

By the Committee on Governmental Oversight and Accountability;
and Senator Gruters

585-02628-20

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1 A bill to be entitled
2 An act relating to international affairs; amending s.
3 15.01, F.S.; requiring the Secretary of State to serve
4 as the state protocol officer; requiring the Secretary
5 of State to take certain actions relating to the state
6 protocol manual; amending s. 15.182, F.S.; requiring
7 that certain organizations provide notice of
8 international travel to the Department of State,
9 rather than the Department of Economic Opportunity;
10 requiring the Department of State, the Department of
11 Economic Opportunity, and Enterprise Florida, Inc., to
12 work in conjunction for a certain purpose; amending s.
13 288.816, F.S.; revising the duties of the state
14 protocol officer; authorizing, rather than requiring,
15 the state protocol officer to take certain actions;
16 creating s. 288.8165, F.S.; authorizing the Department
17 of State to support the establishment of citizen
18 support organizations for certain purposes; defining
19 the term "citizen support organization"; prohibiting
20 the department from allowing a citizen support
21 organization to use certain services, property, or
22 facilities if the organization does not provide equal
23 membership and employment opportunities; requiring
24 citizen support organizations to provide for a certain
25 financial audit; providing a scheduled repeal;
26 amending s. 288.012, F.S.; conforming provisions to
27 changes made by the act; providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Section 15.01, Florida Statutes, is amended to read:

15.01 Duties.—

(1) The Secretary of State shall serve as the state protocol officer. In consultation with the Governor and other governmental officials, the Secretary of State shall develop, maintain, publish, and distribute the state protocol manual.

(2) The Department of State shall have the custody of the constitution and Great Seal of this state, and of the original statutes thereof, and of the resolutions of the Legislature, and of all the official correspondence of the Governor. The department shall keep in its office a register and an index of all official letters, orders, communications, messages, documents, and other official acts issued or received by the Governor or the Secretary of State, and record these in a book numbered in chronological order. The Governor, before issuing any order or transmission of any official letter, communication, or document from the executive office or promulgation of any official act or proceeding, except military orders, shall deliver the same or a copy thereof to the Department of State to be recorded.

Section 2. Section 15.182, Florida Statutes, is amended to read:

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

(1) If a musical, cultural, or artistic organization that receives state funding is traveling internationally for a

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59 presentation, performance, or other significant public viewing,
60 including an organization associated with a college or
61 university, such organization shall notify the Department of
62 State Economic Opportunity in writing of its intentions to
63 travel, together with the date, time, and location of each
64 appearance. The notice shall be provided to the department at
65 least 30 days prior to the date the international travel is to
66 commence or, when an intention to travel internationally is not
67 formed at least 30 days in advance of the date the travel is to
68 commence, as soon as feasible after forming such travel
69 intention. The department shall take an active role in informing
70 such artistic organizations of the responsibility to provide
71 notice of international travel intentions.

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

82 ~~(3) An organization shall provide the notification to the~~
83 ~~Department of State required by this section at least 30 days~~
84 ~~before the date the international travel is to commence or, when~~
85 ~~an intention to travel internationally is not formed at least 30~~
86 ~~days in advance of the date the travel is to commence, as soon~~
87 ~~as feasible after forming such travel intention. The Department~~

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88 ~~of State shall take an active role in informing such groups of~~
89 ~~the responsibility to notify the department of travel~~
90 ~~intentions.~~

91 Section 3. Paragraphs (c) and (d) of subsection (2) and
92 subsection (3) of section 288.816, Florida Statutes, are amended
93 to read:

94 288.816 Intergovernmental relations.—

95 (2) The state protocol officer shall be responsible for all
96 consular relations between the state and all foreign governments
97 doing business in Florida. The state protocol officer shall
98 monitor United States laws and directives to ensure that all
99 federal treaties regarding foreign privileges and immunities are
100 properly observed. The state protocol officer shall:

101 ~~(c) Issue certificates to such foreign governmental~~
102 ~~officials after verification pursuant to proper investigations~~
103 ~~through United States Department of State sources and the~~
104 ~~appropriate foreign government.~~

105 ~~(d) Verify entitlement to sales and use tax exemptions~~
106 ~~pursuant to United States Department of State guidelines and~~
107 ~~identification methods.~~

108 (3) The state protocol officer may ~~shall operate the sister~~
109 ~~city and sister state program and establish such new programs as~~
110 ~~needed to further global understanding through the interchange~~
111 ~~of people, ideas, and culture between Florida and the world. To~~
112 ~~accomplish this purpose, the state protocol officer shall have~~
113 ~~the power and authority to:~~

114 (a) Coordinate and carry out activities designed to
115 encourage the state and its subdivisions to participate in
116 sister city and sister state affiliations with foreign countries

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117 and their subdivisions. Such activities may include a State of
118 Florida sister cities conference.

119 (b) Encourage cooperation with and disseminate information
120 pertaining to the Sister Cities International Program and any
121 other program whose object is to promote linkages with foreign
122 countries and their subdivisions.

123 (c) Maximize any aid available from all levels of
124 government, public and private agencies, and other entities to
125 facilitate such activities.

126 ~~(d) Establish a viable system of registration for sister
127 city and sister state affiliations between the state and foreign
128 countries and their subdivisions. Such system shall include a
129 method to determine that sufficient ties are properly
130 established as well as a method to supervise how these ties are
131 maintained.~~

132 ~~(e) Maintain a current and accurate listing of all such
133 affiliations. Sister city affiliations shall not be discouraged
134 between the state and any country specified in s. 620(f)(1) of
135 the federal Foreign Assistance Act of 1961, as amended, with
136 whom the United States is currently conducting diplomatic
137 relations unless a mandate from the United States Government
138 expressly prohibits such affiliations.~~

139 Section 4. Section 288.8165, Florida Statutes, is created
140 to read:

141 288.8165 Citizen support organizations.-

142 (1) CITIZEN SUPPORT ORGANIZATIONS.-The Department of State
143 may authorize the establishment of citizen support organizations
144 to provide assistance, funding, and promotional support for the
145 intergovernmental programs of the department. For the purposes

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146 of this section, a "citizen support organization" means an
147 organization which:

148 (a) Is a Florida corporation not for profit incorporated
149 under chapter 617 and approved by the Department of State.

150 (b) Is organized and operated to conduct programs and
151 activities; raise funds; request and receive grants, gifts, and
152 bequests of money; acquire, receive, hold, invest, and
153 administer, in its own name, securities, funds, or real or
154 personal property; and make expenditures for the benefit of the
155 intergovernmental programs of the department; except that such
156 organization may not receive funds from the department by grant
157 or gift unless specifically authorized by the Legislature. If
158 the citizen support organization by contract provides fiscal and
159 administrative services to the department for a grant or program
160 that benefits the intergovernmental programs of the department,
161 the organization may be reimbursed or compensated for such
162 services by the department if the services are a direct benefit
163 to the intergovernmental programs of the department.

164 (c) The department has determined to be consistent with the
165 goals of the intergovernmental programs of the department and in
166 the best interests of the state.

167 (d) Is approved in writing by the department to operate for
168 the benefit of the intergovernmental programs of the department.
169 Such approval must be stated in a letter of agreement from the
170 Secretary of State.

171 (2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.—

172 (a) The department may permit a citizen support
173 organization to use department property, facilities, and
174 personnel free of charge. A citizen support organization may use

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175 department property, facilities, and personnel if such use is
176 consistent with the approved purpose of that citizen support
177 organization and if such use does not unreasonably interfere
178 with the general public's use of department property,
179 facilities, and personnel for established purposes.

180 (b) The department may prescribe conditions upon the use by
181 a citizen support organization of department property,
182 facilities, or personnel.

183 (c) The department may not permit the use of any property,
184 facilities, or personnel of the state by a citizen support
185 organization that does not provide equal membership and
186 employment opportunities to all persons regardless of race,
187 color, national origin, religion, sex, or age.

188 (3) ANNUAL AUDIT.—Each citizen support organization shall
189 provide for an annual financial audit in accordance with s.
190 215.981.

191 (4) FUTURE REPEAL.—This section is repealed October 1,
192 2025, unless reviewed and saved from repeal by the Legislature.

193 Section 5. Section 288.012, Florida Statutes, is amended to
194 read:

195 288.012 State of Florida international offices; ~~state~~
196 ~~protocol officer; protocol manual.~~—The Legislature finds that
197 the expansion of international trade and tourism is vital to the
198 overall health and growth of the economy of this state. This
199 expansion is hampered by the lack of technical and business
200 assistance, financial assistance, and information services for
201 businesses in this state. The Legislature finds that these
202 businesses could be assisted by providing these services at
203 State of Florida international offices. The Legislature further

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204 finds that the accessibility and provision of services at these
205 offices can be enhanced through cooperative agreements or
206 strategic alliances between private businesses and state, local,
207 and international governmental entities.

208 (1) The department is authorized to:

209 (a) Establish and operate offices in other countries for
210 the purpose of promoting trade and economic development
211 opportunities of the state, and promoting the gathering of trade
212 data information and research on trade opportunities in specific
213 countries.

214 (b) Enter into agreements with governmental and private
215 sector entities to establish and operate offices in other
216 countries which contain provisions that may conflict with the
217 general laws of the state pertaining to the purchase of office
218 space, employment of personnel, and contracts for services. When
219 agreements pursuant to this section are made which set
220 compensation in another country's currency, such agreements
221 shall be subject to the requirements of s. 215.425, but the
222 purchase of another country's currency by the department to meet
223 such obligations shall be subject only to s. 216.311.

224 (2) Each international office shall have in place an
225 operational plan approved by the participating boards or other
226 governing authority, a copy of which shall be provided to the
227 department. These operating plans shall be reviewed and updated
228 each fiscal year and shall include, at a minimum, the following:

229 (a) Specific policies and procedures encompassing the
230 entire scope of the operation and management of each office.

231 (b) A comprehensive, commercial strategic plan identifying
232 marketing opportunities and industry sector priorities for the

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233 country in which an international office is located.

234 (c) Provisions for access to information for Florida
235 businesses related to trade leads and inquiries.

236 (d) Identification of new and emerging market opportunities
237 for Florida businesses. This information shall be provided
238 either free of charge or on a fee basis with fees set only to
239 recover the costs of providing the information.

240 (e) Provision of access for Florida businesses to
241 international trade assistance services provided by state and
242 local entities, seaport and airport information, and other
243 services identified by the department.

244 (f) Qualitative and quantitative performance measures for
245 each office, including, but not limited to, the number of
246 businesses assisted, the number of trade leads and inquiries
247 generated, the number of international buyers and importers
248 contacted, and the amount and type of marketing conducted.

249 (3) Each international office shall annually submit to
250 Enterprise Florida, Inc., a complete and detailed report on its
251 activities and accomplishments during the previous fiscal year
252 for inclusion in the annual report required under s. 288.906. In
253 the format and by the annual date prescribed by Enterprise
254 Florida, Inc., the report must set forth information on:

255 (a) The number of Florida companies assisted.

256 (b) The number of inquiries received about investment
257 opportunities in this state.

258 (c) The number of trade leads generated.

259 (d) The number of investment projects announced.

260 (e) The estimated U.S. dollar value of sales confirmations.

261 (f) The number of representation agreements.

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- 262 (g) The number of company consultations.
- 263 (h) Barriers or other issues affecting the effective
264 operation of the office.
- 265 (i) Changes in office operations which are planned for the
266 current fiscal year.
- 267 (j) Marketing activities conducted.
- 268 (k) Strategic alliances formed with organizations in the
269 country in which the office is located.
- 270 (l) Activities conducted with Florida's other international
271 offices.
- 272 (m) Any other information that the office believes would
273 contribute to an understanding of its activities.
- 274 (4) The Department of Economic Opportunity, in connection
275 with the establishment, operation, and management of any of its
276 offices located in another country, is exempt from the
277 provisions of ss. 255.21, 255.25, and 255.254 relating to
278 leasing of buildings; ss. 283.33 and 283.35 relating to bids for
279 printing; ss. 287.001-287.20 relating to purchasing and motor
280 vehicles; and ss. 282.003-282.00515 and 282.702-282.7101
281 relating to communications, and from all statutory provisions
282 relating to state employment.
- 283 (a) The department may exercise such exemptions only upon
284 prior approval of the Governor.
- 285 (b) If approval for an exemption under this section is
286 granted as an integral part of a plan of operation for a
287 specified international office, such action shall constitute
288 continuing authority for the department to exercise the
289 exemption, but only in the context and upon the terms originally
290 granted. Any modification of the approved plan of operation with

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291 respect to an exemption contained therein must be resubmitted to
292 the Governor for his or her approval. An approval granted to
293 exercise an exemption in any other context shall be restricted
294 to the specific instance for which the exemption is to be
295 exercised.

296 (c) As used in this subsection, the term "plan of
297 operation" means the plan developed pursuant to subsection (2).

298 (d) Upon final action by the Governor with respect to a
299 request to exercise the exemption authorized in this subsection,
300 the department shall report such action, along with the original
301 request and any modifications thereto, to the President of the
302 Senate and the Speaker of the House of Representatives within 30
303 days.

304 (5) Where feasible and appropriate, international offices
305 established and operated under this section may provide one-stop
306 access to the economic development, trade, and tourism
307 information, services, and programs of the state. Where feasible
308 and appropriate, such offices may also be collocated with other
309 international offices of the state.

310 (6) The department is authorized to make and to enter into
311 contracts with Enterprise Florida, Inc., to carry out the
312 provisions of this section. The authority, duties, and
313 exemptions provided in this section apply to Enterprise Florida,
314 Inc., to the same degree and subject to the same conditions as
315 applied to the department. To the greatest extent possible, such
316 contracts shall include provisions for cooperative agreements or
317 strategic alliances between private businesses and state,
318 international, and local governmental entities to operate
319 international offices.

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320 ~~(7) The Governor may designate a state protocol officer.~~
321 ~~The state protocol officer shall be housed within the Executive~~
322 ~~Office of the Governor. In consultation with the Governor and~~
323 ~~other governmental officials, the state protocol officer shall~~
324 ~~develop, maintain, publish, and distribute the state protocol~~
325 ~~manual.~~

326 Section 6. This act shall take effect July 1, 2020.