution to the governing body of that county and of each
1649 municipality within that county. ~~Such distributions shall be~~
1650 ~~made after funding is provided pursuant to s. 218.64(3), if~~

1651 ~~applicable.~~ Such moneys shall be known as the "local government
1652 half-cent sales tax."

1653 Section 27. Subsection (4) of section 218.64, Florida
1654 Statutes, is renumbered as subsection (3), and present
1655 subsections (2) and (3) of that section are amended to read:

1656 218.64 Local government half-cent sales tax; uses;
1657 limitations.—

1658 (2) Municipalities shall expend their portions of the
1659 local government half-cent sales tax only for municipality-wide
1660 programs, ~~for reimbursing the state as required pursuant to s.~~
1661 ~~288.11625,~~ or for municipality-wide property tax or municipal
1662 utility tax relief. All utility tax rate reductions afforded by
1663 participation in the local government half-cent sales tax shall
1664 be applied uniformly across all types of taxed utility services.

1665 (3) Subject to ordinances enacted by the majority of the
1666 members of the county governing authority and by the majority of
1667 the members of the governing authorities of municipalities
1668 representing at least 50 percent of the municipal population of
1669 such county, counties may use up to \$3 million annually of the
1670 local government half-cent sales tax allocated to that county
1671 for ~~any of the following purposes:~~

1672 ~~(a) Funding a certified applicant as a facility for a new~~
1673 ~~or retained professional sports franchise under s. 288.1162 or a~~
1674 ~~certified applicant as defined in s. 288.11621 for a facility~~
1675 ~~for a spring training franchise. It is the Legislature's intent~~

1676 ~~that the provisions of s. 288.1162, including, but not limited~~
 1677 ~~to, the evaluation process by the Department of Economic~~
 1678 ~~Opportunity except for the limitation on the number of certified~~
 1679 ~~applicants or facilities as provided in that section and the~~
 1680 ~~restrictions set forth in s. 288.1162(8), shall apply to an~~
 1681 ~~applicant's facility to be funded by local government as~~
 1682 ~~provided in this subsection.~~

1683 ~~(b)~~ funding a certified applicant as a "motorsport
 1684 entertainment complex," as provided for in s. 288.1171. Funding
 1685 for each franchise or motorsport complex shall begin 60 days
 1686 after certification and shall continue for not more than 30
 1687 years.

1688 ~~(c) Reimbursing the state as required under s. 288.11625.~~
 1689 Section 28. Subsection (8) of section 220.02, Florida
 1690 Statutes, is amended to read:

1691 220.02 Legislative intent.—

1692 (8) It is the intent of the Legislature that credits
 1693 against either the corporate income tax or the franchise tax be
 1694 applied in the following order: those enumerated in s. 631.828,
 1695 those enumerated in former s. 220.191, those enumerated in s.
 1696 220.181, those enumerated in s. 220.183, those enumerated in s.
 1697 220.182, those enumerated in s. 220.1895, those enumerated in s.
 1698 220.195, those enumerated in s. 220.184, those enumerated in s.
 1699 220.186, those enumerated in s. 220.1845, those enumerated in s.
 1700 220.19, those enumerated in s. 220.185, those enumerated in s.

1701 220.1875, those enumerated in s. 220.192, those enumerated in s.
 1702 220.193, those enumerated in former s. 288.9916, those
 1703 enumerated in former s. 220.1899, those enumerated in s.
 1704 220.194, and those enumerated in s. 220.196.

1705 Section 29. Paragraph (a) of subsection (1) of section
 1706 220.13, Florida Statutes, is amended to read:

1707 220.13 "Adjusted federal income" defined.—

1708 (1) The term "adjusted federal income" means an amount
 1709 equal to the taxpayer's taxable income as defined in subsection
 1710 (2), or such taxable income of more than one taxpayer as
 1711 provided in s. 220.131, for the taxable year, adjusted as
 1712 follows:

1713 (a) Additions.—There shall be added to such taxable
 1714 income:

1715 1. The amount of any tax upon or measured by income,
 1716 excluding taxes based on gross receipts or revenues, paid or
 1717 accrued as a liability to the District of Columbia or any state
 1718 of the United States which is deductible from gross income in
 1719 the computation of taxable income for the taxable year.

1720 2. The amount of interest which is excluded from taxable
 1721 income under s. 103(a) of the Internal Revenue Code or any other
 1722 federal law, less the associated expenses disallowed in the
 1723 computation of taxable income under s. 265 of the Internal
 1724 Revenue Code or any other law, excluding 60 percent of any
 1725 amounts included in alternative minimum taxable income, as

1726 defined in s. 55(b)(2) of the Internal Revenue Code, if the
 1727 taxpayer pays tax under s. 220.11(3).

1728 3. In the case of a regulated investment company or real
 1729 estate investment trust, an amount equal to the excess of the
 1730 net long-term capital gain for the taxable year over the amount
 1731 of the capital gain dividends attributable to the taxable year.

1732 4. That portion of the wages or salaries paid or incurred
 1733 for the taxable year which is equal to the amount of the credit
 1734 allowable for the taxable year under s. 220.181. This
 1735 subparagraph shall expire on the date specified in s. 290.016
 1736 for the expiration of the Florida Enterprise Zone Act.

1737 5. That portion of the ad valorem school taxes paid or
 1738 incurred for the taxable year which is equal to the amount of
 1739 the credit allowable for the taxable year under s. 220.182. This
 1740 subparagraph shall expire on the date specified in s. 290.016
 1741 for the expiration of the Florida Enterprise Zone Act.

1742 6. The amount taken as a credit under s. 220.195 which is
 1743 deductible from gross income in the computation of taxable
 1744 income for the taxable year.

1745 7. That portion of assessments to fund a guaranty
 1746 association incurred for the taxable year which is equal to the
 1747 amount of the credit allowable for the taxable year.

1748 8. In the case of a nonprofit corporation which holds a
 1749 pari-mutuel permit and which is exempt from federal income tax
 1750 as a farmers' cooperative, an amount equal to the excess of the

1751 gross income attributable to the pari-mutuel operations over the
 1752 attributable expenses for the taxable year.

1753 9. The amount taken as a credit for the taxable year under
 1754 s. 220.1895.

1755 10. Up to nine percent of the eligible basis of any
 1756 designated project which is equal to the credit allowable for
 1757 the taxable year under s. 220.185.

1758 11. The amount taken as a credit for the taxable year
 1759 under s. 220.1875. The addition in this subparagraph is intended
 1760 to ensure that the same amount is not allowed for the tax
 1761 purposes of this state as both a deduction from income and a
 1762 credit against the tax. This addition is not intended to result
 1763 in adding the same expense back to income more than once.

1764 12. The amount taken as a credit for the taxable year
 1765 under s. 220.192.

1766 13. The amount taken as a credit for the taxable year
 1767 under s. 220.193.

1768 ~~14. Any portion of a qualified investment, as defined in~~
 1769 ~~s. 288.9913, which is claimed as a deduction by the taxpayer and~~
 1770 ~~taken as a credit against income tax pursuant to s. 288.9916.~~

1771 14.15. The costs to acquire a tax credit pursuant to s.
 1772 288.1254(5) that are deducted from or otherwise reduce federal
 1773 taxable income for the taxable year.

1774 15.16. The amount taken as a credit for the taxable year
 1775 pursuant to s. 220.194.

1776 16.17. The amount taken as a credit for the taxable year
1777 under s. 220.196. The addition in this subparagraph is intended
1778 to ensure that the same amount is not allowed for the tax
1779 purposes of this state as both a deduction from income and a
1780 credit against the tax. The addition is not intended to result
1781 in adding the same expense back to income more than once.

1782 Section 30. Section 220.1895, Florida Statutes, is amended
1783 to read:

1784 220.1895 Rural Job Tax Credit ~~and Urban High-Crime Area~~
1785 ~~Job Tax Credit.~~—There shall be allowed a credit against the tax
1786 imposed by this chapter amounts approved by the Department of
1787 Economic Opportunity pursuant to the Rural Job Tax Credit
1788 Program in s. 212.098 ~~and the Urban High-Crime Area Job Tax~~
1789 ~~Credit Program in s. 212.097.~~ A corporation that uses its credit
1790 against the tax imposed by this chapter may not take the credit
1791 against the tax imposed by chapter 212. If any credit granted
1792 under this section is not fully used in the first year for which
1793 it becomes available, the unused amount may be carried forward
1794 for a period not to exceed 5 years. The carryover may be used in
1795 a subsequent year when the tax imposed by this chapter for such
1796 year exceeds the credit for such year under this section after
1797 applying the other credits and unused credit carryovers in the
1798 order provided in s. 220.02(8).

1799 Section 31. Section 220.1899, Florida Statutes, is
1800 repealed.

1801 Section 32. Section 220.191, Florida Statutes, is
 1802 repealed.

1803 Section 33. Subsection (9) of section 220.194, Florida
 1804 Statutes, is amended to read:

1805 220.194 Corporate income tax credits for spaceflight
 1806 projects.—

1807 (9) ANNUAL REPORT.—Beginning in 2014, the Department of
 1808 Economic Opportunity, in cooperation with Space Florida and the
 1809 department, shall include in the annual incentives report
 1810 required under s. 288.0065 ~~288.907~~ a summary of activities
 1811 relating to the Florida Space Business Incentives Act
 1812 established under this section.

1813 Section 34. Subsection (1) and paragraph (a) of subsection
 1814 (2) of section 220.196, Florida Statutes, are amended to read:

1815 220.196 Research and development tax credit.—

1816 (1) DEFINITIONS.—As used in this section, the term:

1817 (a) "Base amount" means the average of the business
 1818 enterprise's qualified research expenses in this state allowed
 1819 under 26 U.S.C. s. 41 for the 4 taxable years preceding the
 1820 taxable year for which the credit is determined. The qualified
 1821 research expenses taken into account in computing the base
 1822 amount shall be determined on a basis consistent with the
 1823 determination of qualified research expenses for the taxable
 1824 year.

1825 (b) "Business enterprise" means any corporation as defined

1826 in s. 220.03 which meets the definition of a target industry
1827 business as defined in paragraph (c) s. 288.106.

1828 (c) "Target industry business" means a corporate
1829 headquarters business or any business that is engaged in one of
1830 the target industries identified pursuant to the following
1831 criteria developed by the Department of Economic Opportunity:

1832 1. Future growth.—The industry forecast indicates strong
1833 expectation for future growth in employment and output,
1834 according to the most recent available data. Special
1835 consideration shall be given to businesses that export goods to,
1836 or provide services in, international markets and businesses
1837 that replace domestic and international imports of goods or
1838 services.

1839 2. Stability.—The industry is not subject to periodic
1840 layoffs, whether due to seasonality or sensitivity to volatile
1841 economic variables such as weather. The industry is also
1842 relatively resistant to recession, so that the demand for
1843 products of this industry is not typically subject to decline
1844 during an economic downturn.

1845 3. High wage.—The industry pays relatively high wages
1846 compared to statewide or area averages.

1847 4. Market and resource independent.—The industry business
1848 location is not dependent on markets or resources in the state
1849 as indicated by industry analysis, except for businesses in the
1850 renewable energy industry.

1851 5. Industrial base diversification and strengthening.—The
1852 industry contributes toward expanding or diversifying the
1853 state's or area's economic base, as indicated by analysis of
1854 employment and output shares compared to national and regional
1855 trends. Special consideration shall be given to industries that
1856 strengthen regional economies by adding value to basic products
1857 or building regional industrial clusters as indicated by
1858 industry analysis. Special consideration shall also be given to
1859 the development of strong industrial clusters that include
1860 defense and homeland security businesses.

1861 6. Positive economic impact.—The industry has strong
1862 positive economic impacts on or benefits to the state or
1863 regional economies. Special consideration shall be given to
1864 industries that facilitate the development of the state as a hub
1865 for domestic and global trade and logistics.

1866
1867 The term does not include any business engaged in retail
1868 industry activities; any electrical utility company as defined
1869 in s. 366.02(2); any phosphate or other solid minerals
1870 severance, mining, or processing operation; any oil or gas
1871 exploration or production operation; or any business subject to
1872 regulation by the Division of Hotels and Restaurants of the
1873 Department of Business and Professional Regulation. Any business
1874 within NAICS code 5611 or 5614, office administrative services
1875 and business support services, respectively, may be considered a

1876 target industry business only after the local governing body and
1877 the Department of Economic Opportunity determine that the
1878 community in which the business may locate has conditions
1879 affecting the fiscal and economic viability of the local
1880 community or area, including, but not limited to, low per capita
1881 income, high unemployment, high underemployment, and a lack of
1882 year-round stable employment opportunities, and such conditions
1883 may be improved by the business locating in such community. By
1884 January 1 of every 3rd year, beginning January 1, 2011, the
1885 Department of Economic Opportunity, in consultation with
1886 economic development organizations, the State University System,
1887 local governments, employee and employer organizations, market
1888 analysts, and economists, shall review and, as appropriate,
1889 revise the list of target industries and submit the list to the
1890 Governor, the President of the Senate, and the Speaker of the
1891 House of Representatives.

1892 (d)~~(e)~~ "Qualified research expenses" means research
1893 expenses qualifying for the credit under 26 U.S.C. s. 41 for in-
1894 house research expenses incurred in this state or contract
1895 research expenses incurred in this state. The term does not
1896 include research conducted outside this state or research
1897 expenses that do not qualify for a credit under 26 U.S.C. s. 41.

1898 (2) TAX CREDIT.—

1899 (a) As provided in this section, a business enterprise is
1900 eligible for a credit against the tax imposed by this chapter if

1901 it:

1902 1. Has qualified research expenses in this state in the
1903 taxable year exceeding the base amount;

1904 2. Claims and is allowed a research credit for such
1905 qualified research expenses under 26 U.S.C. s. 41 for the same
1906 taxable year as subparagraph 1.; and

1907 3. Is a ~~qualified~~ target industry business as defined in
1908 paragraph (c) s. 288.106(2)(n). Only ~~qualified~~ target industry
1909 businesses in the manufacturing, life sciences, information
1910 technology, aviation and aerospace, homeland security and
1911 defense, cloud information technology, marine sciences,
1912 materials science, and nanotechnology industries may qualify for
1913 a tax credit under this section. A business applying for a
1914 credit pursuant to this section shall include a letter from the
1915 Department of Economic Opportunity certifying whether the
1916 business meets the requirements of this subparagraph with its
1917 application for credit. The Department of Economic Opportunity
1918 shall provide such a letter upon receiving a request.

1919 Section 35. Section 272.11, Florida Statutes, is amended
1920 to read:

1921 272.11 Capitol information center.—The Department of
1922 Economic Opportunity ~~Enterprise Florida, Inc.~~, shall establish,
1923 maintain, and operate a Capitol information center somewhere
1924 within the area of the Capitol Center and employ personnel or
1925 enter into contracts to maintain same.

1926 Section 36. Paragraph (f) of subsection (1) of section
 1927 287.0947, Florida Statutes, is amended to read:
 1928 287.0947 Florida Advisory Council on Small and Minority
 1929 Business Development; creation; membership; duties.—
 1930 (1) The Secretary of Management Services may create the
 1931 Florida Advisory Council on Small and Minority Business
 1932 Development with the purpose of advising and assisting the
 1933 secretary in carrying out the secretary's duties with respect to
 1934 minority businesses and economic and business development. It is
 1935 the intent of the Legislature that the membership of such
 1936 council include practitioners, laypersons, financiers, and
 1937 others with business development experience who can provide
 1938 invaluable insight and expertise for this state in the
 1939 diversification of its markets and networking of business
 1940 opportunities. The council shall initially consist of 19
 1941 persons, each of whom is or has been actively engaged in small
 1942 and minority business development, either in private industry,
 1943 in governmental service, or as a scholar of recognized
 1944 achievement in the study of such matters. Initially, the council
 1945 shall consist of members representing all regions of the state
 1946 and shall include at least one member from each group identified
 1947 within the definition of "minority person" in s. 288.703(4),
 1948 considering also gender and nationality subgroups, and shall
 1949 consist of the following:
 1950 (f) A member from the Department of Economic Opportunity

1951 ~~board of directors of Enterprise Florida, Inc.~~

1952

1953 A candidate for appointment may be considered if eligible to be
 1954 certified as an owner of a minority business enterprise, or if
 1955 otherwise qualified under the criteria above. Vacancies may be
 1956 filled by appointment of the secretary, in the manner of the
 1957 original appointment.

1958 Section 37. Subsections (2) and (4) of section 288.0001,
 1959 Florida Statutes, are amended to read:

1960 288.0001 Economic Development Programs Evaluation.—The
 1961 Office of Economic and Demographic Research and the Office of
 1962 Program Policy Analysis and Government Accountability (OPPAGA)
 1963 shall develop and present to the Governor, the President of the
 1964 Senate, the Speaker of the House of Representatives, and the
 1965 chairs of the legislative appropriations committees the Economic
 1966 Development Programs Evaluation.

1967 (2) The Office of Economic and Demographic Research and
 1968 OPPAGA shall provide a detailed analysis of economic development
 1969 programs as provided in the following schedule:

1970 (a) By January 1, 2014, and every 3 years thereafter, an
 1971 analysis of the following:

1972 1. ~~The capital investment tax credit established under s.~~
 1973 ~~220.191.~~

1974 2. ~~The qualified target industry tax refund established~~
 1975 ~~under s. 288.106.~~

1976 | 3. ~~The brownfield redevelopment bonus refund established~~
 1977 | ~~under s. 288.107.~~

1978 | 4. ~~High-impact business performance grants established~~
 1979 | ~~under s. 288.108.~~

1980 | 5. ~~The Quick Action Closing Fund established under s.~~
 1981 | ~~288.1088.~~

1982 | 6. ~~The Innovation Incentive Program established under s.~~
 1983 | ~~288.1089.~~

1984 | 1.7. Enterprise Zone Program incentives established under
 1985 | ss. 212.08(5) and (14)~~(15)~~, 212.096, 220.181, and 220.182.

1986 | 2.8. The New Markets Development Program established under
 1987 | ss. 288.991-288.9922.

1988 | (b) By January 1, 2015, and every 3 years thereafter, an
 1989 | analysis of ~~the following~~:

1990 | 1. The entertainment industry financial incentive program
 1991 | established under s. 288.1254.

1992 | ~~2. The entertainment industry sales tax exemption program~~
 1993 | ~~established under s. 288.1258.~~

1994 | 2.3. VISIT Florida and its programs established or funded
 1995 | under ss. ~~288.1227~~, 288.1226, 288.12265, and 288.124.

1996 | 3.4. The Florida Sports Foundation and related programs
 1997 | established under ss. ~~288.1162, 288.11621,~~ 288.1166, 288.1167,
 1998 | 288.1168, ~~288.1169,~~ and 288.1171.

1999 | (c) By January 1, 2016, and every 3 years thereafter, an
 2000 | analysis of the following:

2001 ~~1. The qualified defense contractor and space flight~~
 2002 ~~business tax refund program established under s. 288.1045.~~
 2003 ~~1.2.~~ The tax exemption for semiconductor, defense, or
 2004 space technology sales established under s. 212.08(5)(i)
 2005 ~~212.08(5)(j).~~
 2006 ~~2.3.~~ The Military Base Protection Program established
 2007 under s. 288.980.
 2008 ~~3.4.~~ The Manufacturing and Spaceport Investment Incentive
 2009 Program formerly established under s. 288.1083.
 2010 ~~5. The Quick Response Training Program established under~~
 2011 ~~s. 288.047.~~
 2012 ~~4.6.~~ The Incumbent Worker Training Program established
 2013 under s. 445.003.
 2014 ~~7. International trade and business development programs~~
 2015 ~~established or funded under s. 288.826.~~
 2016 (d) By January 1, 2019, and every 3 years thereafter, an
 2017 analysis of the grant and entrepreneur initiative programs
 2018 established under s. 295.22(3)(d) and (e).
 2019 ~~(e) Beginning January 1, 2018, and every 3 years~~
 2020 ~~thereafter, an analysis of the Sports Development Program~~
 2021 ~~established under s. 288.11625.~~
 2022 (4) Pursuant to the schedule established in subsection
 2023 (2), OPPAGA shall evaluate each program over the previous 3
 2024 years for its effectiveness and value to the taxpayers of this
 2025 state and include recommendations on each program for

2026 consideration by the Legislature. The analysis may include
 2027 relevant economic development reports or analyses prepared by
 2028 the department ~~of Economic Opportunity, Enterprise Florida,~~
 2029 ~~Inc.~~, or local or regional economic development organizations,,
 2030 interviews with the parties involved,, or any other relevant
 2031 data.

2032 Section 38. Section 288.001, Florida Statutes, is
 2033 repealed.

2034 Section 39. Section 288.012, Florida Statutes, is
 2035 repealed.

2036 Section 40. Subsections (1) and (3) of section 288.017,
 2037 Florida Statutes, are amended to read:

2038 288.017 Cooperative advertising matching grants program.—

2039 (1) The department ~~Enterprise Florida, Inc.~~ is authorized
 2040 to establish a cooperative advertising matching grants program
 2041 and, pursuant thereto, to make expenditures and enter into
 2042 contracts with local governments and nonprofit corporations for
 2043 the purpose of publicizing the tourism advantages of the state.
 2044 The department, ~~based on recommendations from Enterprise~~
 2045 ~~Florida, Inc.~~, shall have final approval of grants awarded
 2046 through this program. The department ~~Enterprise Florida, Inc.~~,
 2047 may contract with the Florida Tourism Industry Marketing
 2048 Corporation ~~its direct support organization~~ to administer the
 2049 program.

2050 (3) The department ~~Enterprise Florida, Inc.~~ shall conduct

2051 an annual competitive selection process for the award of grants
2052 under the program. In determining its recommendations for the
2053 grant awards, the department ~~commission~~ shall consider the
2054 demonstrated need of the applicant for advertising assistance,
2055 the feasibility and projected benefit of the applicant's
2056 proposal, the amount of nonstate funds that will be leveraged,
2057 and such other criteria as the department ~~commission~~ deems
2058 appropriate. ~~In evaluating grant applications, the department~~
2059 ~~shall consider recommendations from Enterprise Florida, Inc.~~ The
2060 department, ~~however,~~ has final approval authority for any grant
2061 under this section.

2062 Section 41. Subsection (4) of section 288.018, Florida
2063 Statutes, is amended to read:

2064 288.018 Regional Rural Development Grants Program.—

2065 (4) The department may expend up to \$750,000 each fiscal
2066 year from funds appropriated to the Rural Community Development
2067 Revolving Loan Fund for the purposes outlined in this section.
2068 ~~The department may contract with Enterprise Florida, Inc., for~~
2069 ~~the administration of the purposes specified in this section.~~
2070 ~~Funds released to Enterprise Florida, Inc., for this purpose~~
2071 ~~shall be released quarterly and shall be calculated based on the~~
2072 ~~applications in process.~~

2073 Section 42. Section 288.046, Florida Statutes, is
2074 repealed.

2075 Section 43. Section 288.047, Florida Statutes, is

2076 repealed.

2077 Section 44. Subsections (1) and (4) of section 288.061,
2078 Florida Statutes, are amended to read:

2079 288.061 Economic development incentive application
2080 process.—

2081 (1) Upon receiving a submitted economic development
2082 incentive application, ~~the Division of Strategic Business~~
2083 ~~Development of the department of Economic Opportunity and~~
2084 ~~designated staff of Enterprise Florida, Inc.,~~ shall review the
2085 application to ensure that the application is complete, whether
2086 and what type of state and local permits may be necessary for
2087 the applicant's project, whether it is possible to waive such
2088 permits, and what state incentives and amounts of such
2089 incentives may be available to the applicant. The department
2090 shall recommend to the executive director to approve or
2091 disapprove an applicant business. If review of the application
2092 demonstrates that the application is incomplete, the executive
2093 director shall notify the applicant business within the first 5
2094 business days after receiving the application.

2095 (4) The department shall validate contractor performance
2096 and report such validation in the annual incentives report
2097 required under s. 288.0065 ~~288.907~~.

2098 Section 45. Subsection (5) of section 288.0655, Florida
2099 Statutes, is renumbered as subsection (4), and paragraph (e) of
2100 subsection (2) and subsections (3) and (4) of that section are

2101 amended to read:

2102 288.0655 Rural Infrastructure Fund.—

2103 (2)

2104 (e) To enable local governments to access the resources
 2105 available pursuant to s. 403.973(17) ~~403.973(18)~~, the department
 2106 may award grants for surveys, feasibility studies, and other
 2107 activities related to the identification and preclearance review
 2108 of land which is suitable for preclearance review. Authorized
 2109 grants under this paragraph may not exceed \$75,000 each, except
 2110 in the case of a project in a rural area of opportunity, in
 2111 which case the grant may not exceed \$300,000. Any funds awarded
 2112 under this paragraph must be matched at a level of 50 percent
 2113 with local funds, except that any funds awarded for a project in
 2114 a rural area of opportunity must be matched at a level of 33
 2115 percent with local funds. If an application for funding is for a
 2116 catalyst site, as defined in s. 288.0656, the requirement for
 2117 local match may be waived pursuant to the process in s.
 2118 288.06561. In evaluating applications under this paragraph, the
 2119 department shall consider the extent to which the application
 2120 seeks to minimize administrative and consultant expenses.

2121 (3) The department, in consultation with ~~Enterprise~~
 2122 ~~Florida, Inc.~~, the Florida Tourism Industry Marketing
 2123 Corporation, the Department of Environmental Protection, and the
 2124 Florida Fish and Wildlife Conservation Commission, as
 2125 appropriate, shall review and certify applications pursuant to

2126 s. 288.061. The review shall include an evaluation of the
 2127 economic benefit of the projects and their long-term viability.
 2128 The department shall have final approval for any grant under
 2129 this section.

2130 ~~(4) By September 1, 2012, the department shall, in~~
 2131 ~~consultation with the organizations listed in subsection (3),~~
 2132 ~~and other organizations, reevaluate existing guidelines and~~
 2133 ~~criteria governing submission of applications for funding,~~
 2134 ~~review and evaluation of such applications, and approval of~~
 2135 ~~funding under this section. The department shall consider~~
 2136 ~~factors including, but not limited to, the project's potential~~
 2137 ~~for enhanced job creation or increased capital investment, the~~
 2138 ~~demonstration and level of local public and private commitment,~~
 2139 ~~whether the project is located in an enterprise zone, in a~~
 2140 ~~community development corporation service area, or in an urban~~
 2141 ~~high-crime area as designated under s. 212.097, the unemployment~~
 2142 ~~rate of the county in which the project would be located, and~~
 2143 ~~the poverty rate of the community.~~

2144 Section 46. Paragraph (a) of subsection (6) and paragraphs
 2145 (a) and (c) of subsection (7) of section 288.0656, Florida
 2146 Statutes, are amended to read:

2147 288.0656 Rural Economic Development Initiative.—

2148 (6) (a) By August 1 of each year, the head of each of the
 2149 following agencies and organizations shall designate a deputy
 2150 secretary or higher-level staff person from within the agency or

2151 organization to serve as the REDI representative for the agency
 2152 or organization:

- 2153 1. The Department of Transportation.
- 2154 2. The Department of Environmental Protection.
- 2155 3. The Department of Agriculture and Consumer Services.
- 2156 4. The Department of State.
- 2157 5. The Department of Health.
- 2158 6. The Department of Children and Families.
- 2159 7. The Department of Corrections.
- 2160 8. The Department of Education.
- 2161 9. The Department of Juvenile Justice.
- 2162 10. The Fish and Wildlife Conservation Commission.
- 2163 11. Each water management district.
- 2164 ~~12. Enterprise Florida, Inc.~~
- 2165 12.13. CareerSource Florida, Inc.
- 2166 13.14. VISIT Florida.
- 2167 14.15. The Florida Regional Planning Council Association.
- 2168 15.16. The Agency for Health Care Administration.
- 2169 16.17. The Institute of Food and Agricultural Sciences
 2170 (IFAS).

2171
 2172 An alternate for each designee shall also be chosen, and the
 2173 names of the designees and alternates shall be sent to the
 2174 executive director of the department.

2175 (7)

2176 (a) REDI may recommend to the Governor up to three rural
 2177 areas of opportunity. The Governor may by executive order
 2178 designate up to three rural areas of opportunity which will
 2179 establish these areas as priority assignments for REDI as well
 2180 as to allow the Governor, acting through REDI, to waive
 2181 criteria, requirements, or similar provisions of any economic
 2182 development incentive. Such incentives shall include, but are
 2183 not limited to, ~~the Qualified Target Industry Tax Refund Program~~
 2184 ~~under s. 288.106, the Quick Response Training Program under s.~~
 2185 ~~288.047, the Quick Response Training Program for participants in~~
 2186 ~~the welfare transition program under s. 288.047(8),~~
 2187 ~~transportation projects under s. 339.2821, the brownfield~~
 2188 ~~redevelopment bonus refund under s. 288.107, and the rural job~~
 2189 tax credit program under ss. 212.098 and 220.1895.

2190 (c) Each rural area of opportunity may designate catalyst
 2191 projects, provided that each catalyst project is specifically
 2192 recommended by REDI, ~~identified as a catalyst project by~~
 2193 ~~Enterprise Florida, Inc.,~~ and confirmed as a catalyst project by
 2194 the department. All state agencies and departments shall use all
 2195 available tools and resources to the extent permissible by law
 2196 to promote the creation and development of each catalyst project
 2197 and the development of catalyst sites.

2198 Section 47. Section 288.0658, Florida Statutes, is amended
 2199 to read:

2200 288.0658 Nature-based recreation; promotion and other

2201 assistance by Fish and Wildlife Conservation Commission.—The
 2202 Florida Fish and Wildlife Conservation Commission is directed to
 2203 assist ~~Enterprise Florida, Inc.~~; the Florida Tourism Industry
 2204 Marketing Corporation, doing business as VISIT Florida;
 2205 convention and visitor bureaus; tourist development councils;
 2206 economic development organizations; and local governments
 2207 through the provision of marketing advice, technical expertise,
 2208 promotional support, and product development related to nature-
 2209 based recreation and sustainable use of natural resources. In
 2210 carrying out this responsibility, the Florida Fish and Wildlife
 2211 Conservation Commission shall focus its efforts on fostering
 2212 nature-based recreation in rural communities and regions
 2213 encompassing rural communities. As used in this section, the
 2214 term "nature-based recreation" means leisure activities related
 2215 to the state's lands, waters, and fish and wildlife resources,
 2216 including, but not limited to, wildlife viewing, fishing,
 2217 hiking, canoeing, kayaking, camping, hunting, backpacking, and
 2218 nature photography.

2219 Section 48. Subsection (6) of section 288.075, Florida
 2220 Statutes, is amended to read:

2221 288.075 Confidentiality of records.—

2222 (6) ECONOMIC INCENTIVE PROGRAMS.—

2223 (a) The following information held by an economic
 2224 development agency pursuant to the administration of an economic
 2225 incentive program for qualified businesses is confidential and

2226 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2227 Constitution for a period not to exceed the duration of the
2228 incentive agreement, including an agreement authorizing a tax
2229 refund or tax credit, or upon termination of the incentive
2230 agreement:

2231 1. The percentage of the business's sales occurring
2232 outside this state and, ~~for businesses applying under s.~~
2233 ~~288.1045, the percentage of the business's gross receipts~~
2234 ~~derived from Department of Defense contracts during the 5 years~~
2235 ~~immediately preceding the date the business's application is~~
2236 ~~submitted.~~

2237 2. An individual employee's personal identifying
2238 information that is held as evidence of the achievement or
2239 nonachievement of the wage requirements of the tax refund, tax
2240 credit, or incentive agreement programs or of the job creation
2241 requirements of such programs.

2242 3. The amount of:

2243 a. Taxes on sales, use, and other transactions paid
2244 pursuant to chapter 212;

2245 b. Corporate income taxes paid pursuant to chapter 220;

2246 c. Intangible personal property taxes paid pursuant to
2247 chapter 199;

2248 d. Insurance premium taxes paid pursuant to chapter 624;

2249 e. Excise taxes paid on documents pursuant to chapter 201;

2250 f. Ad valorem taxes paid, as defined in s. 220.03(1); or

2251 g. State communications services taxes paid pursuant to
 2252 chapter 202.

2253
 2254 However, an economic development agency may disclose in the
 2255 annual incentives report required under s. 288.0065 ~~288.907~~ the
 2256 aggregate amount of each tax identified in this subparagraph and
 2257 paid by all businesses participating in each economic incentive
 2258 program.

2259 (b)~~1.~~ The following information held by an economic
 2260 development agency relating to a specific business participating
 2261 in an economic incentive program is no longer confidential or
 2262 exempt 180 days after a final project order for an economic
 2263 incentive agreement is issued, until a date specified in the
 2264 final project order, or if the information is otherwise
 2265 disclosed, whichever occurs first:

2266 1.a. The name of the qualified business.

2267 2.b. The total number of jobs the business committed to
 2268 create or retain.

2269 3.c. The total number of jobs created or retained by the
 2270 business.

2271 4.d. Notwithstanding s. 213.053(2), the amount of tax
 2272 refunds, tax credits, or incentives awarded to, claimed by, or,
 2273 if applicable, refunded to the state by the business.

2274 5.e. The anticipated total annual wages of employees the
 2275 business committed to hire or retain.

2276 ~~2. For a business applying for certification under s.~~
2277 ~~288.1045 which is based on obtaining a new Department of Defense~~
2278 ~~contract, the total number of jobs expected and the amount of~~
2279 ~~tax refunds claimed may not be released until the new Department~~
2280 ~~of Defense contract is awarded.~~

2281 Section 49. Subsections (7) through (10) of section
2282 288.076, Florida Statutes, are renumbered as subsections (6)
2283 through (9), respectively, and paragraphs (a), (c), and (e) of
2284 subsection (1) and present subsections (6) and (7) of that
2285 section are amended to read:

2286 288.076 Return on investment reporting for economic
2287 development programs.—

2288 (1) As used in this section, the term:

2289 (a) "Jobs" means full-time equivalent positions,
2290 including, but not limited to, positions obtained from a
2291 temporary employment agency or employee leasing company or
2292 through a union agreement or coemployment under a professional
2293 employer organization agreement that result directly from a
2294 project in this state. The term does not include temporary
2295 construction jobs involved with the construction of facilities
2296 for the project or any jobs previously included in any
2297 application for tax refunds ~~has the same meaning as provided in~~
2298 ~~s. 288.106(2)(i).~~

2299 (c) "Project" means the creation of a new business or
2300 expansion of an existing business ~~has the same meaning as~~

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2301 ~~provided in s. 288.106(2)(m).~~

2302 (e) "State investment" means any state grants, tax
2303 exemptions, tax refunds, tax credits, or other state incentives
2304 provided to a business under a program administered by the
2305 department, ~~including the capital investment tax credit under s.~~
2306 ~~220.191.~~

2307 ~~(6) Annually, the department shall publish information~~
2308 ~~relating to the progress of Quick Action Closing Fund projects,~~
2309 ~~including the average number of days between the date the~~
2310 ~~department receives a completed application and the date on~~
2311 ~~which the application is approved.~~

2312 (6)(7)(a) Within 48 hours after expiration of the period
2313 of confidentiality provided under s. 288.075, the department
2314 shall publish the contract or agreement described in s. 288.061,
2315 redacted to protect the participant business from disclosure of
2316 information that remains confidential or exempt by law.

2317 ~~(b) Within 48 hours after submitting any report of~~
2318 ~~findings and recommendations made pursuant to s. 288.106(7)(d)~~
2319 ~~concerning a business's failure to complete a tax refund~~
2320 ~~agreement pursuant to the tax refund program for qualified~~
2321 ~~target industry businesses, the department shall publish such~~
2322 ~~report.~~

2323 Section 50. Section 288.095, Florida Statutes, is amended
2324 to read:

2325 288.095 Economic Development Trust Fund.—

2326 (1) The Economic Development Trust Fund is created within
 2327 the department ~~of Economic Opportunity~~. Moneys deposited into
 2328 the fund must be used only to support the authorized activities
 2329 and operations of the department.

2330 (2) There is created, within the Economic Development
 2331 Trust Fund, the Economic Development Incentives Account. The
 2332 Economic Development Incentives Account consists of moneys
 2333 appropriated to the account for purposes of the tax incentives
 2334 programs formerly authorized under ss. 288.1045 and 288.106, and
 2335 local financial support provided under former ss. 288.1045 and
 2336 288.106. Moneys in the Economic Development Incentives Account
 2337 shall be subject to the provisions of s. 216.301(1)(a).

2338 (3)(a) ~~The department may approve applications for~~
 2339 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~
 2340 The total state share of tax refund payments may not exceed \$35
 2341 million.

2342 (b) The total amount of tax refund claims approved for
 2343 payment by the department based on actual project performance
 2344 may not exceed the amount appropriated to the Economic
 2345 Development Incentives Account for such purposes for the fiscal
 2346 year. Claims for tax refunds under former ss. 288.1045 and
 2347 288.106 shall be paid in the order the claims are approved by
 2348 the department. In the event the Legislature does not
 2349 appropriate an amount sufficient to satisfy the tax refunds
 2350 under former ss. 288.1045 and 288.106 in a fiscal year, the

2351 department shall pay the tax refunds from the appropriation for
 2352 the following fiscal year. By March 1 of each year, the
 2353 department shall notify the legislative appropriations
 2354 committees of the Senate and House of Representatives of any
 2355 anticipated shortfall in the amount of funds needed to satisfy
 2356 claims for tax refunds from the appropriation for the current
 2357 fiscal year.

2358 (c) Moneys in the Economic Development Incentives Account
 2359 may be used only to pay tax refunds and make other payments on
 2360 agreements executed prior to July 1, 2017, authorized under
 2361 former s. 288.1045, s. 288.106, or s. 288.107.

2362 (d) The department may adopt rules necessary to carry out
 2363 ~~the provisions of~~ this subsection, including rules providing for
 2364 the use of moneys in the Economic Development Incentives Account
 2365 and for the administration of the Economic Development
 2366 Incentives Account.

2367 Section 51. Section 288.1045, Florida Statutes, is
 2368 repealed.

2369 Section 52. Section 288.106, Florida Statutes, is
 2370 repealed.

2371 Section 53. Section 288.107, Florida Statutes, is
 2372 repealed.

2373 Section 54. Section 288.108, Florida Statutes, is
 2374 repealed.

2375 Section 55. Section 288.1081, Florida Statutes, is

2376 repealed.

2377 Section 56. Section 288.1082, Florida Statutes, is

2378 repealed.

2379 Section 57. Section 288.1088, Florida Statutes, is

2380 repealed.

2381 Section 58. Section 288.1089, Florida Statutes, is

2382 repealed.

2383 Section 59. Section 288.111, Florida Statutes, is amended

2384 to read:

2385 288.111 Information concerning local manufacturing

2386 development programs.—The department shall develop materials

2387 that identify each local government that establishes a local

2388 manufacturing development program under s. 163.3252. The

2389 materials, which the department may elect to develop and

2390 maintain in electronic format or in any other format deemed by

2391 the department to provide public access, must be updated at

2392 least annually. ~~Enterprise Florida, Inc., shall, and other State~~

2393 ~~agencies may,~~ distribute the materials to prospective, new,

2394 expanding, and relocating businesses seeking to conduct business

2395 in this state.

2396 Section 60. Section 288.1162, Florida Statutes, is

2397 repealed.

2398 Section 61. Section 288.11621, Florida Statutes, is

2399 repealed.

2400 Section 62. Section 288.11625, Florida Statutes, is

2401 repealed.

2402 Section 63. Section 288.11631, Florida Statutes, is
 2403 repealed.

2404 Section 64. Section 288.1169, Florida Statutes, is
 2405 repealed.

2406 Section 65. Section 288.1201, Florida Statutes, is
 2407 repealed.

2408 Section 66. (1) The State Economic Enhancement and
 2409 Development Trust Fund, FLAIR number 40-2-041, within the
 2410 Department of Economic Opportunity is terminated.

2411 (2) All current balances remaining in, and all revenues
 2412 of, the trust fund shall be transferred to the General Revenue
 2413 Fund.

2414 (3) The Department of Economic Opportunity shall pay any
 2415 outstanding debts and obligations of the terminated fund as soon
 2416 as practicable, and the Chief Financial Officer shall close out
 2417 and remove the terminated fund from various state accounting
 2418 systems using generally accepted accounting principles
 2419 concerning warrants outstanding, assets, and liabilities.

2420 Section 67. Section 288.122, Florida Statutes, is
 2421 repealed.

2422 Section 68. (1) The Tourism Promotional Trust Fund, FLAIR
 2423 number 40-2-722, within the Department of Economic Opportunity
 2424 is terminated.

2425 (2) All current balances remaining in, and all revenues

2426 of, the trust fund shall be transferred to the General Revenue
 2427 Fund.

2428 (3) The Department of Economic Opportunity shall pay any
 2429 outstanding debts and obligations of the terminated fund as soon
 2430 as practicable, and the Chief Financial Officer shall close out
 2431 and remove the terminated fund from various state accounting
 2432 systems using generally accepted accounting principles
 2433 concerning warrants outstanding, assets, and liabilities.

2434 Section 69. Section 288.1226, Florida Statutes, is amended
 2435 to read:

2436 288.1226 Florida Tourism Industry Marketing Corporation;
 2437 use of property; board of directors; duties; audit.—

2438 (1) DEFINITIONS.—For the purposes of this section, the
 2439 term "corporation" means the Florida Tourism Industry Marketing
 2440 Corporation.

2441 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
 2442 Corporation is a direct-support organization of the Department
 2443 of Economic Opportunity ~~Enterprise Florida, Inc.~~

2444 (a) The Florida Tourism Industry Marketing Corporation is
 2445 a corporation not for profit, as defined in s. 501(c)(6) of the
 2446 Internal Revenue Code of 1986, as amended, that is incorporated
 2447 under the provisions of chapter 617 and approved by the
 2448 Department of State.

2449 (b) The corporation is organized and operated exclusively
 2450 to request, receive, hold, invest, and administer property and

2451 to manage and make expenditures for the operation of the
2452 activities, services, functions, and programs of this state
2453 which relate to the statewide, national, and international
2454 promotion and marketing of tourism.

2455 (c) The corporation is not an agency for the purposes of
2456 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,
2457 relating to leasing of buildings; ss. 283.33 and 283.35,
2458 relating to bids for printing; s. 215.31; and parts I, II, and
2459 IV-VIII of chapter 112.

2460 (d) The corporation is subject to the provisions of
2461 chapter 119, relating to public meetings, and those provisions
2462 of chapter 286 relating to public meetings and records.

2463 (3) USE OF PROPERTY.—The Department of Economic
2464 Opportunity Enterprise Florida, Inc.:

2465 (a) Is authorized to permit the use of property and
2466 facilities of the department Enterprise Florida, Inc., by the
2467 corporation, subject to the provisions of this section.

2468 (b) Shall prescribe conditions with which the corporation
2469 must comply in order to use property and facilities of the
2470 department Enterprise Florida, Inc. Such conditions shall
2471 provide for budget and audit review and for oversight by the
2472 department Enterprise Florida, Inc.

2473 (c) May not permit the use of property and facilities of
2474 the department Enterprise Florida, Inc., if the corporation does
2475 not provide equal employment opportunities to all persons,

2476 | regardless of race, color, national origin, sex, age, or
 2477 | religion.

2478 | (4) BOARD OF DIRECTORS.—The board of directors of the
 2479 | corporation shall be composed of 31 tourism-industry-related
 2480 | members, appointed by the corporation ~~Enterprise Florida, Inc.~~,
 2481 | in conjunction with the department.

2482 | (a) The board shall consist of 16 members, appointed in
 2483 | such a manner as to equitably represent all geographic areas of
 2484 | the state, with no fewer than two members from any of the
 2485 | following regions:

2486 | 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,
 2487 | Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
 2488 | Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

2489 | 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
 2490 | Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
 2491 | Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
 2492 | Taylor, and Union Counties.

2493 | 3. Region 3, composed of Brevard, Indian River, Lake,
 2494 | Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
 2495 | Volusia Counties.

2496 | 4. Region 4, composed of Citrus, Hernando, Hillsborough,
 2497 | Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

2498 | 5. Region 5, composed of Charlotte, Collier, DeSoto,
 2499 | Glades, Hardee, Hendry, Highlands, and Lee Counties.

2500 | 6. Region 6, composed of Broward, Martin, Miami-Dade,

2501 Monroe, and Palm Beach Counties.

2502 (b) The 15 additional tourism-industry-related members
 2503 shall include 1 representative from the statewide rental car
 2504 industry; 7 representatives from tourist-related statewide
 2505 associations, including those that represent hotels,
 2506 campgrounds, county destination marketing organizations,
 2507 museums, restaurants, retail, and attractions; 3 representatives
 2508 from county destination marketing organizations; 1
 2509 representative from the cruise industry; 1 representative from
 2510 an automobile and travel services membership organization that
 2511 has at least 2.8 million members in Florida; 1 representative
 2512 from the airline industry; and 1 representative from the space
 2513 tourism industry, who will each serve for a term of 2 years.

2514 (5) POWERS AND DUTIES.—The corporation, in the performance
 2515 of its duties:

2516 (a) May make and enter into contracts and assume such
 2517 other functions as are necessary to carry out the provisions of
 2518 the 4-year marketing plan required by s. 288.923, and the
 2519 corporation's contract with the department that Enterprise
 2520 ~~Florida, Inc., which~~ are not inconsistent with this or any other
 2521 provision of law.

2522 (b) May develop a program to provide incentives and to
 2523 attract and recognize those entities which make significant
 2524 financial and promotional contributions towards the expanded
 2525 tourism promotion activities of the corporation.

2526 (c) May establish a cooperative marketing program with
 2527 other public and private entities which allows the use of the
 2528 VISIT Florida logo in tourism promotion campaigns which meet the
 2529 standards of the department ~~Enterprise Florida, Inc.~~, for which
 2530 the corporation may charge a reasonable fee.

2531 (d) May sue and be sued and appear and defend in all
 2532 actions and proceedings in its corporate name to the same extent
 2533 as a natural person.

2534 (e) May adopt, use, and alter a common corporate seal.
 2535 However, such seal must always contain the words "corporation
 2536 not for profit."

2537 (f) Shall elect or appoint such officers and agents as its
 2538 affairs shall require and allow them reasonable compensation.

2539 (g) Shall hire and establish salaries and personnel and
 2540 employee benefit programs for such permanent and temporary
 2541 employees as are necessary to carry out the provisions of the 4-
 2542 year marketing plan and the corporation's contract with the
 2543 department that ~~Enterprise Florida, Inc., which~~ are not
 2544 inconsistent with this or any other provision of law.

2545 ~~(h) Shall provide staff support to the Division of Tourism~~
 2546 ~~Promotion of Enterprise Florida, Inc. The president and chief~~
 2547 ~~executive officer of the Florida Tourism Industry Marketing~~
 2548 ~~Corporation shall serve without compensation as the director of~~
 2549 ~~the division.~~

2550 ~~(i)~~ May adopt, change, amend, and repeal bylaws, not

2551 inconsistent with law or its articles of incorporation, for the
2552 administration of the provisions of the 4-year marketing plan
2553 and the corporation's contract with the department ~~Enterprise~~
2554 ~~Florida, Inc.~~

2555 (i)~~(j)~~ May conduct its affairs, carry on its operations,
2556 and have offices and exercise the powers granted by this act in
2557 any state, territory, district, or possession of the United
2558 States or any foreign country. When ~~Where~~ feasible, appropriate,
2559 and recommended by the 4-year marketing plan ~~developed by the~~
2560 ~~Division of Tourism Promotion of Enterprise Florida, Inc.,~~ the
2561 corporation may collocate the programs of foreign tourism
2562 offices in cooperation with any foreign office operated by any
2563 agency of this state.

2564 (j)~~(k)~~ May appear on its own behalf before boards,
2565 commissions, departments, or other agencies of municipal,
2566 county, state, or federal government.

2567 (k)~~(l)~~ May request or accept any grant, payment, or gift,
2568 of funds or property made by this state or by the United States
2569 or any department or agency thereof or by any individual, firm,
2570 corporation, municipality, county, or organization for any or
2571 all of the purposes of the 4-year marketing plan and the
2572 corporation's contract with the department ~~Enterprise Florida,~~
2573 ~~Inc.,~~ that are not inconsistent with this or any other provision
2574 of law. Such funds shall be deposited in a bank account
2575 established by the corporation's board of directors. The

2576 corporation may expend such funds in accordance with the terms
 2577 and conditions of any such grant, payment, or gift, in the
 2578 pursuit of its administration or in support of the programs it
 2579 administers. The corporation shall separately account for the
 2580 public funds and the private funds deposited into the
 2581 corporation's bank account.

2582 (l)~~(m)~~ Shall establish a plan for participation in the
 2583 corporation which will provide additional funding for the
 2584 administration and duties of the corporation.

2585 (m)~~(n)~~ In the performance of its duties, may undertake, or
 2586 contract for, marketing projects and advertising research
 2587 projects.

2588 (n)~~(o)~~ In addition to any indemnification available under
 2589 chapter 617, the corporation may indemnify, and purchase and
 2590 maintain insurance on behalf of, directors, officers, and
 2591 employees of the corporation against any personal liability or
 2592 accountability by reason of actions taken while acting within
 2593 the scope of their authority.

2594 (6) ANNUAL AUDIT.—The corporation shall provide for an
 2595 annual financial audit in accordance with s. 215.981. The annual
 2596 audit report shall be submitted to the Auditor General; the
 2597 Office of Program Policy Analysis and Government Accountability;
 2598 ~~Enterprise Florida, Inc.;~~ and the department for review. The
 2599 Office of Program Policy Analysis and Government Accountability;
 2600 ~~Enterprise Florida, Inc.;~~ the department; and the Auditor

2601 General have the authority to require and receive from the
 2602 corporation or from its independent auditor any detail or
 2603 supplemental data relative to the operation of the corporation.
 2604 The department shall annually certify whether the corporation is
 2605 operating in a manner and achieving the objectives that are
 2606 consistent with the policies and goals of the department
 2607 ~~Enterprise Florida, Inc.~~, and its long-range marketing plan. The
 2608 identity of a donor or prospective donor to the corporation who
 2609 desires to remain anonymous and all information identifying such
 2610 donor or prospective donor are confidential and exempt from the
 2611 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 2612 Constitution. Such anonymity shall be maintained in the
 2613 auditor's report.

2614 (7) REPORT.—The corporation shall provide a quarterly
 2615 report to the department ~~Enterprise Florida, Inc.~~, which shall:

2616 (a) Measure the current vitality of the visitor industry
 2617 of this state as compared to the vitality of such industry for
 2618 the year to date and for comparable quarters of past years.
 2619 Indicators of vitality shall be determined by the department
 2620 ~~Enterprise Florida, Inc.~~, and shall include, but not be limited
 2621 to, estimated visitor count and party size, length of stay,
 2622 average expenditure per party, and visitor origin and
 2623 destination.

2624 (b) Provide detailed, unaudited financial statements of
 2625 sources and uses of public and private funds.

2626 (c) Measure progress towards annual goals and objectives
 2627 set forth in the 4-year marketing plan.

2628 (d) Review all pertinent research findings.

2629 (e) Provide other measures of accountability as requested
 2630 by the department ~~Enterprise Florida, Inc.~~

2631 (8) PUBLIC RECORDS EXEMPTION.—The identity of any person
 2632 who responds to a marketing project or advertising research
 2633 project conducted by the corporation in the performance of its
 2634 duties ~~on behalf of Enterprise Florida, Inc.~~, or trade secrets
 2635 as defined by s. 812.081 obtained pursuant to such activities,
 2636 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 2637 Constitution. This subsection is subject to the Open Government
 2638 Sunset Review Act in accordance with s. 119.15 and shall stand
 2639 repealed on October 2, 2021, unless reviewed and saved from
 2640 repeal through reenactment by the Legislature.

2641 (9) REPEAL.—This section is repealed October 1, 2019,
 2642 unless reviewed and saved from repeal by the Legislature.

2643 Section 70. Section 288.12265, Florida Statutes, is
 2644 amended to read:

2645 288.12265 Welcome centers.—

2646 (1) Responsibility for the welcome centers is assigned to
 2647 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~,
 2648 which shall contract with the Florida Tourism Industry Marketing
 2649 Corporation to employ all welcome center staff.

2650 (2) The Department of Economic Opportunity ~~Enterprise~~

2651 ~~Florida, Inc.,~~ shall administer and operate the welcome centers.
2652 Pursuant to a contract with the Department of Transportation,
2653 the Department of Economic Opportunity ~~Enterprise Florida, Inc.,~~
2654 shall be responsible for routine repair, replacement, or
2655 improvement and the day-to-day management of interior areas
2656 occupied by the welcome centers. All other repairs,
2657 replacements, or improvements to the welcome centers shall be
2658 the responsibility of the Department of Transportation. The
2659 Department of Economic Opportunity ~~Enterprise Florida, Inc.,~~ may
2660 contract with the Florida Tourism Industry Marketing Corporation
2661 for the management and operation of the welcome centers.

2662 Section 71. Section 288.124, Florida Statutes, is amended
2663 to read:

2664 288.124 Convention grants program.—The Florida Tourism
2665 Industry Marketing Corporation ~~Enterprise Florida, Inc.,~~ is
2666 authorized to establish a convention grants program and,
2667 pursuant to that program, to recommend to the department
2668 expenditures and contracts with local governments and nonprofit
2669 corporations or organizations for the purpose of attracting
2670 national conferences and conventions to Florida. Preference
2671 shall be given to local governments and nonprofit corporations
2672 or organizations seeking to attract minority conventions to
2673 Florida. Minority conventions are events that primarily involve
2674 minority persons, as defined in s. 288.703, who are residents or
2675 nonresidents of the state. The Florida Tourism Industry

2676 Marketing Corporation ~~Enterprise Florida, Inc.,~~ shall establish
 2677 guidelines governing the award of grants and the administration
 2678 of this program. The department has final approval authority for
 2679 any grants under this section. The total annual allocation of
 2680 funds for this program shall not exceed \$40,000.

2681 Section 72. Section 288.125, Florida Statutes, is
 2682 repealed.

2683 Section 73. Section 288.1251, Florida Statutes, is
 2684 repealed.

2685 Section 74. Section 288.1252, Florida Statutes, is
 2686 repealed.

2687 Section 75. Section 288.1253, Florida Statutes, is
 2688 repealed.

2689 Section 76. Section 288.1258, Florida Statutes, is
 2690 repealed.

2691 Section 77. Section 288.7015, Florida Statutes, is amended
 2692 to read:

2693 288.7015 Appointment of rules ombudsman; duties.—The
 2694 Governor shall appoint a rules ombudsman, as defined in s.
 2695 288.703, in the Executive Office of the Governor, for
 2696 considering the impact of agency rules on the state's citizens
 2697 and businesses. ~~In carrying out duties as provided by law, the~~
 2698 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~
 2699 ~~point the department may recommend to improve the regulatory~~
 2700 ~~environment of this state.~~ The duties of the rules ombudsman are

2701 to:

2702 (1) Carry out the responsibility provided in s.
2703 120.54(3)(b), with respect to small businesses.

2704 (2) Review state agency rules that adversely or
2705 disproportionately impact businesses, particularly those
2706 relating to small and minority businesses.

2707 (3) Make recommendations on any existing or proposed rules
2708 to alleviate unnecessary or disproportionate adverse effects to
2709 businesses.

2710 (4) Each state agency shall cooperate fully with the rules
2711 ombudsman in identifying such rules. Further, each agency shall
2712 take the necessary steps to waive, modify, or otherwise minimize
2713 such adverse effects of any such rules. However, nothing in this
2714 section authorizes any state agency to waive, modify, provide
2715 exceptions to, or otherwise alter any rule that is:

2716 (a) Expressly required to implement or enforce any
2717 statutory provision or the express legislative intent thereof;

2718 (b) Designed to protect persons against discrimination on
2719 the basis of race, color, national origin, religion, sex, age,
2720 handicap, or marital status; or

2721 (c) Likely to prevent a significant risk or danger to the
2722 public health, the public safety, or the environment of the
2723 state.

2724 (5) The modification or waiver of any such rule pursuant
2725 to this section must be accomplished in accordance with the

2726 | provisions of chapter 120.

2727 | Section 78. Subsection (11) of section 288.706, Florida
2728 | Statutes, is amended to read:

2729 | 288.706 Florida Minority Business Loan Mobilization
2730 | Program.—

2731 | (11) The Department of Management Services shall
2732 | collaborate with ~~Enterprise Florida, Inc.~~, and the department to
2733 | assist in the development and enhancement of black business
2734 | enterprises.

2735 | Section 79. Subsection (1) of section 288.773, Florida
2736 | Statutes, is amended to read:

2737 | 288.773 Florida Export Finance Corporation.—The Florida
2738 | Export Finance Corporation is hereby created as a corporation
2739 | not for profit, to be incorporated under the provisions of
2740 | chapter 617 and approved by the Department of State. The
2741 | corporation is organized on a nonstock basis. The purpose of the
2742 | corporation is to expand employment and income opportunities for
2743 | residents of this state through increased exports of goods and
2744 | services, by providing businesses domiciled in this state
2745 | information and technical assistance on export opportunities,
2746 | exporting techniques, and financial assistance through
2747 | guarantees and direct loan originations for sale in support of
2748 | export transactions. The corporation shall have the power and
2749 | authority to carry out the following functions:

2750 | (1) To coordinate the efforts of the corporation with

2751 programs and goals of the United States Export-Import Bank, the
2752 International Trade Administration of the United States
2753 Department of Commerce, the Foreign Credit Insurance
2754 Association, the department ~~Enterprise Florida, Inc.~~, and other
2755 private and public programs and organizations, domestic and
2756 foreign, designed to provide export assistance and export-
2757 related financing.

2758 Section 80. Paragraph (a) of subsection (1) and paragraphs
2759 (a), (c), and (g) of subsection (3) of section 288.776, Florida
2760 Statutes, are amended to read:

2761 288.776 Board of directors; powers and duties.—

2762 (1) (a) The corporation shall have a board of directors
2763 consisting of 15 members representing all geographic areas of
2764 the state. Minority and gender representation must be considered
2765 when making appointments to the board. The board membership must
2766 include:

2767 1. A representative of the following businesses, all of
2768 which must be registered to do business in this state: a foreign
2769 bank, a state bank, a federal bank, an insurance company
2770 involved in covering trade financing risks, and a small or
2771 medium-sized exporter.

2772 2. The following persons or their designee: the executive
2773 director of the department ~~President of Enterprise Florida,~~
2774 ~~Inc.~~, the Chief Financial Officer, the Secretary of State, and a
2775 senior official of the United States Department of Commerce.

2776 (3) The board shall:

2777 (a) Prior to the expenditure of funds from the export
 2778 finance account, adopt bylaws, rules, and policies which are
 2779 necessary to carry out the responsibilities under this part,
 2780 particularly with respect to the implementation of the
 2781 corporation's programs to insure, coinsure, lend, provide loan
 2782 guarantees, and make direct, guaranteed, or collateralized loans
 2783 by the corporation to support export transactions. The
 2784 corporation's bylaws, rules, and policies shall be reviewed and
 2785 approved by the department ~~Enterprise Florida, Inc.~~, prior to
 2786 final adoption by the board.

2787 (c) Issue an annual report to the department ~~Enterprise~~
 2788 ~~Florida, Inc.~~, on the activities of the corporation, including
 2789 an evaluation of activities and recommendations for change. The
 2790 evaluation shall include the corporation's impact on the
 2791 following:

2792 1. Participation of private banks and other private
 2793 organizations and individuals in the corporation's export
 2794 financing programs.

2795 2. Access of small and medium-sized businesses in this
 2796 state to federal export financing programs.

2797 3. Export volume of the small and medium-sized businesses
 2798 in this state accessing the corporation's programs.

2799 4. Other economic and social benefits to international
 2800 programs in this state.

2801 (g) Consult with the department ~~Enterprise Florida, Inc.,~~
 2802 or any state or federal agency~~7~~ to ensure that the respective
 2803 loan guarantee or working capital loan origination programs are
 2804 not duplicative and that each program makes full use of, to the
 2805 extent practicable, the resources of the other.

2806 Section 81. Section 288.7771, Florida Statutes, is amended
 2807 to read:

2808 288.7771 Annual report of Florida Export Finance
 2809 Corporation.—The corporation shall annually prepare and submit
 2810 to the department ~~Enterprise Florida, Inc., for inclusion in its~~
 2811 ~~annual report required under s. 288.906,~~ a complete and detailed
 2812 report setting forth:

2813 (1) The report required in s. 288.776(3).

2814 (2) Its assets and liabilities at the end of its most
 2815 recent fiscal year.

2816 Section 82. Paragraph (d) of subsection (1) of section
 2817 288.8017, Florida Statutes, is amended to read:

2818 288.8017 Awards.—

2819 (1) Triumph Gulf Coast, Inc., shall make awards from
 2820 available earnings and principal derived under s. 288.8013(2) to
 2821 projects or programs that meet the priorities for economic
 2822 recovery, diversification, and enhancement of the
 2823 disproportionately affected counties, notwithstanding s. 377.43.

2824 Awards may be provided for:

2825 (d) Local match requirements of ss. 288.0655 and~~7~~

2826 | 288.0659, ~~288.1045,~~ and ~~288.106~~ for projects in the
 2827 | disproportionately affected counties;

2828 | Section 83. Subsections (4) and (6) of section 288.816,
 2829 | Florida Statutes, are amended to read:

2830 | 288.816 Intergovernmental relations.—

2831 | (4) The state protocol officer shall serve as a contact
 2832 | for the state with the Florida Washington Office, the Florida
 2833 | Congressional Delegation, and United States Government agencies
 2834 | with respect to laws or policies which may affect the interests
 2835 | of the state in the area of international relations. All
 2836 | inquiries received regarding international economic trade
 2837 | development or reverse investment opportunities shall be
 2838 | referred to the department ~~Enterprise Florida, Inc.~~ In addition,
 2839 | the state protocol officer shall serve as liaison with other
 2840 | states with respect to international programs of interest to
 2841 | Florida. The state protocol officer shall also investigate and
 2842 | make suggestions regarding possible areas of joint action or
 2843 | regional cooperation with these states.

2844 | (6) The department ~~and Enterprise Florida, Inc.,~~ shall
 2845 | help to contribute an international perspective to the state's
 2846 | development efforts.

2847 | Section 84. Section 288.826, Florida Statutes, is
 2848 | repealed.

2849 | Section 85. (1) The Florida International Trade and
 2850 | Promotion Trust Fund, FLAIR number 40-2-338, within the

2851 | Department of Economic Opportunity is terminated.
 2852 | (2) All current balances remaining in, and all revenues
 2853 | of, the trust fund shall be transferred to the General Revenue
 2854 | Fund.
 2855 | (3) The Department of Economic Opportunity shall pay any
 2856 | outstanding debts and obligations of the terminated trust fund
 2857 | as soon as practicable, and the Chief Financial Officer shall
 2858 | close out and remove the terminated trust fund from various
 2859 | state accounting systems using generally accepted accounting
 2860 | principles concerning warrants outstanding, assets, and
 2861 | liabilities.
 2862 | Section 86. Section 288.901, Florida Statutes, is
 2863 | repealed.
 2864 | Section 87. Section 288.9015, Florida Statutes, is
 2865 | repealed.
 2866 | Section 88. Section 288.903, Florida Statutes, is
 2867 | repealed.
 2868 | Section 89. Section 288.904, Florida Statutes, is
 2869 | repealed.
 2870 | Section 90. Section 288.905, Florida Statutes, is
 2871 | repealed.
 2872 | Section 91. Section 288.906, Florida Statutes, is
 2873 | repealed.
 2874 | Section 92. Section 288.907, Florida Statutes, is
 2875 | transferred, renumbered as section 288.0065, Florida Statutes,

2876 and amended to read:

2877 288.0065 ~~288.907~~ Annual incentives report.—By December 30
2878 of each year, ~~Enterprise Florida, Inc., in conjunction with the~~
2879 department, shall provide the Governor, the President of the
2880 Senate, and the Speaker of the House of Representatives a
2881 detailed incentives report quantifying the economic benefits for
2882 all of the economic development incentive programs offered by
2883 the state ~~marketed by Enterprise Florida, Inc.~~ The annual
2884 incentives report must include:

2885 (1) For each incentive program:

2886 (a) A brief description of the incentive program.

2887 (b) The amount of awards granted, by year, since inception
2888 and the annual amount actually transferred from the state
2889 treasury to businesses or for the benefit of businesses for each
2890 of the previous 3 years.

2891 ~~(c) The actual amount of private capital invested, actual~~
2892 ~~number of jobs created, and actual wages paid for incentive~~
2893 ~~agreements completed during the previous 3 years for each target~~
2894 ~~industry sector.~~

2895 (2) For projects completed during the previous state
2896 fiscal year:

2897 (a) The number of economic development incentive
2898 applications received.

2899 ~~(b) The number of recommendations made to the department~~
2900 ~~by Enterprise Florida, Inc., including the number recommended~~

2901 ~~for approval and the number recommended for denial.~~

2902 (b)~~(e)~~ The number of final decisions issued by the

2903 department for approval and for denial.

2904 (c)~~(d)~~ The projects for which a tax refund, tax credit, or

2905 cash grant agreement was executed, identifying for each project:

2906 1. The number of jobs committed to be created.

2907 2. The amount of capital investments committed to be made.

2908 3. The annual average wage committed to be paid.

2909 4. The amount of state economic development incentives

2910 committed to the project from each incentive program under the

2911 project's terms of agreement with the Department of Economic

2912 Opportunity.

2913 5. The amount and type of local matching funds committed

2914 to the project.

2915 ~~(e) Tax refunds paid or other payments made funded out of~~

2916 ~~the Economic Development Incentives Account for each project.~~

2917 (d)~~(f)~~ The types of projects supported.

2918 (3) For economic development projects that received tax

2919 refunds, tax credits, or cash grants under the terms of an

2920 agreement for incentives:

2921 (a) The number of jobs actually created.

2922 (b) The amount of capital investments actually made.

2923 (c) The annual average wage paid.

2924 (4) For a project receiving economic development

2925 incentives approved by the department and receiving federal or

2926 | local incentives, a description of the federal or local
 2927 | incentives, if available.

2928 | (5) The number of withdrawn or terminated projects that
 2929 | did not fulfill the terms of their agreements with the
 2930 | department and, consequently, are not receiving incentives.

2931 | ~~(6) For any agreements signed after July 1, 2010, findings~~
 2932 | ~~and recommendations on the efforts of the department to~~
 2933 | ~~ascertain the causes of any business's inability to complete its~~
 2934 | ~~agreement made under s. 288.106.~~

2935 | (6)~~(7)~~ The amount of tax refunds, tax credits, or other
 2936 | payments made to projects locating or expanding in state
 2937 | enterprise zones, rural communities, brownfield areas, or
 2938 | distressed urban communities. The report must include a separate
 2939 | analysis of the impact of such tax refunds on state enterprise
 2940 | zones designated under s. 290.0065, rural communities,
 2941 | brownfield areas, and distressed urban communities.

2942 | ~~(8) The name of and tax refund amount for each business~~
 2943 | ~~that has received a tax refund under s. 288.1045 or s. 288.106~~
 2944 | ~~during the preceding fiscal year.~~

2945 | (7)~~(9)~~ An identification of the ~~target industry businesses~~
 2946 | ~~and~~ high-impact businesses.

2947 | (8)~~(10)~~ A description of the trends relating to business
 2948 | interest in, and usage of, the various incentives, and the
 2949 | number of minority-owned or woman-owned businesses receiving
 2950 | incentives.

2951 (9)~~(11)~~ An identification of incentive programs not used
 2952 and recommendations for program changes or program elimination.

2953 (10)~~(12)~~ Information related to the validation of
 2954 contractor performance required under s. 288.061.

2955 (11)~~(13)~~ ~~Beginning in 2014,~~ A summation of the activities
 2956 related to the Florida Space Business Incentives Act.

2957 Section 93. Section 288.911, Florida Statutes, is
 2958 repealed.

2959 Section 94. Section 288.912, Florida Statutes, is
 2960 transferred, renumbered as section 288.007, Florida Statutes,
 2961 and amended to read:

2962 288.007 ~~288.912~~ Inventory of communities seeking to
 2963 recruit businesses.—By September 30 of each year, a county or
 2964 municipality that has a population of at least 25,000 or its
 2965 local economic development organization must submit to the
 2966 department ~~Enterprise Florida, Inc.,~~ a brief overview of the
 2967 strengths, services, and economic development incentives that
 2968 its community offers. The local government or its local economic
 2969 development organization also must identify any industries that
 2970 it is encouraging to locate or relocate to its area. A county or
 2971 municipality having a population of 25,000 or fewer or its local
 2972 economic development organization seeking to recruit businesses
 2973 may submit information as required in this section and may
 2974 participate in any activity or initiative resulting from the
 2975 collection, analysis, and reporting of the information to the

2976 | department ~~Enterprise Florida, Inc.,~~ pursuant to this section.
 2977 | Section 95. Section 288.92, Florida Statutes, is repealed.
 2978 | Section 96. Section 288.923, Florida Statutes, is amended
 2979 | to read:
 2980 | 288.923 ~~Division of~~ Tourism marketing; definitions;
 2981 | responsibilities.-
 2982 | (1) ~~There is created within Enterprise Florida, Inc., the~~
 2983 | ~~Division of Tourism Marketing.~~
 2984 | ~~(2)~~ As used in this section, the term:
 2985 | (a) "Tourism marketing" means any effort exercised to
 2986 | attract domestic and international visitors from outside the
 2987 | state to destinations in this state and to stimulate Florida
 2988 | resident tourism to areas within the state.
 2989 | (b) "Tourist" means any person who participates in trade
 2990 | or recreation activities outside the county of his or her
 2991 | permanent residence or who rents or leases transient living
 2992 | quarters or accommodations as described in s. 125.0104(3)(a).
 2993 | (c) "County destination marketing organization" means a
 2994 | public or private agency that is funded by local option tourist
 2995 | development tax revenues under s. 125.0104, or local option
 2996 | convention development tax revenues under s. 212.0305, and is
 2997 | officially designated by a county commission to market and
 2998 | promote the area for tourism or convention business or, in any
 2999 | county that has not levied such taxes, a public or private
 3000 | agency that is officially designated by the county commission to

3001 market and promote the area for tourism or convention business.

3002 (d) "Direct-support organization" means the Florida
 3003 Tourism Industry Marketing Corporation.

3004 ~~(2)~~(3) The Department of Economic Opportunity ~~Enterprise~~
 3005 ~~Florida, Inc.,~~ shall contract with the Florida Tourism Industry
 3006 Marketing Corporation, a direct-support organization established
 3007 in s. 288.1226, to execute tourism promotion and marketing
 3008 services, functions, and programs for the state, including, but
 3009 not limited to, the activities prescribed by the 4-year
 3010 marketing plan. ~~The division shall assist to maintain and~~
 3011 ~~implement the contract.~~

3012 ~~(3)~~(4) The department's ~~division's~~ responsibilities and
 3013 duties include, but are not limited to:

3014 (a) Maintaining and implementing the contract with the
 3015 Florida Tourism Industry Marketing Corporation.

3016 ~~(b) Advising the department and Enterprise Florida, Inc.,~~
 3017 ~~on~~ Ensuring the development of domestic and international
 3018 tourism marketing campaigns featuring Florida by the
 3019 corporation.

3020 (c) Developing a 4-year marketing plan with the
 3021 corporation.

3022 1. At a minimum, the marketing plan shall discuss the
 3023 following:

- 3024 a. Continuation of overall tourism growth in this state.
- 3025 b. Expansion to new or under-represented tourist markets.

3026 c. Maintenance of traditional and loyal tourist markets.

3027 d. Coordination of efforts with county destination
 3028 marketing organizations, other local government marketing
 3029 groups, privately owned attractions and destinations, and other
 3030 private sector partners to create a seamless, four-season
 3031 advertising campaign for the state and its regions.

3032 e. Development of innovative techniques or promotions to
 3033 build repeat visitation by targeted segments of the tourist
 3034 population.

3035 f. Consideration of innovative sources of state funding
 3036 for tourism marketing.

3037 g. Promotion of nature-based tourism and heritage tourism.

3038 h. Development of a component to address emergency
 3039 response to natural and manmade disasters from a marketing
 3040 standpoint.

3041 2. The plan shall be annual in construction and ongoing in
 3042 nature. Any annual revisions of the plan shall carry forward the
 3043 concepts of the remaining 3-year portion of the plan and
 3044 consider a continuum portion to preserve the 4-year timeframe of
 3045 the plan. The plan also shall include recommendations for
 3046 specific performance standards and measurable outcomes for the
 3047 ~~division and direct-support organization. The department, in~~
 3048 ~~consultation with the board of directors of Enterprise Florida,~~
 3049 ~~Inc.,~~ shall base the actual performance metrics on these
 3050 recommendations.

3051 3. The 4-year marketing plan shall be developed in
3052 collaboration with the Florida Tourism Industry Marketing
3053 Corporation. The plan shall be annually reviewed and approved by
3054 the department ~~board of directors of Enterprise Florida, Inc.~~

3055 (d) Drafting and submitting an annual report ~~required by~~
3056 ~~s. 288.92~~. The annual report shall set forth for the department
3057 ~~division~~ and the direct-support organization:

3058 1. Operations and accomplishments during the fiscal year,
3059 including the economic benefit of the state's investment and
3060 effectiveness of the marketing plan.

3061 2. The 4-year marketing plan, including recommendations on
3062 methods for implementing and funding the plan.

3063 3. The assets and liabilities of the direct-support
3064 organization at the end of its most recent fiscal year.

3065 4. A copy of the annual financial and compliance audit
3066 conducted under s. 288.1226(6).

3067 ~~(5) Notwithstanding s. 288.92, the division shall be~~
3068 ~~staffed by the Florida Tourism Industry Marketing Corporation.~~
3069 ~~Such staff shall not be considered to be employees of the~~
3070 ~~division and shall remain employees of the Florida Tourism~~
3071 ~~Industry Marketing Corporation. Section 288.905 does not apply~~
3072 ~~to the Florida Tourism Industry Marketing Corporation.~~

3073 (4)(6) This section is repealed October 1, 2019, unless
3074 reviewed and saved from repeal by the Legislature.

3075 Section 97. Section 288.95155, Florida Statutes, is

3076 repealed.

3077 Section 98. Section 288.9519, Florida Statutes, is
 3078 repealed.

3079 Section 99. Section 288.9520, Florida Statutes, is amended
 3080 to read:

3081 288.9520 Public records exemption.—Materials that relate
 3082 to methods of manufacture or production, potential trade
 3083 secrets, potentially patentable material, actual trade secrets,
 3084 business transactions, financial and proprietary information,
 3085 and agreements or proposals to receive funding that are
 3086 received, generated, ascertained, or discovered by the
 3087 department ~~Enterprise Florida, Inc.~~, including its affiliates or
 3088 subsidiaries and partnership participants, such as private
 3089 enterprises, educational institutions, and other organizations,
 3090 are confidential and exempt from the provisions of s. 119.07(1)
 3091 and s. 24(a), Art. I of the State Constitution, except that a
 3092 recipient of department ~~Enterprise Florida, Inc.~~, research funds
 3093 shall make available, upon request, the title and description of
 3094 the research project, the name of the researcher, and the amount
 3095 and source of funding provided for the project.

3096 Section 100. Subsection (10) of section 288.9603, Florida
 3097 Statutes, is amended to read:

3098 288.9603 Definitions.—

3099 ~~(10) "Partnership" means Enterprise Florida, Inc.~~

3100 Section 101. Subsection (2) of section 288.9604, Florida

3101 Statutes, is amended to read:

3102 288.9604 Creation of the authority.—

3103 (2) The Governor, subject to confirmation by the Senate,
 3104 shall appoint the board of directors of the corporation, who
 3105 shall be five in number. The terms of office for the directors
 3106 shall be for 4 years from the date of their appointment. A
 3107 vacancy occurring during a term shall be filled for the
 3108 unexpired term. A director shall be eligible for reappointment.
 3109 At least three of the directors of the corporation shall be
 3110 bankers who have been selected by the Governor ~~from a list of~~
 3111 ~~bankers who were nominated by Enterprise Florida, Inc.,~~ and one
 3112 of the directors shall be an economic development specialist.

3113 Section 102. Paragraph (v) of subsection (2) of section
 3114 288.9605, Florida Statutes, is amended to read:

3115 288.9605 Corporation powers.—

3116 (2) The corporation is authorized and empowered to:
 3117 ~~(v) Enter into investment agreements with Enterprise~~
 3118 ~~Florida, Inc., concerning the issuance of bonds and other forms~~
 3119 ~~of indebtedness and capital.~~

3120 Section 103. Section 288.9614, Florida Statutes, is
 3121 repealed.

3122 Section 104. Section 288.9621, Florida Statutes, is
 3123 repealed.

3124 Section 105. Section 288.9622, Florida Statutes, is
 3125 repealed.

3126 Section 106. Section 288.9623, Florida Statutes, is
 3127 repealed.

3128 Section 107. Section 288.9624, Florida Statutes, is
 3129 repealed.

3130 Section 108. Section 288.9625, Florida Statutes, is
 3131 repealed.

3132 Section 109. Section 288.96255, Florida Statutes, is
 3133 repealed.

3134 Section 110. Section 288.9626, Florida Statutes, is
 3135 repealed.

3136 Section 111. Section 288.9627, Florida Statutes, is
 3137 repealed.

3138 Section 112. Paragraph (b) of subsection (1) of section
 3139 288.980, Florida Statutes, is amended to read:

3140 288.980 Military base retention; legislative intent;
 3141 grants program.—

3142 (1)

3143 ~~(b) The Florida Defense Alliance, an organization within~~
 3144 ~~Enterprise Florida, Inc., is designated as the organization to~~
 3145 ~~ensure that Florida, its resident military bases and missions,~~
 3146 ~~and its military host communities are in competitive positions~~
 3147 ~~as the United States continues its defense realignment and~~
 3148 ~~downsizing. The defense alliance shall serve as an overall~~
 3149 ~~advisory body for defense-related activity of Enterprise~~
 3150 ~~Florida, Inc. The Florida Defense Alliance may receive funding~~

3151 ~~from appropriations made for that purpose administered by the~~
 3152 ~~department.~~

3153 Section 113. Section 288.991, Florida Statutes, is
 3154 repealed.

3155 Section 114. Section 288.9912, Florida Statutes, is
 3156 repealed.

3157 Section 115. Section 288.9913, Florida Statutes, is
 3158 repealed.

3159 Section 116. Section 288.9914, Florida Statutes, is
 3160 repealed.

3161 Section 117. Section 288.9915, Florida Statutes, is
 3162 repealed.

3163 Section 118. Section 288.9916, Florida Statutes, is
 3164 repealed.

3165 Section 119. Section 288.9917, Florida Statutes, is
 3166 repealed.

3167 Section 120. Section 288.9918, Florida Statutes, is
 3168 repealed.

3169 Section 121. Section 288.9919, Florida Statutes, is
 3170 repealed.

3171 Section 122. Section 288.9920, Florida Statutes, is
 3172 repealed.

3173 Section 123. Section 288.9921, Florida Statutes, is
 3174 repealed.

3175 Section 124. Section 288.9922, Florida Statutes, is

3176 repealed.

3177 Section 125. Subsection (4) of section 288.9932, Florida
3178 Statutes, is amended to read:

3179 288.9932 Definitions.—As used in this part, the term:

3180 ~~(4) "Network" means the Florida Small Business Development~~
3181 ~~Center Network.~~

3182 Section 126. Paragraphs (e) and (f) of subsection (4) and
3183 paragraph (b) of subsection (8) of section 288.9934, Florida
3184 Statutes, are amended to read:

3185 288.9934 Microfinance Loan Program.—

3186 (4) CONTRACT AND AWARD OF FUNDS.—

3187 ~~(c) Within 30 days of executing its contract with the~~
3188 ~~department, the loan administrator must enter into a memorandum~~
3189 ~~of understanding with the network:~~

3190 ~~1. For the provision of business management training,~~
3191 ~~business development training, and technical assistance to~~
3192 ~~entrepreneurs and small businesses that receive microloans under~~
3193 ~~this part; and~~

3194 ~~2. To promote the program to underserved entrepreneurs and~~
3195 ~~small businesses.~~

3196 ~~(f) By September 1, 2014, the department shall review~~
3197 ~~industry best practices and determine the minimum business~~
3198 ~~management training, business development training, and~~
3199 ~~technical assistance that must be provided by the network to~~
3200 ~~achieve the goals of this part.~~

3201 (8) AUDITS AND REPORTING.—

3202 (b) The loan administrator shall submit quarterly reports

3203 to the department as required by s. 288.9936(2) ~~288.9936(3)~~.

3204 Section 127. Section 288.9935, Florida Statutes, is

3205 repealed.

3206 Section 128. Paragraph (p) of subsection (1) and

3207 subsection (2) of section 288.9936, Florida Statutes, are

3208 amended to read:

3209 288.9936 Annual report of the Microfinance Loan Program.—

3210 (1) The department shall include in the report required by

3211 s. 20.60(10) a complete and detailed annual report on the

3212 Microfinance Loan Program. The report must include:

3213 ~~(p) A description and evaluation of the technical~~

3214 ~~assistance and business management and development training~~

3215 ~~provided by the network pursuant to its memorandum of~~

3216 ~~understanding with the loan administrator.~~

3217 ~~(2) The department shall submit the report provided to the~~

3218 ~~department from Enterprise Florida, Inc., pursuant to s.~~

3219 ~~288.9935(8) for inclusion in the department's annual report~~

3220 ~~required under s. 20.60(10).~~

3221 Section 129. Section 288.9937, Florida Statutes, is

3222 amended to read:

3223 288.9937 Evaluation of programs.—The Office of Economic

3224 and Demographic Research shall analyze, evaluate, and determine

3225 the economic benefits, as defined in s. 288.005, of the first 3

3226 | years of the Microfinance Loan Program ~~and the Microfinance~~
 3227 | ~~Guarantee Program~~. The analysis must also evaluate the number of
 3228 | jobs created, the increase or decrease in personal income, and
 3229 | the impact on state gross domestic product from the direct,
 3230 | indirect, and induced effects of the state's investment. The
 3231 | analysis must also identify any inefficiencies in the program
 3232 | ~~programs~~ and provide recommendations for changes to the program
 3233 | ~~programs~~. The office shall submit a report to the President of
 3234 | the Senate and the Speaker of the House of Representatives by
 3235 | January 1, 2018. This section expires January 31, 2018.

3236 | Section 130. Paragraph (h) of subsection (8) and paragraph
 3237 | (a) of subsection (9) of section 290.0056, Florida Statutes, are
 3238 | amended to read:

3239 | 290.0056 Enterprise zone development agency.—

3240 | (8) The enterprise zone development agency shall have the
 3241 | following powers and responsibilities:

3242 | (h) To work with the department ~~and Enterprise Florida,~~
 3243 | ~~Inc.~~, to ensure that the enterprise zone coordinator receives
 3244 | training on an annual basis.

3245 | (9) The following powers and responsibilities shall be
 3246 | performed by the governing body creating the enterprise zone
 3247 | development agency acting as the managing agent of the
 3248 | enterprise zone development agency, or, contingent upon approval
 3249 | by such governing body, such powers and responsibilities shall
 3250 | be performed by the enterprise zone development agency:

3251 (a) To review, process, and certify applications for state
 3252 enterprise zone tax incentives pursuant to ss. 212.08(5)(f) and
 3253 (g) ~~212.08(5)(g), (h),~~ and (15); 212.096; 220.181; and 220.182.

3254 Section 131. Paragraph (b) of subsection (4) and
 3255 subsection (7) of section 290.0065, Florida Statutes, are
 3256 amended to read:

3257 290.0065 State designation of enterprise zones.—

3258 (4)

3259 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The
 3260 department shall, based on the enterprise zone profile and the
 3261 grounds for redesignation expressed in the resolution, determine
 3262 whether the enterprise zone merits redesignation. The department
 3263 may also examine and consider the following:

3264 1. Progress made, if any, in the enterprise zone's
 3265 strategic plan.

3266 2. Use of enterprise zone incentives during the life of
 3267 the enterprise zone.

3268

3269 If the department determines that the enterprise zone merits
 3270 redesignation, the department shall notify the governing body in
 3271 writing of its approval of redesignation.

3272 (7) Upon approval by the department of a resolution
 3273 authorizing an area to be an enterprise zone pursuant to this
 3274 section, the department shall assign a unique identifying number
 3275 to that resolution. ~~The department shall provide the Department~~

3276 ~~of Revenue and Enterprise Florida, Inc., with a copy of each~~
3277 ~~resolution approved, together with its identifying number.~~

3278 Section 132. Section 290.00677, Florida Statutes, is
3279 amended to read:

3280 290.00677 Rural enterprise zones; special qualifications.-

3281 (1) Notwithstanding the enterprise zone residency
3282 requirements set out in s. 212.096(1)(c), eligible businesses as
3283 defined in s. 212.096(1)(a) located in rural enterprise zones as
3284 defined in s. 290.004 may receive the basic minimum credit
3285 provided under s. 212.096 for creating a new job and hiring a
3286 person residing within the jurisdiction of a rural community ~~as~~
3287 ~~defined in s. 288.106(2)~~. All other provisions of s. 212.096,
3288 including, but not limited to, those relating to the award of
3289 enhanced credits, apply to such businesses.

3290 (2) Notwithstanding the enterprise zone residency
3291 requirements set out in s. 220.03(1)(q), businesses as defined
3292 in s. 220.03(1)(c) located in rural enterprise zones as defined
3293 in s. 290.004 may receive the basic minimum credit provided
3294 under s. 220.181 for creating a new job and hiring a person
3295 residing within the jurisdiction of a rural community ~~as defined~~
3296 ~~in s. 288.106(2)~~. All other provisions of s. 220.181, including,
3297 but not limited to, those relating to the award of enhanced
3298 credits, apply to such businesses.

3299 (3) As used in this section, the term "rural community"
3300 means:

3301 (a) A county having a population of 75,000 or fewer.

3302 (b) A county having a population of 125,000 or fewer that
 3303 is contiguous to a county having a population of 75,000 or
 3304 fewer.

3305 (c) A municipality within a county described in paragraph
 3306 (a) or paragraph (b).

3307
 3308 For purposes of this subsection, population shall be determined
 3309 in accordance with the most recent official estimate pursuant to
 3310 s. 186.901.

3311 Section 133. Subsections (4), (5), and (6) of section
 3312 290.007, Florida Statutes, are amended to read:

3313 290.007 State incentives available in enterprise zones.—
 3314 The following incentives are provided by the state to encourage
 3315 the revitalization of enterprise zones:

3316 (4) The sales tax exemption for building materials used in
 3317 the rehabilitation of real property in enterprise zones provided
 3318 in s. 212.08(5)(f) ~~212.08(5)(g)~~.

3319 (5) The sales tax exemption for business equipment used in
 3320 an enterprise zone provided in s. 212.08(5)(g) ~~212.08(5)(h)~~.

3321 (6) The sales tax exemption for electrical energy used in
 3322 an enterprise zone provided in s. 212.08(14) ~~212.08(15)~~.

3323 Section 134. Subsections (3) and (4) of section 290.053,
 3324 Florida Statutes, are amended to read:

3325 290.053 Response to economic emergencies in small

3326 communities.-

3327 (3) A local government entity shall notify the Governor
 3328 and, the Department of Economic Opportunity, ~~and Enterprise~~
 3329 ~~Florida, Inc.,~~ when one or more of the conditions specified in
 3330 subsection (2) have occurred or will occur if action is not
 3331 taken to assist the local governmental entity or the affected
 3332 community.

3333 (4) Upon notification that one or more of the conditions
 3334 described in subsection (2) exist, the Governor or his or her
 3335 designee shall contact the local governmental entity to
 3336 determine what actions have been taken by the local governmental
 3337 entity or the affected community to resolve the economic
 3338 emergency. The Governor may waive the eligibility criteria of
 3339 any program or activity administered by the Department of
 3340 Economic Opportunity ~~or Enterprise Florida, Inc.,~~ to provide
 3341 economic relief to the affected community by granting
 3342 participation in such programs or activities. The Governor shall
 3343 consult with the President of the Senate and the Speaker of the
 3344 House of Representatives and shall take other action, as
 3345 necessary, to resolve the economic emergency in the most
 3346 expedient manner possible. All actions taken pursuant to this
 3347 section shall be within current appropriations and shall have no
 3348 annualized impact beyond normal growth.

3349 Section 135. Paragraphs (d) and (e) of subsection (3) and
 3350 subsection (4) of section 295.22, Florida Statutes, are amended

3351 to read:

3352 295.22 Veterans Employment and Training Services Program.—

3353 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall
 3354 administer the Veterans Employment and Training Services Program
 3355 and perform all of the following functions:

3356 (d) Create a grant program to provide funding to assist
 3357 veterans in meeting the workforce-skill needs of businesses
 3358 seeking to hire veterans, establish criteria for approval of
 3359 requests for funding, and maximize the use of funding for this
 3360 program. Grant funds may be used only in the absence of
 3361 available veteran-specific federally funded programs. Grants may
 3362 fund specialized training specific to a particular business.

3363 1. Grant funds may be allocated to any training provider
 3364 selected by the business, including a career center, a Florida
 3365 College System institution, a state university, or an in-house
 3366 training provider of the business. If grant funds are used to
 3367 provide a technical certificate, a licensure, or a degree, funds
 3368 may be allocated only upon a review that includes, but is not
 3369 limited to, documentation of accreditation and licensure.

3370 Instruction funded through the program terminates when
 3371 participants demonstrate competence at the level specified in
 3372 the request but may not exceed 48 months. Preference shall be
 3373 given to ~~target industry businesses, as defined in s. 288.106,~~
 3374 ~~and to~~ businesses in the defense supply, cloud virtualization,
 3375 or commercial aviation manufacturing industries.

3376 2. Costs and expenditures for the grant program must be
 3377 documented and separated from those incurred by the training
 3378 provider. Costs and expenditures shall be limited to \$8,000 per
 3379 veteran trainee. Eligible costs and expenditures include:

- 3380 a. Tuition and fees.
- 3381 b. Curriculum development.
- 3382 c. Books and classroom materials.
- 3383 d. Rental fees for facilities at public colleges and
 3384 universities, including virtual training labs.
- 3385 e. Overhead or indirect costs not to exceed 5 percent of
 3386 the grant amount.

3387 3. Before funds are allocated for a request pursuant to
 3388 this section, the corporation shall prepare a grant agreement
 3389 between the business requesting funds, the educational
 3390 institution or training provider receiving funding through the
 3391 program, and the corporation. Such agreement must include, but
 3392 need not be limited to:

- 3393 a. Identification of the personnel necessary to conduct
 3394 the instructional program, the qualifications of such personnel,
 3395 and the respective responsibilities of the parties for paying
 3396 costs associated with the employment of such personnel.
- 3397 b. Identification of the match provided by the business,
 3398 including cash and in-kind contributions, equal to at least 50
 3399 percent of the total grant amount.
- 3400 c. Identification of the estimated duration of the

3401 instructional program.

3402 d. Identification of all direct, training-related costs.

3403 e. Identification of special program requirements that are
3404 not otherwise addressed in the agreement.

3405 f. Permission to access aggregate information specific to
3406 the wages and performance of participants upon the completion of
3407 instruction for evaluation purposes. The agreement must specify
3408 that any evaluation published subsequent to the instruction may
3409 not identify the employer or any individual participant.

3410 ~~4. A business may receive a grant under the Quick Response~~
3411 ~~Training Program created under s. 288.047 and a grant under this~~
3412 ~~section for the same veteran trainee. If a business receives~~
3413 ~~funds under both programs, one grant agreement may be entered~~
3414 ~~into with CareerSource Florida, Inc., as the grant~~
3415 ~~administrator.~~

3416 (e) Contract with one or more entities to administer an
3417 entrepreneur initiative program for veterans in this state which
3418 connects business leaders in the state with veterans seeking to
3419 become entrepreneurs.

3420 1. The corporation shall award each contract in accordance
3421 with the competitive bidding requirements in s. 287.057 to one
3422 or more public or private universities that:

3423 a. Demonstrate the ability to implement the program and
3424 the commitment of university resources, including financial
3425 resources, to such programs.

3426 b. Have a military and veteran resource center.

3427 ~~e. Have a regional small business development center in~~

3428 ~~the Florida Small Business Development Center Network.~~

3429 c.d. As determined by the corporation, have been

3430 nationally recognized for commitment to the military and

3431 veterans.

3432 2. Each contract must include performance metrics,

3433 including a focus on employment and business creation. Each

3434 university must coordinate with any entrepreneurship center

3435 located at the university. The university may also work with an

3436 entity offering related programs to refer veterans or to provide

3437 services. The entrepreneur initiative program may include

3438 activities and assistance such as peer-to-peer learning

3439 sessions, mentoring, technical assistance, business roundtables,

3440 networking opportunities, support of student organizations,

3441 speaker series, or other tools within a virtual environment.

3442 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~

3443 ~~Inc., shall provide information about the corporation and its~~

3444 ~~services to prospective, new, expanding, and relocating~~

3445 ~~businesses seeking to conduct business in this state. Enterprise~~

3446 ~~Florida, Inc., shall, to the greatest extent possible,~~

3447 ~~collaborate with the corporation to meet the employment needs,~~

3448 ~~including meeting the job creation requirements, of any business~~

3449 ~~receiving assistance or services from Enterprise Florida, Inc.~~

3450 Section 136. Paragraph (a) of subsection (6), paragraph

3451 (b) of subsection (9), paragraph (a) of subsection (35),
3452 subsection (60), and paragraph (b) of subsection (64) of section
3453 320.08058, Florida Statutes, are amended to read:

3454 320.08058 Specialty license plates.—

3455 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
3456 PLATES.—

3457 (a) Because the United States Olympic Committee has
3458 selected this state to participate in a combined fundraising
3459 program that provides for one-half of all money raised through
3460 volunteer giving to stay in this state ~~and be administered by~~
3461 ~~Enterprise Florida, Inc.,~~ to support amateur sports, ~~and~~ because
3462 the United States Olympic Committee is a ~~and Enterprise Florida,~~
3463 ~~Inc.,~~ are nonprofit organization ~~organizations~~ dedicated to
3464 providing athletes with support and training and preparing
3465 athletes of all ages and skill levels for sports competition,
3466 and because ~~Enterprise Florida, Inc.,~~ ~~assists in the bidding for~~
3467 ~~sports competitions that provide significant impact to the~~
3468 ~~economy of this state,~~ and the Legislature supports the efforts
3469 of the United States Olympic Committee ~~and Enterprise Florida,~~
3470 ~~Inc.,~~ the Legislature establishes a Florida United States
3471 Olympic Committee license plate for the purpose of providing a
3472 continuous funding source to support this worthwhile effort.
3473 Florida United States Olympic Committee license plates must
3474 contain the official United States Olympic Committee logo and
3475 must bear a design and colors that are approved by the

3476 department. The word "Florida" must be centered at the top of
 3477 the plate.

3478 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

3479 (b) The license plate annual use fees are to be annually
 3480 distributed as follows:

3481 1. Fifty-five percent of the proceeds from the Florida
 3482 Professional Sports Team plate must be deposited into the
 3483 Professional Sports Development Trust Fund within the Department
 3484 of Economic Opportunity. These funds must be used
 3485 solely to attract and support major sports events in this state.
 3486 As used in this subparagraph, the term "major sports events"
 3487 means, but is not limited to, championship or all-star contests
 3488 of Major League Baseball, the National Basketball Association,
 3489 the National Football League, the National Hockey League, Major
 3490 League Soccer, the men's and women's National Collegiate
 3491 Athletic Association Final Four basketball championship, or a
 3492 horseracing or dogracing Breeders' Cup. All funds must be used
 3493 to support and promote major sporting events, and the uses must
 3494 be approved by the Department of Economic Opportunity.

3495 2. The remaining proceeds of the Florida Professional
 3496 Sports Team license plate must be allocated to the Florida
 3497 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be
 3498 deposited into the Professional Sports Development Trust Fund
 3499 within the Department of Economic Opportunity. These funds must
 3500 be used by the Florida Sports Foundation ~~Enterprise Florida,~~

3501 ~~Inc.,~~ to promote the economic development of the sports
3502 industry; to distribute licensing and royalty fees to
3503 participating professional sports teams; to promote education
3504 programs in Florida schools that provide an awareness of the
3505 benefits of physical activity and nutrition standards; to
3506 partner with the Department of Education and the Department of
3507 Health to develop a program that recognizes schools whose
3508 students demonstrate excellent physical fitness or fitness
3509 improvement; to institute a grant program for communities
3510 bidding on minor sporting events that create an economic impact
3511 for the state; to distribute funds to Florida-based charities
3512 designated by the Florida Sports Foundation ~~Enterprise Florida,~~
3513 ~~Inc.,~~ and the participating professional sports teams; and to
3514 fulfill the sports promotion responsibilities of the Department
3515 of Economic Opportunity.

3516 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~
3517 shall provide an annual financial audit in accordance with s.
3518 215.981 of its financial accounts and records by an independent
3519 certified public accountant pursuant to the contract established
3520 by the Department of Economic Opportunity. The auditor shall
3521 submit the audit report to the Department of Economic
3522 Opportunity for review and approval. If the audit report is
3523 approved, the Department of Economic Opportunity shall certify
3524 the audit report to the Auditor General for review.

3525 4. Notwithstanding the provisions of subparagraphs 1. and

3526 2., proceeds from the Professional Sports Development Trust Fund
3527 may also be used for operational expenses of the Florida Sports
3528 Foundation ~~Enterprise Florida, Inc.~~, and financial support of
3529 the Sunshine State Games.

3530 (35) FLORIDA GOLF LICENSE PLATES.—

3531 (a) The Department of Highway Safety and Motor Vehicles
3532 shall develop a Florida Golf license plate as provided in this
3533 section. The word "Florida" must appear at the bottom of the
3534 plate. The Dade Amateur Golf Association, following consultation
3535 with the Florida Sports Foundation and the PGA TOUR, ~~Enterprise~~
3536 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a
3537 revised sample plate for consideration by the department.

3538 (60) FLORIDA NASCAR LICENSE PLATES.—

3539 (a) The department shall develop a Florida NASCAR license
3540 plate as provided in this section. Florida NASCAR license plates
3541 must bear the colors and design approved by the department. The
3542 word "Florida" must appear at the top of the plate, and the term
3543 "NASCAR" must appear at the bottom of the plate. The National
3544 Association for Stock Car Auto Racing, following consultation
3545 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
3546 submit a sample plate for consideration by the department.

3547 (b) The license plate annual use fees shall be distributed
3548 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
3549 license plate annual use fees shall be annually allocated as
3550 follows:

3551 1. Up to 5 percent of the proceeds from the annual use
3552 fees may be used by the Department of Economic Opportunity
3553 ~~Enterprise Florida, Inc.,~~ for the administration of the NASCAR
3554 license plate program.

3555 2. The National Association for Stock Car Auto Racing
3556 shall receive up to \$60,000 in proceeds from the annual use fees
3557 to be used to pay startup costs, including costs incurred in
3558 developing and issuing the plates. Thereafter, 10 percent of the
3559 proceeds from the annual use fees shall be provided to the
3560 association for the royalty rights for the use of its marks.

3561 3. The remaining proceeds from the annual use fees shall
3562 be distributed to the Florida Sports Foundation ~~Enterprise~~
3563 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~
3564 ~~Inc.,~~ will retain 15 percent to support its regional grant
3565 program, attracting sporting events to Florida; 20 percent to
3566 support the marketing of motorsports-related tourism in the
3567 state; and 50 percent to be paid to the NASCAR Foundation, a s.
3568 501(c)(3) charitable organization, to support Florida-based
3569 charitable organizations.

3570 (c) The Florida Sports Foundation ~~Enterprise Florida,~~
3571 ~~Inc.,~~ shall provide an annual financial audit in accordance with
3572 s. 215.981 of its financial accounts and records by an
3573 independent certified public accountant pursuant to the contract
3574 established by the Department of Economic Opportunity. The
3575 auditor shall submit the audit report to the Department of

3576 Economic Opportunity for review and approval. If the audit
 3577 report is approved, the Department of Economic Opportunity shall
 3578 certify the audit report to the Auditor General for review.

3579 (64) FLORIDA TENNIS LICENSE PLATES.—

3580 (b) The department shall distribute the annual use fees to
 3581 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
 3582 license plate annual use fees shall be annually allocated as
 3583 follows:

3584 1. Up to 5 percent of the proceeds from the annual use
 3585 fees may be used by the Florida Sports Foundation ~~Enterprise~~
 3586 ~~Florida, Inc.,~~ to administer the license plate program.

3587 2. The United States Tennis Association Florida Section
 3588 Foundation shall receive the first \$60,000 in proceeds from the
 3589 annual use fees to reimburse it for startup costs,
 3590 administrative costs, and other costs it incurs in the
 3591 development and approval process.

3592 3. Up to 5 percent of the proceeds from the annual use
 3593 fees may be used for promoting and marketing the license plates.
 3594 The remaining proceeds shall be available for grants by the
 3595 United States Tennis Association Florida Section Foundation to
 3596 nonprofit organizations to operate youth tennis programs and
 3597 adaptive tennis programs for special populations of all ages,
 3598 and for building, renovating, and maintaining public tennis
 3599 courts.

3600 Section 137. Subsections (2), (3), and (6) of section

3601 331.3051, Florida Statutes, are amended to read:

3602 331.3051 Duties of Space Florida.—Space Florida shall:

3603 (2) Enter into agreement with the Department of Education,
 3604 the Department of Transportation, ~~Enterprise Florida, Inc.,~~ and
 3605 CareerSource Florida, Inc., for the purpose of implementing this
 3606 act.

3607 (3) ~~In cooperation with Enterprise Florida, Inc.,~~ Develop
 3608 a plan to retain, expand, attract, and create aerospace industry
 3609 entities, public or private, which results in the creation of
 3610 high-value-added businesses and jobs in this state.

3611 (6) ~~Develop, in cooperation with Enterprise Florida, Inc.,~~
 3612 a plan to provide financing assistance to aerospace businesses.
 3613 The plan may include the following activities:

3614 (a) Assembling, publishing, and disseminating information
 3615 concerning financing opportunities and techniques for aerospace
 3616 projects, programs, and activities; sources of public and
 3617 private aerospace financing assistance; and sources of
 3618 aerospace-related financing.

3619 (b) Organizing, hosting, and participating in seminars and
 3620 other forums designed to disseminate information and technical
 3621 assistance regarding aerospace-related financing.

3622 (c) Coordinating with programs and goals of the Department
 3623 of Defense, the National Aeronautics and Space Administration,
 3624 the Export-Import Bank of the United States, the International
 3625 Trade Administration of the United States Department of

3626 Commerce, the Foreign Credit Insurance Association, and other
3627 private and public programs and organizations, domestic and
3628 foreign.

3629 (d) Establishing a network of contacts among those
3630 domestic and foreign public and private organizations that
3631 provide information, technical assistance, and financial support
3632 to the aerospace industry.

3633 (e) Financing aerospace business development projects or
3634 initiatives using funds provided by the Legislature.

3635 Section 138. Section 331.3081, Florida Statutes, is
3636 amended to read:

3637 331.3081 Board of directors.—Space Florida shall be
3638 governed by a 13-member independent board of directors. The
3639 Governor, or his or her designee, shall serve as an ex officio
3640 voting member and chair of the board. The other 12 members shall
3641 be appointed from the private sector, 6 of whom shall be
3642 appointed by the Governor, 3 of whom shall be appointed by the
3643 President of the Senate, and 3 of whom shall be appointed by the
3644 Speaker of the House of Representatives ~~that consists of the~~
3645 ~~members appointed to the board of directors of Enterprise~~
3646 ~~Florida, Inc., by the Governor, the President of the Senate, and~~
3647 ~~the Speaker of the House of Representatives pursuant to s.~~
3648 ~~288.901(5)(a)7. and the Governor, who shall serve ex officio, or~~
3649 ~~who may appoint a designee to serve, as the chair and a voting~~
3650 ~~member of the board.~~

3651 Section 139. Paragraph (f) of subsection (1) of section
 3652 339.08, Florida Statutes, is amended to read:

3653 339.08 Use of moneys in State Transportation Trust Fund.—

3654 (1) The department shall expend moneys in the State
 3655 Transportation Trust Fund accruing to the department, in
 3656 accordance with its annual budget. The use of such moneys shall
 3657 be restricted to the following purposes:

3658 ~~(f) To pay the cost of economic development transportation~~
 3659 ~~projects in accordance with s. 339.2821.~~

3660 Section 140. Section 339.2821, Florida Statutes, is
 3661 repealed.

3662 Section 141. Subsection (2) of section 364.0135, Florida
 3663 Statutes, is amended to read:

3664 364.0135 Promotion of broadband adoption.—

3665 (2) The Department of Management Services is authorized to
 3666 work collaboratively with, and to receive staffing support and
 3667 other resources from, ~~Enterprise Florida, Inc.~~, state agencies,
 3668 local governments, private businesses, and community
 3669 organizations to:

3670 (a) Monitor the adoption of broadband Internet service in
 3671 collaboration with communications service providers, including,
 3672 but not limited to, wireless and wireline Internet service
 3673 providers, to develop geographical information system maps at
 3674 the census tract level that will:

3675 1. Identify geographic gaps in broadband services,

3676 including areas unserved by any broadband provider and areas
3677 served by a single broadband provider;

3678 2. Identify the download and upload transmission speeds
3679 made available to businesses and individuals in the state, at
3680 the census tract level of detail, using data rate benchmarks for
3681 broadband service used by the Federal Communications Commission
3682 to reflect different speed tiers; and

3683 3. Provide a baseline assessment of statewide broadband
3684 deployment in terms of percentage of households with broadband
3685 availability.

3686 (b) Create a strategic plan that has goals and strategies
3687 for increasing the use of broadband Internet service in the
3688 state.

3689 (c) Build and facilitate local technology planning teams
3690 or partnerships with members representing cross-sections of the
3691 community, which may include, but are not limited to,
3692 representatives from the following organizations and industries:
3693 libraries, K-12 education, colleges and universities, local
3694 health care providers, private businesses, community
3695 organizations, economic development organizations, local
3696 governments, tourism, parks and recreation, and agriculture.

3697 (d) Encourage the use of broadband Internet service,
3698 especially in the rural, unserved, and underserved communities
3699 of the state through grant programs having effective strategies
3700 to facilitate the statewide deployment of broadband Internet

3701 service. For any grants to be awarded, priority must be given to
 3702 projects that:

3703 1. Provide access to broadband education, awareness,
 3704 training, access, equipment, and support to libraries, schools,
 3705 colleges and universities, health care providers, and community
 3706 support organizations.

3707 2. Encourage the sustainable adoption of broadband in
 3708 primarily unserved areas by removing barriers to entry.

3709 3. Work toward encouraging investments in establishing
 3710 affordable and sustainable broadband Internet service in
 3711 unserved areas of the state.

3712 4. Facilitate the development of applications, programs,
 3713 and services, including, but not limited to, telework,
 3714 telemedicine, and e-learning to increase the usage of, and
 3715 demand for, broadband Internet service in the state.

3716 Section 142. Paragraph (d) of subsection (1) of section
 3717 376.82, Florida Statutes, is amended to read:

3718 376.82 Eligibility criteria and liability protection.—

3719 (1) ELIGIBILITY.—Any person who has not caused or
 3720 contributed to the contamination of a brownfield site on or
 3721 after July 1, 1997, is eligible to participate in the brownfield
 3722 program established in ss. 376.77-376.85, subject to the
 3723 following:

3724 (d) After July 1, 1997, petroleum and drycleaning
 3725 contamination sites shall not receive both restoration funding

3726 assistance available for the discharge under this chapter ~~and~~
 3727 ~~any state assistance available under s. 288.107.~~ Nothing in this
 3728 act shall affect the cleanup criteria, priority ranking, and
 3729 other rights and obligations inherent in petroleum contamination
 3730 and drycleaning contamination site rehabilitation under ss.
 3731 376.30-376.317, or the availability of economic incentives
 3732 otherwise provided for by law.

3733 Section 143. Paragraph (h) of subsection (2) of section
 3734 377.703, Florida Statutes, is amended to read:

3735 377.703 Additional functions of the Department of
 3736 Agriculture and Consumer Services.—

3737 (2) DUTIES.—The department shall perform the following
 3738 functions, unless as otherwise provided, consistent with the
 3739 development of a state energy policy:

3740 (h) The department shall promote the development and use
 3741 of renewable energy resources, in conformance with chapter 187
 3742 and s. 377.601, by:

3743 1. Establishing goals and strategies for increasing the
 3744 use of renewable energy in this state.

3745 2. Aiding and promoting the commercialization of renewable
 3746 energy resources, in cooperation with the Florida Energy Systems
 3747 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~
 3748 ~~Inc.,~~ and any other federal, state, or local governmental agency
 3749 that may seek to promote research, development, and the
 3750 demonstration of renewable energy equipment and technology.

3751 3. Identifying barriers to greater use of renewable energy
3752 resources in this state, and developing specific recommendations
3753 for overcoming identified barriers, with findings and
3754 recommendations to be submitted annually in the report to the
3755 Governor and Legislature required under paragraph (f).

3756 4. In cooperation with the Department of Environmental
3757 Protection, the Department of Transportation, the Department of
3758 Economic Opportunity, ~~Enterprise Florida, Inc.~~, the Florida
3759 Energy Systems Consortium, the Florida Solar Energy Center, and
3760 the Florida Solar Energy Industries Association, investigating
3761 opportunities, pursuant to the national Energy Policy Act of
3762 1992, the Housing and Community Development Act of 1992, and any
3763 subsequent federal legislation, for renewable energy resources,
3764 electric vehicles, and other renewable energy manufacturing,
3765 distribution, installation, and financing efforts that enhance
3766 this state's position as the leader in renewable energy
3767 research, development, and use.

3768 5. Undertaking other initiatives to advance the
3769 development and use of renewable energy resources in this state.

3770
3771 In the exercise of its responsibilities under this paragraph,
3772 the department shall seek the assistance of the renewable energy
3773 industry in this state and other interested parties and may
3774 enter into contracts, retain professional consulting services,
3775 and expend funds appropriated by the Legislature for such

3776 purposes.

3777 Section 144. Subsection (5) of section 377.804, Florida
 3778 Statutes, is amended to read:

3779 377.804 Renewable Energy and Energy-Efficient Technologies
 3780 Grants Program.—

3781 (5) The department shall solicit the expertise of state
 3782 agencies, ~~Enterprise Florida, Inc.,~~ and state universities, and
 3783 may solicit the expertise of other public and private entities
 3784 it deems appropriate, in evaluating project proposals. State
 3785 agencies shall cooperate with the department and provide such
 3786 assistance as requested.

3787 Section 145. Paragraph (a) of subsection (4) of section
 3788 377.809, Florida Statutes, is amended to read:

3789 377.809 Energy Economic Zone Pilot Program.—

3790 (4) (a) Beginning July 1, 2012, all the incentives and
 3791 benefits provided for enterprise zones pursuant to state law
 3792 shall be available to the energy economic zones designated
 3793 pursuant to this section on or before July 1, 2010. In order to
 3794 provide incentives, by March 1, 2012, each local governing body
 3795 that has jurisdiction over an energy economic zone must, by
 3796 local ordinance, establish the boundary of the energy economic
 3797 zone, specify applicable energy-efficiency standards, and
 3798 determine eligibility criteria for the application of state and
 3799 local incentives and benefits in the energy economic zone.
 3800 ~~However, in order to receive benefits provided under s. 288.106,~~

3801 ~~a business must be a qualified target industry business under s.~~
 3802 ~~288.106 for state purposes.~~ An energy economic zone's boundary
 3803 may be revised by local ordinance. Such incentives and benefits
 3804 include those in ss. ~~212.08~~, 212.096, 220.181, 220.182, 220.183,
 3805 ~~288.106~~, and 624.5105 and the public utility discounts provided
 3806 in s. 290.007(8). ~~The exemption provided in s. 212.08(5)(c)~~
 3807 ~~shall be for renewable energy as defined in s. 377.803.~~ For
 3808 purposes of this section, any applicable requirements for
 3809 employee residency for higher refund or credit thresholds must
 3810 be based on employee residency in the energy economic zone or an
 3811 enterprise zone. A business in an energy economic zone may also
 3812 be eligible for funding under s. ss. 288.047 and 445.003, ~~and a~~
 3813 ~~transportation project in an energy economic zone shall be~~
 3814 ~~provided priority in funding under s. 339.2821.~~ Other projects
 3815 shall be given priority ranking to the extent practicable for
 3816 grants administered under state energy programs.

3817 Section 146. Subsection (24) of section 380.06, Florida
 3818 Statutes, is amended to read:

3819 380.06 Developments of regional impact.—

3820 (24) STATUTORY EXEMPTIONS.—

3821 (a) Any proposed hospital is exempt from this section.

3822 (b) Any proposed electrical transmission line or
 3823 electrical power plant is exempt from this section.

3824 (c) Any proposed addition to an existing sports facility
 3825 complex is exempt from this section if the addition meets the

3826 following characteristics:

3827 1. It would not operate concurrently with the scheduled
3828 hours of operation of the existing facility.

3829 2. Its seating capacity would be no more than 75 percent
3830 of the capacity of the existing facility.

3831 3. The sports facility complex property is owned by a
3832 public body before July 1, 1983.

3833

3834 This exemption does not apply to any pari-mutuel facility.

3835 (d) Any proposed addition or cumulative additions
3836 subsequent to July 1, 1988, to an existing sports facility
3837 complex owned by a state university is exempt if the increased
3838 seating capacity of the complex is no more than 30 percent of
3839 the capacity of the existing facility.

3840 (e) Any addition of permanent seats or parking spaces for
3841 an existing sports facility located on property owned by a
3842 public body before July 1, 1973, is exempt from this section if
3843 future additions do not expand existing permanent seating or
3844 parking capacity more than 15 percent annually in excess of the
3845 prior year's capacity.

3846 (f) Any increase in the seating capacity of an existing
3847 sports facility having a permanent seating capacity of at least
3848 50,000 spectators is exempt from this section, provided that
3849 such an increase does not increase permanent seating capacity by
3850 more than 5 percent per year and not to exceed a total of 10

3851 percent in any 5-year period, and provided that the sports
3852 facility notifies the appropriate local government within which
3853 the facility is located of the increase at least 6 months before
3854 the initial use of the increased seating, in order to permit the
3855 appropriate local government to develop a traffic management
3856 plan for the traffic generated by the increase. Any traffic
3857 management plan shall be consistent with the local comprehensive
3858 plan, the regional policy plan, and the state comprehensive
3859 plan.

3860 (g) Any expansion in the permanent seating capacity or
3861 additional improved parking facilities of an existing sports
3862 facility is exempt from this section, if the following
3863 conditions exist:

3864 1.a. The sports facility had a permanent seating capacity
3865 on January 1, 1991, of at least 41,000 spectator seats;

3866 b. The sum of such expansions in permanent seating
3867 capacity does not exceed a total of 10 percent in any 5-year
3868 period and does not exceed a cumulative total of 20 percent for
3869 any such expansions; or

3870 c. The increase in additional improved parking facilities
3871 is a one-time addition and does not exceed 3,500 parking spaces
3872 serving the sports facility; and

3873 2. The local government having jurisdiction of the sports
3874 facility includes in the development order or development permit
3875 approving such expansion under this paragraph a finding of fact

3876 that the proposed expansion is consistent with the
3877 transportation, water, sewer and stormwater drainage provisions
3878 of the approved local comprehensive plan and local land
3879 development regulations relating to those provisions.

3880

3881 Any owner or developer who intends to rely on this statutory
3882 exemption shall provide to the department a copy of the local
3883 government application for a development permit. Within 45 days
3884 after receipt of the application, the department shall render to
3885 the local government an advisory and nonbinding opinion, in
3886 writing, stating whether, in the department's opinion, the
3887 prescribed conditions exist for an exemption under this
3888 paragraph. The local government shall render the development
3889 order approving each such expansion to the department. The
3890 owner, developer, or department may appeal the local government
3891 development order pursuant to s. 380.07, within 45 days after
3892 the order is rendered. The scope of review shall be limited to
3893 the determination of whether the conditions prescribed in this
3894 paragraph exist. If any sports facility expansion undergoes
3895 development-of-regional-impact review, all previous expansions
3896 which were exempt under this paragraph shall be included in the
3897 development-of-regional-impact review.

3898 (h) Expansion to port harbors, spoil disposal sites,
3899 navigation channels, turning basins, harbor berths, and other
3900 related inwater harbor facilities of ports listed in s.

3901 403.021(9)(b), port transportation facilities and projects
3902 listed in s. 311.07(3)(b), and intermodal transportation
3903 facilities identified pursuant to s. 311.09(3) are exempt from
3904 this section when such expansions, projects, or facilities are
3905 consistent with comprehensive master plans that are in
3906 compliance with s. 163.3178.

3907 (i) Any proposed facility for the storage of any petroleum
3908 product or any expansion of an existing facility is exempt from
3909 this section.

3910 (j) Any renovation or redevelopment within the same land
3911 parcel which does not change land use or increase density or
3912 intensity of use.

3913 (k) Waterport and marina development, including dry
3914 storage facilities, are exempt from this section.

3915 (l) Any proposed development within an urban service
3916 boundary established under s. 163.3177(14), Florida Statutes
3917 (2010), which is not otherwise exempt pursuant to subsection
3918 (29), is exempt from this section if the local government having
3919 jurisdiction over the area where the development is proposed has
3920 adopted the urban service boundary and has entered into a
3921 binding agreement with jurisdictions that would be impacted and
3922 with the Department of Transportation regarding the mitigation
3923 of impacts on state and regional transportation facilities.

3924 (m) Any proposed development within a rural land
3925 stewardship area created under s. 163.3248.

3926 (n) The establishment, relocation, or expansion of any
 3927 military installation as defined in s. 163.3175, is exempt from
 3928 this section.

3929 (o) Any self-storage warehousing that does not allow
 3930 retail or other services is exempt from this section.

3931 (p) Any proposed nursing home or assisted living facility
 3932 is exempt from this section.

3933 (q) Any development identified in an airport master plan
 3934 and adopted into the comprehensive plan pursuant to s.
 3935 163.3177(6)(b)4. is exempt from this section.

3936 (r) Any development identified in a campus master plan and
 3937 adopted pursuant to s. 1013.30 is exempt from this section.

3938 (s) Any development in a detailed specific area plan which
 3939 is prepared and adopted pursuant to s. 163.3245 is exempt from
 3940 this section.

3941 (t) Any proposed solid mineral mine and any proposed
 3942 addition to, expansion of, or change to an existing solid
 3943 mineral mine is exempt from this section. A mine owner will
 3944 enter into a binding agreement with the Department of
 3945 Transportation to mitigate impacts to strategic intermodal
 3946 system facilities pursuant to the transportation thresholds in
 3947 subsection (19) or rule 9J-2.045(6), Florida Administrative
 3948 Code. Proposed changes to any previously approved solid mineral
 3949 mine development-of-regional-impact development orders having
 3950 vested rights are is not subject to further review or approval

3951 as a development-of-regional-impact or notice-of-proposed-change
3952 review or approval pursuant to subsection (19), except for those
3953 applications pending as of July 1, 2011, which shall be governed
3954 by s. 380.115(2). Notwithstanding the foregoing, however,
3955 pursuant to s. 380.115(1), previously approved solid mineral
3956 mine development-of-regional-impact development orders shall
3957 continue to enjoy vested rights and continue to be effective
3958 unless rescinded by the developer. All local government
3959 regulations of proposed solid mineral mines shall be applicable
3960 to any new solid mineral mine or to any proposed addition to,
3961 expansion of, or change to an existing solid mineral mine.

3962 (u) Notwithstanding any provisions in an agreement with or
3963 among a local government, regional agency, or the state land
3964 planning agency or in a local government's comprehensive plan to
3965 the contrary, a project no longer subject to development-of-
3966 regional-impact review under revised thresholds is not required
3967 to undergo such review.

3968 (v) Any development within a county with a research and
3969 education authority created by special act and that is also
3970 within a research and development park that is operated or
3971 managed by a research and development authority pursuant to part
3972 V of chapter 159 is exempt from this section.

3973 (w) Any development in an energy economic zone designated
3974 pursuant to s. 377.809 is exempt from this section upon approval
3975 by its local governing body.

3976 ~~(x) Any proposed development that is located in a local~~
3977 ~~government jurisdiction that does not qualify for an exemption~~
3978 ~~based on the population and density criteria in paragraph~~
3979 ~~(29) (a), that is approved as a comprehensive plan amendment~~
3980 ~~adopted pursuant to s. 163.3184(4), and that is the subject of~~
3981 ~~an agreement pursuant to s. 288.106(5) is exempt from this~~
3982 ~~section. This exemption shall only be effective upon a written~~
3983 ~~agreement executed by the applicant, the local government, and~~
3984 ~~the state land planning agency. The state land planning agency~~
3985 ~~shall only be a party to the agreement upon a determination that~~
3986 ~~the development is the subject of an agreement pursuant to s.~~
3987 ~~288.106(5) and that the local government has the capacity to~~
3988 ~~adequately assess the impacts of the proposed development. The~~
3989 ~~local government shall only be a party to the agreement upon~~
3990 ~~approval by the governing body of the local government and upon~~
3991 ~~providing at least 21 days' notice to adjacent local governments~~
3992 ~~that includes, at a minimum, information regarding the location,~~
3993 ~~density and intensity of use, and timing of the proposed~~
3994 ~~development. This exemption does not apply to areas within the~~
3995 ~~boundary of any area of critical state concern designated~~
3996 ~~pursuant to s. 380.05, within the boundary of the Wekiva Study~~
3997 ~~Area as described in s. 369.316, or within 2 miles of the~~
3998 ~~boundary of the Everglades Protection Area as defined in s.~~
3999 ~~373.4592(2).~~

4000

4001 If a use is exempt from review as a development of regional
 4002 impact under paragraphs (a)-(u), but will be part of a larger
 4003 project that is subject to review as a development of regional
 4004 impact, the impact of the exempt use must be included in the
 4005 review of the larger project, ~~unless such exempt use involves a~~
 4006 ~~development of regional impact that includes a landowner,~~
 4007 ~~tenant, or user that has entered into a funding agreement with~~
 4008 ~~the Department of Economic Opportunity under the Innovation~~
 4009 ~~Incentive Program and the agreement contemplates a state award~~
 4010 ~~of at least \$50 million.~~

4011 Section 147. Subsections (1) and (5) of section 380.0657,
 4012 Florida Statutes, are amended to read:

4013 380.0657 Expedited permitting process for economic
 4014 development projects.—

4015 (1) The Department of Environmental Protection and, as
 4016 appropriate, the water management districts created under
 4017 chapter 373 shall adopt programs to expedite the processing of
 4018 wetland resource and environmental resource permits for ~~economic~~
 4019 ~~development projects that have been identified by a municipality~~
 4020 ~~or county as meeting the definition of target industry~~
 4021 ~~businesses under s. 288.106, or any intermodal logistics center~~
 4022 receiving or sending cargo to or from Florida ports, with the
 4023 exception of those projects requiring approval by the Board of
 4024 Trustees of the Internal Improvement Trust Fund.

4025 (5) Notwithstanding the provisions of this section, permit

4026 applications for projects to be located in a charter county that
4027 has a population of 1.2 million or more and has entered into a
4028 delegation agreement with the Department of Environmental
4029 Protection or the applicable water management district to
4030 process environmental resource permits, wetland resource
4031 management permits, or surface water management permits pursuant
4032 to chapter 373 are eligible for expedited permitting under this
4033 section only upon designation by resolution of the charter
4034 county's governing board. ~~Before the governing board decides~~
4035 ~~that a project is eligible for expedited permitting, it may~~
4036 ~~require the county's economic development agency, or such other~~
4037 ~~agency that provides advice to the governing board on economic~~
4038 ~~matters, to review and recommend whether the project meets the~~
4039 ~~definition of a target industry business as defined in s.~~
4040 ~~288.106 and to identify the tangible benefits and impacts of the~~
4041 ~~project.~~ The governing board's decision shall be made without
4042 consideration of the project's geographic location within the
4043 charter county. ~~If the governing board designates the project as~~
4044 ~~a target industry business, the permit application for the~~
4045 ~~project shall be approved or denied within the timeframe~~
4046 ~~provided in subsection (4).~~

4047 Section 148. Paragraph (b) of subsection (3) of section
4048 403.42, Florida Statutes, is amended to read:

4049 403.42 Florida Clean Fuel Act.—

4050 (3) CLEAN FUEL FLORIDA ADVISORY BOARD ESTABLISHED;

4051 MEMBERSHIP; DUTIES AND RESPONSIBILITIES.—

4052 (b)1. The advisory board shall consist of the Executive
 4053 Director of the Department of Economic Opportunity, the
 4054 Secretary of Environmental Protection, or a designee from that
 4055 department, the Commissioner of Education, or a designee from
 4056 that department, the Secretary of Transportation, or a designee
 4057 from that department, the Commissioner of Agriculture, or a
 4058 designee from that department, the Secretary of Management
 4059 Services, or a designee from that department, and a
 4060 representative of each of the following, who shall be appointed
 4061 by the Secretary of Environmental Protection:

- 4062 a. The Florida biodiesel industry.
- 4063 b. The Florida electric utility industry.
- 4064 c. The Florida natural gas industry.
- 4065 d. The Florida propane gas industry.
- 4066 e. An automobile manufacturers' association.
- 4067 f. A Florida Clean Cities Coalition designated by the
 4068 United States Department of Energy.
- 4069 ~~g. Enterprise Florida, Inc.~~
- 4070 g.h. EV Ready Broward.
- 4071 ~~h.i.~~ h.i. The Florida petroleum industry.
- 4072 ~~i.j.~~ i.j. The Florida League of Cities.
- 4073 ~~j.k.~~ j.k. The Florida Association of Counties.
- 4074 ~~k.l.~~ k.l. Floridians for Better Transportation.
- 4075 ~~l.m.~~ l.m. A motor vehicle manufacturer.

4076 | m.n. Florida Local Environment Resource Agencies.

4077 | n.o. Project for an Energy Efficient Florida.

4078 | o.p. Florida Transportation Builders Association.

4079 | 2. The purpose of the advisory board is to serve as a
 4080 | resource for the department and to provide the Governor, the
 4081 | Legislature, and the Secretary of Environmental Protection with
 4082 | private sector and other public agency perspectives on achieving
 4083 | the goal of increasing the use of alternative fuel vehicles in
 4084 | this state.

4085 | 3. Members shall be appointed to serve terms of 1 year
 4086 | each, with reappointment at the discretion of the Secretary of
 4087 | Environmental Protection. Vacancies shall be filled for the
 4088 | remainder of the unexpired term in the same manner as the
 4089 | original appointment.

4090 | 4. The board shall annually select a chairperson.

4091 | 5.a. The board shall meet at least once each quarter or
 4092 | more often at the call of the chairperson or the Secretary of
 4093 | Environmental Protection.

4094 | b. Meetings are exempt from the notice requirements of
 4095 | chapter 120, and sufficient notice shall be given to afford
 4096 | interested persons reasonable notice under the circumstances.

4097 | 6. Members of the board are entitled to travel expenses
 4098 | while engaged in the performance of board duties.

4099 | 7. The board shall terminate 5 years after the effective
 4100 | date of this act.

4101 Section 149. Subsection (5) of section 403.7032, Florida
4102 Statutes, is amended to read:

4103 403.7032 Recycling.—

4104 (5) The Department of Environmental Protection shall
4105 create the Recycling Business Assistance Center by December 1,
4106 2010. In carrying out its duties under this subsection, the
4107 department shall consult with state agency personnel appointed
4108 to serve as economic development liaisons under s. 288.021 ~~and~~
4109 ~~seek technical assistance from Enterprise Florida, Inc.,~~ to
4110 ensure the Recycling Business Assistance Center is positioned to
4111 succeed. The purpose of the center shall be to serve as the
4112 mechanism for coordination among state agencies and the private
4113 sector in order to coordinate policy and overall strategic
4114 planning for developing new markets and expanding and enhancing
4115 existing markets for recyclable materials in this state, other
4116 states, and foreign countries. The duties of the center must
4117 include, at a minimum:

4118 (a) Identifying and developing new markets and expanding
4119 and enhancing existing markets for recyclable materials.

4120 (b) Pursuing expanded end uses for recycled materials.

4121 (c) Targeting materials for concentrated market
4122 development efforts.

4123 (d) Developing proposals for new incentives for market
4124 development, particularly focusing on targeted materials.

4125 (e) Providing guidance on issues such as permitting,

4126 finance options for recycling market development, site location,
4127 research and development, grant program criteria for recycled
4128 materials markets, recycling markets education and information,
4129 and minimum content.

4130 (f) Coordinating the efforts of various governmental
4131 entities having market development responsibilities in order to
4132 optimize supply and demand for recyclable materials.

4133 (g) Evaluating source-reduced products as they relate to
4134 state procurement policy. The evaluation shall include, but is
4135 not limited to, the environmental and economic impact of source-
4136 reduced product purchases to the state. For the purposes of this
4137 paragraph, the term "source-reduced" means any method, process,
4138 product, or technology that significantly or substantially
4139 reduces the volume or weight of a product while providing, at a
4140 minimum, equivalent or generally similar performance and service
4141 to and for the users of such materials.

4142 (h) Providing evaluation of solid waste management grants,
4143 pursuant to s. 403.7095, to reduce the flow of solid waste to
4144 disposal facilities and encourage the sustainable recovery of
4145 materials from Florida's waste stream.

4146 (i) Providing below-market financing for companies that
4147 manufacture products from recycled materials or convert
4148 recyclable materials into raw materials for use in manufacturing
4149 pursuant to the Florida Recycling Loan Program as administered
4150 by the Florida First Capital Finance Corporation.

4151 (j) Maintaining a continuously updated online directory
 4152 listing the public and private entities that collect, transport,
 4153 broker, process, or remanufacture recyclable materials in the
 4154 state.

4155 (k) Providing information on the availability and benefits
 4156 of using recycled materials to private entities and industries
 4157 in the state.

4158 (l) Distributing any materials prepared in implementing
 4159 this subsection to the public, private entities, industries,
 4160 governmental entities, or other organizations upon request.

4161 (m) Coordinating with the Department of Economic
 4162 Opportunity and its partners to provide job placement and job
 4163 training services to job seekers through the state's workforce
 4164 services programs.

4165 Section 150. Subsections (16) through (19) of section
 4166 403.973, Florida Statutes, are renumbered as subsections (15)
 4167 through (18), respectively, and present subsections (15) and
 4168 (17) of that section are amended to read:

4169 403.973 Expedited permitting; amendments to comprehensive
 4170 plans.—

4171 ~~(15) The Department of Economic Opportunity, working with~~
 4172 ~~the agencies providing cooperative assistance and input~~
 4173 ~~regarding the memoranda of agreement, shall review sites~~
 4174 ~~proposed for the location of facilities that the Department of~~
 4175 ~~Economic Opportunity has certified to be eligible for the~~

4176 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~
 4177 ~~after the request for the review by the Department of Economic~~
 4178 ~~Opportunity, the agencies shall provide to the Department of~~
 4179 ~~Economic Opportunity a statement as to each site's necessary~~
 4180 ~~permits under local, state, and federal law and an~~
 4181 ~~identification of significant permitting issues, which if~~
 4182 ~~unresolved, may result in the denial of an agency permit or~~
 4183 ~~approval or any significant delay caused by the permitting~~
 4184 ~~process.~~

4185 (16)~~(17)~~ The Department of Economic Opportunity shall be
 4186 responsible for certifying a business as eligible for undergoing
 4187 expedited review under this section. ~~Enterprise Florida, Inc., A~~
 4188 ~~county or municipal government,~~ or the Rural Economic
 4189 Development Initiative may recommend to the Department of
 4190 Economic Opportunity that a project meeting the minimum job
 4191 creation threshold undergo expedited review.

4192 Section 151. Paragraph (c) of subsection (1) of section
 4193 443.091, Florida Statutes, is amended to read:

4194 443.091 Benefit eligibility conditions.—

4195 (1) An unemployed individual is eligible to receive
 4196 benefits for any week only if the Department of Economic
 4197 Opportunity finds that:

4198 (c) To make continued claims for benefits, she or he is
 4199 reporting to the department in accordance with this paragraph
 4200 and department rules. Department rules may not conflict with s.

4201 443.111(1)(b), which requires that each claimant continue to
 4202 report regardless of any pending appeal relating to her or his
 4203 eligibility or disqualification for benefits.

4204 1. For each week of unemployment claimed, each report
 4205 must, at a minimum, include the name, address, and telephone
 4206 number of each prospective employer contacted, or the date the
 4207 claimant reported to a one-stop career center, pursuant to
 4208 paragraph (d).

4209 2. The department shall offer an online assessment aimed
 4210 at identifying an individual's skills, abilities, and career
 4211 aptitude. The skills assessment must be voluntary, and the
 4212 department shall allow a claimant to choose whether to take the
 4213 skills assessment. The online assessment shall be made available
 4214 to any person seeking services from a local workforce
 4215 development board or a one-stop career center.

4216 a. If the claimant chooses to take the online assessment,
 4217 the outcome of the assessment shall be made available to the
 4218 claimant, local workforce development board, and one-stop career
 4219 center. The department, local workforce development board, or
 4220 one-stop career center shall use the assessment to develop a
 4221 plan for referring individuals to training and employment
 4222 opportunities. Aggregate data on assessment outcomes may be made
 4223 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~
 4224 ~~Inc.~~ for use in the development of policies related to
 4225 education and training programs that will ensure that businesses

4226 | in this state have access to a skilled and competent workforce.

4227 | b. Individuals shall be informed of and offered services
4228 | through the one-stop delivery system, including career
4229 | counseling, the provision of skill match and job market
4230 | information, and skills upgrade and other training
4231 | opportunities, and shall be encouraged to participate in such
4232 | services at no cost to the individuals. The department shall
4233 | coordinate with CareerSource Florida, Inc., the local workforce
4234 | development boards, and the one-stop career centers to identify,
4235 | develop, and use best practices for improving the skills of
4236 | individuals who choose to participate in skills upgrade and
4237 | other training opportunities. The department may contract with
4238 | an entity to create the online assessment in accordance with the
4239 | competitive bidding requirements in s. 287.057. The online
4240 | assessment must work seamlessly with the Reemployment Assistance
4241 | Claims and Benefits Information System.

4242 | Section 152. Paragraphs (b) through (g) of subsection (6)
4243 | of section 445.004, Florida Statutes, are redesignated as
4244 | paragraphs (a) through (f), respectively, and paragraph (d) of
4245 | subsection (3), paragraphs (b) and (d) of subsection (5), and
4246 | paragraph (a) of subsection (6) of that section are amended to
4247 | read:

4248 | 445.004 CareerSource Florida, Inc.; creation; purpose;
4249 | membership; duties and powers.—

4250 | (3)

4251 (d) The board must include ~~the vice chairperson of the~~
4252 ~~board of directors of Enterprise Florida, Inc.,~~ and one member
4253 representing each of the Workforce Innovation and Opportunity
4254 Act partners, including the Division of Career and Adult
4255 Education, and other entities representing programs identified
4256 in the Workforce Innovation and Opportunity Act, as determined
4257 necessary.

4258 (5) CareerSource Florida, Inc., shall have all the powers
4259 and authority not explicitly prohibited by statute which are
4260 necessary or convenient to carry out and effectuate its purposes
4261 as determined by statute, Pub. L. No. 113-128, and the Governor,
4262 as well as its functions, duties, and responsibilities,
4263 including, but not limited to, the following:

4264 (b) Providing oversight and policy direction to ensure
4265 that the following programs are administered by the department
4266 in compliance with approved plans and under contract with
4267 CareerSource Florida, Inc.:

4268 1. Programs authorized under Title I of the Workforce
4269 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
4270 exception of programs funded directly by the United States
4271 Department of Labor under Title I, s. 167.

4272 2. Programs authorized under the Wagner-Peyser Act of
4273 1933, as amended, 29 U.S.C. ss. 49 et seq.

4274 3. Activities authorized under Title II of the Trade Act
4275 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade

4276 Adjustment Assistance Program.

4277 4. Activities authorized under 38 U.S.C. chapter 41,
 4278 including job counseling, training, and placement for veterans.

4279 5. Employment and training activities carried out under
 4280 funds awarded to this state by the United States Department of
 4281 Housing and Urban Development.

4282 6. Welfare transition services funded by the Temporary
 4283 Assistance for Needy Families Program, created under the
 4284 Personal Responsibility and Work Opportunity Reconciliation Act
 4285 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
 4286 of the Social Security Act, as amended.

4287 7. Displaced homemaker programs, provided under s. 446.50.

4288 8. The Florida Bonding Program, provided under Pub. L. No.
 4289 97-300, s. 164(a)(1).

4290 9. The Food Assistance Employment and Training Program,
 4291 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
 4292 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
 4293 and the Hunger Prevention Act, Pub. L. No. 100-435.

4294 ~~10. The Quick-Response Training Program, provided under~~
 4295 ~~ss. 288.046-288.047. Matching funds and in-kind contributions~~
 4296 ~~that are provided by clients of the Quick-Response Training~~
 4297 ~~Program shall count toward the requirements of s. 288.904,~~
 4298 ~~pertaining to the return on investment from activities of~~
 4299 ~~Enterprise Florida, Inc.~~

4300 10.11. The Work Opportunity Tax Credit, provided under the

4301 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,
 4302 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

4303 11.12. Offender placement services, provided under ss.
 4304 944.707-944.708.

4305 (d) Contracting with public and private entities as
 4306 necessary to further the directives of this section. All
 4307 contracts executed by CareerSource Florida, Inc., must include
 4308 specific performance expectations and deliverables. All
 4309 CareerSource Florida, Inc., contracts, including those
 4310 solicited, managed, or paid by the department pursuant to s.
 4311 20.60(5)(b) ~~20.60(5)(e)~~ are exempt from s. 112.061, but shall be
 4312 governed by subsection (1).

4313 (6) CareerSource Florida, Inc., may take action that it
 4314 deems necessary to achieve the purposes of this section,
 4315 including, but not limited to:

4316 (a) Creating a state employment, education, and training
 4317 policy that ensures that programs to prepare workers are
 4318 responsive to present and future business and industry needs ~~and~~
 4319 ~~complement the initiatives of Enterprise Florida, Inc.~~

4320 Section 153. Subsection (5) of section 445.045, Florida
 4321 Statutes, is amended to read:

4322 445.045 Development of an Internet-based system for
 4323 information technology industry promotion and workforce
 4324 recruitment.—

4325 (5) In furtherance of the requirements of this section

4326 that the website promote and market the information technology
 4327 industry by communicating information on the scope of the
 4328 industry in this state, CareerSource Florida, Inc., shall
 4329 ~~coordinate its efforts with the high-technology industry~~
 4330 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~
 4331 ~~Through links or actual content, the website developed under~~
 4332 ~~this section shall serve as a forum for distributing the~~
 4333 ~~marketing campaign developed by Enterprise Florida, Inc., under~~
 4334 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~
 4335 solicit input from the not-for-profit corporation created to
 4336 advocate on behalf of the information technology industry as an
 4337 outgrowth of the Information Service Technology Development Task
 4338 Force created under chapter 99-354, Laws of Florida.

4339 Section 154. Subsections (2) and (5) of section 446.44,
 4340 Florida Statutes, are amended to read:

4341 446.44 Duties of Rural Workforce Services Program.—It
 4342 shall be the direct responsibility of the Rural Workforce
 4343 Services Program to promote and deliver employment and workforce
 4344 services and resources to the rural undeveloped and
 4345 underdeveloped counties of the state in an effort to:

4346 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~
 4347 ~~pollution-free industry to the rural counties.~~

4348 (4) ~~(5)~~ Develop rural workforce programs that will be
 4349 evaluated, planned, and implemented through communications and
 4350 planning with appropriate:

4351 (a) Departments of state and federal governments.

4352 ~~(b) Units of Enterprise Florida, Inc.~~

4353 (b)~~(c)~~ Agencies and organizations of the public and
 4354 private sectors at the state, regional, and local levels.

4355 Section 155. Subsection (5) of section 477.0135, Florida
 4356 Statutes, is amended to read:

4357 477.0135 Exemptions.—

4358 (5) A license is not required of any individual providing
 4359 makeup, special effects, or cosmetology services to an actor,
 4360 stunt person, musician, extra, or other talent during a
 4361 production recognized by the Office of Film and Entertainment as
 4362 a qualified production ~~as defined in s. 288.1254(1)~~. Such
 4363 services are not required to be performed in a licensed salon.
 4364 Individuals exempt under this subsection may not provide such
 4365 services to the general public.

4366 Section 156. Subsection (1) of section 570.81, Florida
 4367 Statutes, is amended to read:

4368 570.81 Agricultural Economic Development Project Review
 4369 Committee; powers and duties.—

4370 (1) There is created an Agricultural Economic Development
 4371 Project Review Committee consisting of five members appointed by
 4372 the commissioner. The members shall be appointed based upon the
 4373 recommendations submitted by each entity represented on the
 4374 committee and shall include:

4375 (a) The commissioner or the commissioner's designee.

4376 (b) One representative from the Farm Credit Service.
 4377 (c) One representative from the Department of Economic
 4378 Opportunity Enterprise Florida, Inc.
 4379 (d) One representative from the Florida Farm Bureau
 4380 Federation.
 4381 (e) One agricultural economist from the Institute of Food
 4382 and Agricultural Sciences or from Florida Agricultural and
 4383 Mechanical University.
 4384 Section 157. Subsection (2) of section 570.85, Florida
 4385 Statutes, is amended to read:
 4386 570.85 Agritourism.—
 4387 (2) The Department of Agriculture and Consumer Services
 4388 may provide marketing advice, technical expertise, promotional
 4389 support, and product development related to agritourism to
 4390 assist the following in their agritourism initiatives:
 4391 ~~Enterprise Florida, Inc.~~; convention and visitor bureaus,
 4392 tourist development councils, ~~economic development~~
 4393 ~~organizations,~~ and local governments. In carrying out this
 4394 responsibility, the department shall focus its agritourism
 4395 efforts on rural and urban communities.
 4396 Section 158. Paragraph (c) of subsection (1) of section
 4397 624.5105, Florida Statutes, is amended to read:
 4398 624.5105 Community contribution tax credit; authorization;
 4399 limitations; eligibility and application requirements;
 4400 administration; definitions; expiration.—

4401 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

4402 (c) The total amount of tax credit which may be granted
4403 for all programs approved under this section and ss.

4404 212.08(5)(o) ~~212.08(5)(p)~~ and 220.183 is \$18.4 million in the
4405 2015-2016 fiscal year, \$21.4 million in the 2016-2017 fiscal
4406 year, and \$21.4 million in the 2017-2018 fiscal year for
4407 projects that provide housing opportunities for persons with
4408 special needs as defined in s. 420.0004 or homeownership
4409 opportunities for low-income or very-low-income households as
4410 defined in s. 420.9071 and \$3.5 million annually for all other
4411 projects.

4412 Section 159. Section 625.3255, Florida Statutes, is
4413 repealed.

4414 Section 160. Subsection (4) of section 657.042, Florida
4415 Statutes, is amended to read:

4416 657.042 Investment powers and limitations.—A credit union
4417 may invest its funds subject to the following definitions,
4418 restrictions, and limitations:

4419 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF
4420 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of
4421 the credit union may be invested in ~~any of the following:~~

4422 ~~(a)~~ Corporate obligations of any one corporation which is
4423 an affiliate or subsidiary of the credit union or a service
4424 corporation, except that the total investment in all such
4425 corporate obligations shall not exceed 10 percent of the capital

4426 of the credit union.

4427 ~~(b) Any capital participation instrument or evidence of~~
 4428 ~~indebtedness issued by Enterprise Florida, Inc., pursuant to the~~
 4429 ~~Florida Small and Minority Business Assistance Act.~~

4430 Section 161. Paragraph (f) of subsection (4) of section
 4431 658.67, Florida Statutes, is amended to read:

4432 658.67 Investment powers and limitations.—A bank may
 4433 invest its funds, and a trust company may invest its corporate
 4434 funds, subject to the following definitions, restrictions, and
 4435 limitations:

4436 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR
 4437 LESS OF CAPITAL ACCOUNTS.—

4438 ~~(f) Up to 10 percent of the capital accounts of a bank or~~
 4439 ~~trust company may be invested in any capital participation~~
 4440 ~~instrument or evidence of indebtedness issued by Enterprise~~
 4441 ~~Florida, Inc., pursuant to the Florida Small and Minority~~
 4442 ~~Business Assistance Act.~~

4443 Section 162. Paragraph (h) of subsection (2) of section
 4444 1004.015, Florida Statutes, is amended to read:

4445 1004.015 Higher Education Coordinating Council.—

4446 (2) Members of the council shall include:

4447 (h) The secretary of the Department of Economic
 4448 Opportunity, or his or her designee ~~president of Enterprise~~
 4449 ~~Florida, Inc., or a designated member of the Stakeholders~~
 4450 ~~Council appointed by the president.~~

4451 Section 163. Paragraph (d) of subsection (5) of section
 4452 1004.65, Florida Statutes, is amended to read:

4453 1004.65 Florida College System institutions; governance,
 4454 mission, and responsibilities.—

4455 (5) The primary mission and responsibility of Florida
 4456 College System institutions is responding to community needs for
 4457 postsecondary academic education and career degree education.
 4458 This mission and responsibility includes being responsible for:

4459 (d) Promoting economic development for the state within
 4460 each Florida College System institution district through the
 4461 provision of special programs, including, but not limited to,
 4462 the:

4463 ~~1. Enterprise Florida-related programs.~~

4464 1.2. Technology transfer centers.

4465 2.3. Economic development centers.

4466 3.4. Workforce literacy programs.

4467 Section 164. Paragraph (b) of subsection (10) of section
 4468 1004.78, Florida Statutes, is amended to read:

4469 1004.78 Technology transfer centers at Florida College
 4470 System institutions.—

4471 (10) The State Board of Education may award grants to
 4472 Florida College System institutions, or consortia of public and
 4473 private colleges and universities and other public and private
 4474 entities, for the purpose of supporting the objectives of this
 4475 section. Grants awarded pursuant to this subsection shall be in

4476 | accordance with rules of the State Board of Education. Such
 4477 | rules shall include the following provisions:

4478 | (b) Grants to centers funded with state revenues
 4479 | appropriated specifically for technology transfer activities
 4480 | shall be reviewed and approved by the State Board of Education
 4481 | using proposal solicitation, evaluation, and selection
 4482 | procedures established by the state board in consultation with
 4483 | the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~
 4484 | Such procedures may include designation of specific areas or
 4485 | applications of technology as priorities for the receipt of
 4486 | funding.

4487 | Section 165. Subsection (4) of section 1011.76, Florida
 4488 | Statutes, is amended to read:

4489 | 1011.76 Small School District Stabilization Program.—

4490 | (4) The Department of Education may award the school
 4491 | district a stabilization grant intended to protect the district
 4492 | from continued financial reductions. The amount of the grant
 4493 | will be determined by the Department of Education and may be
 4494 | equivalent to the amount of the decline in revenues projected
 4495 | for the next fiscal year. In addition, the Department of
 4496 | Economic Opportunity may implement a rural economic development
 4497 | initiative to identify the economic factors that are negatively
 4498 | impacting the community ~~and may consult with Enterprise Florida,~~
 4499 | ~~Inc., in developing a plan to assist the county with its~~
 4500 | ~~economic transition.~~ The grant will be available to the school

4501 district for a period of up to 5 years to the extent that
4502 funding is provided for such purpose in the General
4503 Appropriations Act.

4504 Section 166. Paragraph (c) of subsection (6) of section
4505 1011.80, Florida Statutes, is amended to read:

4506 1011.80 Funds for operation of workforce education
4507 programs.—

4508 (6)

4509 (c) A program is established to assist school districts
4510 and Florida College System institutions in responding to the
4511 needs of new and expanding businesses and thereby strengthening
4512 the state's workforce and economy. The program may be funded in
4513 the General Appropriations Act. The district or Florida College
4514 System institution shall use the program to provide customized
4515 training for businesses ~~which satisfies the requirements of s.~~
4516 ~~288.047~~. Business firms whose employees receive the customized
4517 training must provide 50 percent of the cost of the training.
4518 Balances remaining in the program at the end of the fiscal year
4519 shall not revert to the general fund, but shall be carried over
4520 for 1 additional year and used for the purpose of serving
4521 incumbent worker training needs of area businesses with fewer
4522 than 100 employees. Priority shall be given to businesses that
4523 must increase or upgrade their use of technology to remain
4524 competitive.

4525 Section 167. Subsection (1) of section 1011.94, Florida

4526 Statutes, is amended to read:

4527 1011.94 University Major Gifts Program.—

4528 (1) There is established a University Major Gifts Program.

4529 The purpose of the program is to enable each university to
 4530 provide donors with an incentive in the form of matching grants
 4531 for donations for the establishment of permanent endowments and
 4532 sales tax exemption matching funds received pursuant to s.

4533 212.08(5)(i) ~~212.08(5)(j)~~, which must be invested, with the
 4534 proceeds of the investment used to support libraries and
 4535 instruction and research programs, as defined by the Board of
 4536 Governors.

4537 Section 168. This act shall take effect July 1, 2017.