



606568

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 1/AD/2R

.

03/04/2020 10:32 AM

.

.

Senator Montford moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (c) of subsection (5), subsection (6),
paragraph (b) of subsection (10), and subsection (11) of section
20.60, Florida Statutes, are amended, and paragraph (c) is added
to subsection (9) of that section, to read:

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

(5) The divisions within the department have specific



606568

12 responsibilities to achieve the duties, responsibilities, and
13 goals of the department. Specifically:

14 (c) The Division of Workforce Services shall:

15 1. Prepare and submit a unified budget request for
16 workforce development in accordance with chapter 216 for, and in
17 conjunction with, the state CareerSource Florida, Inc., and its
18 board as defined in s. 445.002.

19 2. Ensure that the state appropriately administers federal
20 and state workforce funding by administering plans and policies
21 of the state board as defined in s. 445.002 CareerSource
22 Florida, Inc., under contract with CareerSource Florida, Inc.
23 The operating budget and midyear amendments thereto must be part
24 of such contract.

25 a. All program and fiscal instructions to local workforce
26 development boards shall emanate from the Department of Economic
27 Opportunity pursuant to plans and policies of the state board as
28 defined in s. 445.002 CareerSource Florida, Inc., which shall be
29 responsible for all policy directions to the local workforce
30 development boards.

31 b. Unless otherwise provided by agreement with the state
32 board as defined in s. 445.002 CareerSource Florida, Inc.,
33 administrative and personnel policies of the Department of
34 Economic Opportunity apply.

35 3. Implement the state's reemployment assistance program.
36 The Department of Economic Opportunity shall ensure that the
37 state appropriately administers the reemployment assistance
38 program pursuant to state and federal law.

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



606568

41 (6) (a) The Department of Economic Opportunity is the
42 administrative agency designated for receipt of federal
43 workforce development grants and other federal funds. The
44 department shall administer the duties and responsibilities
45 assigned by the Governor under each federal grant assigned to
46 the department. The department shall expend each revenue source
47 as provided by federal and state law and as provided in plans
48 developed by and agreements with the state board as defined in
49 s. 445.002 ~~CareerSource Florida, Inc.~~. The department may serve
50 as the contract administrator for contracts entered into by the
51 state board under ~~CareerSource Florida, Inc.~~, pursuant to s.
52 445.004 (5), ~~as directed by CareerSource Florida, Inc.~~

53 (b) The Department of Economic Opportunity shall serve as
54 the designated agency for purposes of each federal workforce
55 development grant assigned to it for administration. The
56 department shall carry out the duties assigned to it by the
57 Governor, under the terms and conditions of each grant. The
58 department shall have the level of authority and autonomy
59 necessary to be the designated recipient of each federal grant
60 assigned to it and shall disburse such grants pursuant to the
61 plans and policies of the state board as defined in s. 445.002
62 ~~CareerSource Florida, Inc.~~. The executive director may, upon
63 delegation from the Governor and pursuant to agreement with the
64 state board ~~CareerSource Florida, Inc.~~, sign contracts, grants,
65 and other instruments as necessary to execute functions assigned
66 to the department. Notwithstanding other provisions of law, the
67 department shall administer other programs funded by federal or
68 state appropriations, as determined by the Legislature in the
69 General Appropriations Act or other law.



606568

70 (9) The executive director shall:
71 (c) Serve as a member of the board of directors of the
72 Florida Development Finance Corporation. The executive director
73 may designate an employee of the department to serve in this
74 capacity.

75 (10) The department, with assistance from Enterprise
76 Florida, Inc., shall, by November 1 of each year, submit an
77 annual report to the Governor, the President of the Senate, and
78 the Speaker of the House of Representatives on the condition of
79 the business climate and economic development in the state.

80 (b) The report must incorporate annual reports of other
81 programs, including:

82 1. Information provided by the Department of Revenue under
83 s. 290.014.

84 2. Information provided by enterprise zone development
85 agencies under s. 290.0056 and an analysis of the activities and
86 accomplishments of each enterprise zone.

87 3. The Economic Gardening Business Loan Pilot Program
88 established under s. 288.1081 and the Economic Gardening
89 Technical Assistance Pilot Program established under s.
90 288.1082.

91 4. A detailed report of the performance of the Black
92 Business Loan Program and a cumulative summary of quarterly
93 report data required under s. 288.714.

94 5. The Rural Economic Development Initiative established
95 under s. 288.0656.

96 6. The Florida Unique Abilities Partner Program.

97 7. A detailed report of the performance of the Florida
98 Development Finance Corporation and a summary of the



606568

99 corporation's report required under s. 288.9610.

100 (11) The department shall establish annual performance
101 standards for Enterprise Florida, Inc., CareerSource Florida,
102 Inc., the Florida Tourism Industry Marketing Corporation, ~~and~~
103 Space Florida, and the Florida Development Finance Corporation
104 and report annually on how these performance measures are being
105 met in the annual report required under subsection (10).

106 Section 2. Subsections (1), (3), and (4) of section
107 288.018, Florida Statutes, are amended to read:

108 288.018 Regional Rural Development Grants Program.—

109 (1) (a) For the purposes of this section, the term "regional
110 economic development organization" means an economic development
111 organization located in or contracted to serve a rural area of
112 opportunity, as defined in s. 288.0656(2) (d).

113 (b) The department shall establish a matching grant program
114 to provide funding to regional ~~regionally based~~ economic
115 development organizations ~~representing rural counties and~~
116 ~~communities~~ for the purpose of building the professional
117 capacity of those ~~their~~ organizations. Building the professional
118 capacity of a regional economic development organization
119 includes hiring professional staff to develop, deliver, and
120 provide needed economic development professional services,
121 including technical assistance, education and leadership
122 development, marketing, and project recruitment. ~~Such~~ Matching
123 grants may also be used by a regional ~~an~~ economic development
124 organization to provide technical assistance to local
125 governments, local economic development organizations, and
126 existing and prospective businesses ~~within the rural counties~~
127 ~~and communities that it serves.~~



606568

128 (c) A regional economic development organization may apply
129 annually to the department for a matching grant. The department
130 is authorized to approve, on an annual basis, grants to such
131 regional regionally based economic development organizations.
132 The maximum amount an organization may receive in any year will
133 be \$50,000, or \$250,000 for any three regional economic
134 development organizations that serve an entire region of a rural
135 area of opportunity designated pursuant to s. 288.0656(7) if
136 they are recognized by the department as serving such a region.

137 (d) Grant funds received by a regional economic development
138 organization \$150,000 in a rural area of opportunity recommended
139 by the Rural Economic Development Initiative and designated by
140 the Governor, and must be matched each year by an equivalent
141 amount of nonstate resources in an amount equal to 25 percent of
142 the state contribution.

143 (3)(a) A contract or agreement that involves the
144 expenditure of grant funds provided under this section,
145 including a contract or agreement entered into between another
146 entity and a regional economic development organization, a unit
147 of local government, or an economic development organization
148 substantially underwritten by a unit of local government, must
149 include:

- 150 1. The purpose of the contract or agreement.
151 2. Specific performance standards and responsibilities for
152 each entity under the contract or agreement.
153 3. A detailed project or contract budget, if applicable.
154 4. The value of any services provided.
155 5. The projected travel expenses for employees and board
156 members, if applicable.



606568

157 (b) At least 14 days before executing a contract or
158 agreement, the contracting regional economic development
159 organization shall post on its website:

160 1. Any contract or agreement that involves the expenditure
161 of grant funds provided under this section.

162 2. A plain-language version of any contract or agreement
163 that is estimated to exceed \$35,000 with a private entity, a
164 municipality, or a vendor of services, supplies, or programs,
165 including marketing, or for the purchase or lease or use of
166 lands, facilities, or properties which involves the expenditure
167 of grant funds provided under this section ~~The department may~~
168 ~~also contract for the development of an enterprise zone web~~
169 ~~portal or websites for each enterprise zone which will be used~~
170 ~~to market the program for job creation in disadvantaged urban~~
171 ~~and rural enterprise zones. Each enterprise zone web page should~~
172 ~~include downloadable links to state forms and information, as~~
173 ~~well as local message boards that help businesses and residents~~
174 ~~receive information concerning zone boundaries, job openings,~~
175 ~~zone programs, and neighborhood improvement activities.~~

176 (4) The department may expend up to \$750,000 each fiscal
177 year from funds appropriated to the Rural Community Development
178 Revolving Loan Fund for the purposes outlined in this section.
179 The department may contract with Enterprise Florida, Inc., for
180 the administration of the purposes specified in this section.
181 Funds released to Enterprise Florida, Inc., for this purpose
182 shall be released quarterly and shall be calculated based on the
183 applications in process.

184 Section 3. Present subsection (5) of section 288.0655,
185 Florida Statutes, is redesignated as subsection (6), a new



606568

186 subsection (5) is added to that section, and paragraph (b) of
187 subsection (2), subsection (4), and present subsection (6) of
188 that section are amended, to read:

189 288.0655 Rural Infrastructure Fund.—

190 (2)

191 (b) To facilitate access of rural communities and rural
192 areas of opportunity as defined by the Rural Economic
193 Development Initiative to infrastructure funding programs of the
194 Federal Government, such as those offered by the United States
195 Department of Agriculture and the United States Department of
196 Commerce, and state programs, including those offered by Rural
197 Economic Development Initiative agencies, and to facilitate
198 local government or private infrastructure funding efforts, the
199 department may award grants for up to 50 ~~30~~ percent of the total
200 infrastructure project cost. ~~If an application for funding is~~
201 ~~for a catalyst site, as defined in s. 288.0656, the department~~
202 ~~may award grants for up to 40 percent of the total~~
203 ~~infrastructure project cost.~~ Eligible projects must be related
204 to specific job-creation or job-retention opportunities.
205 Eligible projects may also include improving any inadequate
206 infrastructure that has resulted in regulatory action that
207 prohibits economic or community growth, or ~~or~~ reducing the costs to
208 community users of proposed infrastructure improvements that
209 exceed such costs in comparable communities, and improving
210 access to and the availability of broadband Internet service.
211 Eligible uses of funds shall include improvements to public
212 infrastructure for industrial or commercial sites, and upgrades
213 to or development of public tourism infrastructure, and
214 improvements to broadband Internet service and access in



606568

215 unserved or underserved rural communities. Improvements to
216 broadband Internet service and access must be conducted through
217 a partnership or partnerships with one or more dealers, as
218 defined in s. 202.11(2), and the partnership or partnerships
219 must be established through a competitive selection process that
220 is publicly noticed. Authorized infrastructure may include the
221 following public or public-private partnership facilities: storm
222 water systems; telecommunications facilities; broadband
223 facilities; roads or other remedies to transportation
224 impediments; nature-based tourism facilities; or other physical
225 requirements necessary to facilitate tourism, trade, and
226 economic development activities in the community. Authorized
227 infrastructure may also include publicly or privately owned
228 self-powered nature-based tourism facilities, publicly owned
229 telecommunications facilities, and broadband facilities, and
230 additions to the distribution facilities of the existing natural
231 gas utility as defined in s. 366.04(3)(c), the existing electric
232 utility as defined in s. 366.02, or the existing water or
233 wastewater utility as defined in s. 367.021(12), or any other
234 existing water or wastewater facility, which owns a gas or
235 electric distribution system or a water or wastewater system in
236 this state where:

237 1. A contribution-in-aid of construction is required to
238 serve public or public-private partnership facilities under the
239 tariffs of any natural gas, electric, water, or wastewater
240 utility as defined herein; and

241 2. Such utilities as defined herein are willing and able to
242 provide such service.

243 (4) By September 1, 2021 ~~2012~~, the department shall, in



606568

244 consultation with the organizations listed in subsection (3),
245 and other organizations, reevaluate existing guidelines and
246 criteria governing submission of applications for funding,
247 review and evaluation of such applications, and approval of
248 funding under this section. The department shall consider
249 factors including, but not limited to, the project's potential
250 for enhanced job creation or increased capital investment, the
251 demonstration and level of local public and private commitment,
252 whether the project is located ~~in an enterprise zone~~, in a
253 community development corporation service area, or in an urban
254 high-crime area as designated under s. 212.097, the unemployment
255 rate of the county in which the project would be located, and
256 the poverty rate of the community.

257 (5) (a) A contract or agreement that involves the
258 expenditure of grant funds provided under this section,
259 including a contract or agreement entered into between another
260 entity and a regional economic development organization, a unit
261 of local government, or an economic development organization
262 substantially underwritten by a unit of local government, must
263 include:

- 264 1. The purpose of the contract or agreement.
265 2. Specific performance standards and responsibilities for
266 each entity.
267 3. A detailed project or contract budget, if applicable.
268 4. The value of any services provided.
269 5. The projected travel expenses for employees and board
270 members, if applicable.

271 (b) At least 14 days before execution, the contracting
272 regional economic development organization shall post on its



606568

273 website:

274 1. Any contract or agreement that involves the expenditure
275 of grant funds provided under this section.

276 2. A plain-language version of a contract or agreement that
277 is estimated to exceed \$35,000 with a private entity, a
278 municipality, or a vendor of services, supplies, or programs,
279 including marketing, or for the purchase or lease or use of
280 lands, facilities, or properties which involves the expenditure
281 of grant funds provided under this section.

282 ~~(6) For the 2019-2020 fiscal year, the funds appropriated~~
283 ~~for the grant program for Florida Panhandle counties shall be~~
284 ~~distributed pursuant to and for the purposes described in the~~
285 ~~proviso language associated with Specific Appropriation 2314 of~~
286 ~~the 2019-2020 General Appropriations Act. This subsection~~
287 ~~expires July 1, 2020.~~

288 Section 4. Subsections (2), (3), and (4) of section
289 288.9604, Florida Statutes, are amended, and subsection (5) is
290 added to that section, to read:

291 288.9604 Creation of the authority.-

292 (2) The board of directors of the corporation shall consist
293 of seven directors. The executive director of the department, or
294 his or her designee, shall serve as chair of the board of
295 directors of the corporation. The director of the Division of
296 Bond Finance of the State Board of Administration, or his or her
297 designee, shall serve as a director on the board of directors of
298 the corporation. The Governor, subject to confirmation by the
299 Senate, shall appoint the remaining five directors of the board
300 of directors of the corporation, who shall be five in number.
301 The terms of office for the appointed directors are ~~shall be~~ for



606568

302 4 years after ~~from~~ the date of their appointment. A vacancy
303 occurring during a term of an appointed director shall be filled
304 for the unexpired term. An appointed ~~A director is~~ ~~shall be~~
305 eligible for reappointment. At least three of the appointed
306 directors of the corporation must have experience in finance
307 ~~shall be bankers who have been selected by the Governor from a~~
308 ~~list of bankers who were nominated by Enterprise Florida, Inc.,~~
309 and one of the directors must have experience in ~~shall be an~~
310 economic development ~~specialist~~.

311 (3) (a) 1. A director may not receive compensation for his or
312 her services, but is entitled to necessary expenses, including
313 travel expenses, incurred in the discharge of his or her duties.
314 Each appointed director shall hold office until his or her
315 successor has been appointed.

316 2. Directors are subject to ss. 112.313(1)-(8), (10), (12),
317 and (15); 112.3135; and 112.3143(2). For purposes of applying
318 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
319 112.3143(2) to activities of directors, directors are ~~shall be~~
320 considered public officers and the corporation is ~~shall be~~
321 considered their agency.

322 (b) The powers of the corporation shall be exercised by the
323 directors thereof. A majority of the directors constitutes a
324 quorum for the purposes of conducting business and exercising
325 the powers of the corporation and for all other purposes.
326 Meetings of the directors may be conducted by teleconference.
327 Action may be taken by the corporation upon a vote of a majority
328 of the directors present, unless in any case the bylaws require
329 a larger number. Any person may be appointed as director if he
330 or she resides, or is engaged in business, which means owning a



606568

331 business, practicing a profession, or performing a service for
332 compensation or serving as an officer or director of a
333 corporation or other business entity so engaged, within the
334 state.

335 (c) The directors of the corporation shall annually elect,
336 by a majority vote, one of their members as ~~chair and one as~~
337 vice chair. The corporation may employ a president, technical
338 experts, and such other agents and employees, permanent and
339 temporary, as it requires and determine their qualifications,
340 duties, and compensation. For such legal services as it
341 requires, the corporation may employ or retain its own counsel
342 and legal staff.

343 (4) The board may remove an appointed a director for
344 inefficiency, neglect of duty, or misconduct in office. Such
345 director may be removed only after a hearing and only if he or
346 she has been given a copy of the charges at least 10 days before
347 such hearing and has had an opportunity to be heard in person or
348 by counsel. The removal of an appointed a director creates shall
349 ~~create~~ a vacancy on the board which must shall be filled
350 pursuant to subsection (2).

351 (5) This section is repealed July 1, 2023, and July 1 of
352 every fourth year thereafter, unless reviewed and saved from
353 repeal by the Legislature.

354 Section 5. In order to implement the changes made by this
355 act to s. 288.9604, Florida Statutes, the chair and vice chair
356 of the board of directors of the Florida Development Finance
357 Corporation as of June 30, 2020, shall serve as regular members
358 beginning July 1, 2020. Nothing in this act may be construed to
359 affect the terms of the directors serving on the board on July



606568

360 1, 2020.

361 Section 6. Subsection (3) is added to section 288.9605,
362 Florida Statutes, to read:

363 288.9605 Corporation powers.—

364 (3) Documents, agreements, and instruments executed by the
365 corporation may be executed and delivered in accordance with the
366 Electronic Signature Act of 1996.

367 Section 7. Subsections (1) and (2) of section 288.9606,
368 Florida Statutes, are amended to read:

369 288.9606 Issue of revenue bonds.—

370 (1) When authorized by a public agency pursuant to s.
371 163.01(7), the corporation has power in its corporate capacity,
372 in its discretion, to issue revenue bonds or other evidences of
373 indebtedness which a public agency has the power to issue, from
374 time to time to finance the undertaking of any purpose of this
375 act, including, without limiting the generality thereof, the
376 payment of principal and interest upon any advances for surveys
377 and plans or preliminary loans, and has the power to issue
378 refunding bonds for the payment or retirement of bonds
379 previously issued. Bonds issued under ~~pursuant to~~ this section
380 shall bear the name "Florida Development Finance Corporation
381 Revenue Bonds." The security for such bonds may be based upon
382 such revenues as are legally available. In anticipation of the
383 sale of such revenue bonds, the corporation may issue bond
384 anticipation notes and may renew such notes from time to time,
385 but the maximum maturity of any such note, including renewals
386 thereof, may not exceed 5 years after ~~from~~ the date of issuance
387 of the original note. Such notes shall be paid from any revenues
388 of the corporation available therefor and not otherwise pledged



389 or from the proceeds of sale of the revenue bonds in
390 anticipation of which they were issued. Any bond, note, or other
391 form of indebtedness issued under pursuant to this act may not
392 exceed 35 years from their respective dates of issuance shall
393 mature no later than the end of the 30th fiscal year after the
394 fiscal year in which the bond, note, or other form of
395 indebtedness was issued.

396 (2) Bonds issued under this section do not constitute an
397 indebtedness within the meaning of any constitutional or
398 statutory debt limitation or restriction, and are not subject to
399 the provisions of any other law or charter relating to the
400 authorization, issuance, or sale of bonds. Bonds issued under
401 the provisions of this act are declared to be for an essential
402 public and governmental purpose. Bonds issued under this act,
403 the interest on which is exempt from income taxes of the United
404 States, together with interest thereon and income therefrom, are
405 exempted from all taxes, except those taxes imposed by chapter
406 220, on interest, income, or profits on debt obligations owned
407 by corporations. Bonds issued under this act are not a debt,
408 liability, or obligation of the state or any subdivision
409 thereof, or a pledge of faith and credit of the corporation or
410 of the state or of any such political subdivision thereof, but
411 are payable solely from the revenues provided therefor. Each
412 bond issued under this part shall contain on the face thereof a
413 statement to the effect that the corporation is not obligated to
414 pay the same or interest thereon from the revenues and proceeds
415 pledged therefor, and that the faith and credit or the taxing
416 power of the corporation or of the state or of any political
417 subdivision thereof is not pledged to the payment of the



606568

418 principal of or the interest on such bonds.

419 Section 8. Section 288.9610, Florida Statutes, is amended
420 to read:

421 288.9610 Annual reports of Florida Development Finance
422 Corporation.—On or before 90 days after the close of the Florida
423 Development Finance Corporation's fiscal year, the corporation
424 shall submit to the Governor, the Legislature, the Auditor
425 General, the Department of Economic Opportunity, and the
426 governing body of each public entity for which the corporation
427 issues revenue bonds pursuant to s. 288.9606 or with which it
428 has entered into an interlocal agreement a complete and detailed
429 report setting forth:

430 (1) The results of any audit conducted under ~~pursuant to~~ s.
431 11.45.

432 (2) The activities, operations, and accomplishments of the
433 Florida Development Finance Corporation, including the number of
434 businesses assisted by the corporation.

435 (3) Its assets, liabilities, income, and operating expenses
436 at the end of its most recent fiscal year, including a
437 description of all of its outstanding revenue bonds.

438 Section 9. Section 288.9619, Florida Statutes, is created
439 to read:

440 288.9619 Conflicts of interest.—If any director has a
441 direct or indirect interest associated with any party to an
442 application on which the corporation has taken or will take
443 action in exercising its power for the issuance of revenue bonds
444 or other evidences of indebtedness, such interest must be
445 publicly disclosed to the corporation and set forth in the
446 minutes of the corporation. The director that has such interest



606568

447 may not participate in any action by the corporation with
448 respect to such party and application.

449 Section 10. Present subsections (2) and (3) of section
450 445.002, Florida Statutes, are redesignated as subsections (3)
451 and (5), respectively, and a new subsection (2) and subsection
452 (4) are added to that section, to read:

453 445.002 Definitions.—As used in this chapter, the term:

454 (2) "For cause" includes, but is not limited to, engaging
455 in fraud or other criminal acts, incapacity, unfitness, neglect
456 of duty, official incompetence and irresponsibility,
457 misfeasance, malfeasance, nonfeasance, or lack of performance.

458 (4) "State board" means the state workforce development
459 board established pursuant to the Workforce Innovation and
460 Opportunity Act, Pub. L. No. 113-128, Title I, s. 101. The state
461 board is the board of directors of CareerSource Florida, Inc.,
462 which works at the direction of the state board in consultation
463 with the department as required by this chapter.

464 Section 11. Subsections (2) through (5) of section 445.003,
465 Florida Statutes, are amended, and subsection (6) is added to
466 that section, to read:

467 445.003 Implementation of the federal Workforce Innovation
468 and Opportunity Act.—

469 (2) FOUR-YEAR PLAN.—~~The state board CareerSource Florida,~~
470 ~~Inc.,~~ shall prepare and submit a 4-year plan, consistent with
471 the requirements of the Workforce Innovation and Opportunity
472 Act. Mandatory and optional federal partners shall be fully
473 involved in designing the plan's one-stop delivery system
474 strategy. The plan must clearly define each program's statewide
475 duties and role relating to the system. The plan must detail a



606568

476 process that would fully integrate all federally mandated and
477 optional partners.

478 (3) FUNDING.—

479 (a) Title I, Workforce Innovation and Opportunity Act
480 funds; Wagner-Peyser funds; and NAFTA/Trade Act funds will be
481 expended based on the 4-year plan of the state board
482 ~~CareerSource Florida, Inc.~~ The plan must outline and direct the
483 method used to administer and coordinate various funds and
484 programs that are operated by various agencies. The following
485 provisions apply to these funds:

486 1. At least 50 percent of the Title I funds for Adults and
487 Dislocated Workers which are passed through to local workforce
488 development boards shall be allocated to and expended on
489 Individual Training Accounts unless a local workforce
490 development board obtains a waiver from the state board
491 ~~CareerSource Florida, Inc.~~ Tuition, books, and fees of training
492 providers and other training services prescribed and authorized
493 by the Workforce Innovation and Opportunity Act qualify as
494 Individual Training Account expenditures.

495 2. Fifteen percent of Title I funding shall be retained at
496 the state level and dedicated to state administration and shall
497 be used to design, develop, induce, and fund innovative
498 Individual Training Account pilots, demonstrations, and
499 programs. Of such funds retained at the state level, \$2 million
500 may shall be reserved for the Incumbent Worker Training Program
501 created under subparagraph 3. Eligible state administration
502 costs include the costs of funding for the state board and state
503 board staff ~~of CareerSource Florida, Inc.~~; operating fiscal,
504 compliance, and management accountability systems through the



606568

505 department ~~CareerSource Florida, Inc.~~; conducting evaluation and
506 research on workforce development activities; and providing
507 technical and capacity building assistance to local workforce
508 development areas at the direction of the state board
509 ~~CareerSource Florida, Inc.~~ Notwithstanding s. 445.004, such
510 administrative costs may not exceed 25 percent of these funds.
511 An amount not to exceed 75 percent of these funds shall be
512 allocated to Individual Training Accounts and other workforce
513 development strategies for other training designed and tailored
514 by the state board in consultation with the department
515 ~~CareerSource Florida, Inc.~~, including, but not limited to,
516 programs for incumbent workers, nontraditional employment, and
517 enterprise zones. The state board, in consultation with the
518 department ~~CareerSource Florida, Inc.~~, shall design, adopt, and
519 fund Individual Training Accounts for distressed urban and rural
520 communities.

521 3. The Incumbent Worker Training Program is created for the
522 purpose of providing grant funding for continuing education and
523 training of incumbent employees at existing Florida businesses.
524 The program will provide reimbursement grants to businesses that
525 pay for preapproved, direct, training-related costs.

526 a. The Incumbent Worker Training Program will be
527 administered by CareerSource Florida, Inc., which may, at its
528 discretion, contract with a private business organization to
529 serve as grant administrator.

530 b. The program shall be administered pursuant to s.
531 134(d)(4) of the Workforce Innovation and Opportunity Act.
532 Priority for funding shall be given to businesses with 25
533 employees or fewer, businesses in rural areas, businesses in



534 distressed inner-city areas, businesses in a qualified targeted
535 industry, businesses whose grant proposals represent a
536 significant upgrade in employee skills, or businesses whose
537 grant proposals represent a significant layoff avoidance
538 strategy.

539 c. All costs reimbursed by the program must be preapproved
540 by CareerSource Florida, Inc., or the grant administrator. The
541 program may not reimburse businesses for trainee wages, the
542 purchase of capital equipment, or the purchase of any item or
543 service that may possibly be used outside the training project.
544 A business approved for a grant may be reimbursed for
545 preapproved, direct, training-related costs including tuition,
546 fees, books and training materials, and overhead or indirect
547 costs not to exceed 5 percent of the grant amount.

548 d. A business that is selected to receive grant funding
549 must provide a matching contribution to the training project,
550 including, but not limited to, wages paid to trainees or the
551 purchase of capital equipment used in the training project; must
552 sign an agreement with CareerSource Florida, Inc., or the grant
553 administrator to complete the training project as proposed in
554 the application; must keep accurate records of the project's
555 implementation process; and must submit monthly or quarterly
556 reimbursement requests with required documentation.

557 e. All Incumbent Worker Training Program grant projects
558 shall be performance-based with specific measurable performance
559 outcomes, including completion of the training project and job
560 retention. CareerSource Florida, Inc., or the grant
561 administrator shall withhold the final payment to the grantee
562 until a final grant report is submitted and all performance



606568

563 criteria specified in the grant contract have been achieved.

564 f. The state board ~~CareerSource Florida, Inc.~~, may
565 establish guidelines necessary to implement the Incumbent Worker
566 Training Program.

567 g. No more than 10 percent of the Incumbent Worker Training
568 Program's total appropriation may be used for overhead or
569 indirect purposes.

570 4. At least 50 percent of Rapid Response funding shall be
571 dedicated to Intensive Services Accounts and Individual Training
572 Accounts for dislocated workers and incumbent workers who are at
573 risk of dislocation. The department ~~CareerSource Florida, Inc.~~,
574 shall also maintain an Emergency Preparedness Fund from Rapid
575 Response funds, which will immediately issue Intensive Service
576 Accounts, Individual Training Accounts, and other federally
577 authorized assistance to eligible victims of natural or other
578 disasters. At the direction of the Governor, these Rapid
579 Response funds shall be released to local workforce development
580 boards for immediate use after events that qualify under federal
581 law. Funding shall also be dedicated to maintain a unit at the
582 state level to respond to Rapid Response emergencies and to work
583 with state emergency management officials and local workforce
584 development boards. All Rapid Response funds must be expended
585 based on a plan developed by the state board in consultation
586 with the department ~~CareerSource Florida, Inc.~~, and approved by
587 the Governor.

588 (b) The administrative entity for Title I, Workforce
589 Innovation and Opportunity Act funds, and Rapid Response
590 activities is the department ~~of Economic Opportunity~~, which
591 shall provide direction to local workforce development boards



606568

592 regarding Title I programs and Rapid Response activities
593 ~~pursuant to the direction of CareerSource Florida, Inc.~~

594 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
595 MODIFICATIONS.—

596 (a) The state board CareerSource Florida, Inc., may provide
597 indemnification from audit liabilities to local workforce
598 development boards that act in full compliance with state law
599 and board policy.

600 (b) The state board, in consultation with the department
601 CareerSource Florida, Inc., may make modifications to the
602 state's plan, policies, and procedures to comply with federally
603 mandated requirements that in its judgment must be complied with
604 to maintain funding provided pursuant to Pub. L. No. 113-128.
605 The state board shall provide written notice to the Governor,
606 the President of the Senate, and the Speaker of the House of
607 Representatives within 30 days after any such changes or
608 modifications.

609 (c) The state board CareerSource Florida, Inc., shall enter
610 into a memorandum of understanding with the Florida Department
611 of Education to ensure that federally mandated requirements of
612 Pub. L. No. 113-128 are met and are in compliance with the state
613 plan for workforce development.

614 (5) LONG-TERM CONSOLIDATION OF WORKFORCE DEVELOPMENT.—The
615 state board CareerSource Florida, Inc., may recommend workforce-
616 related divisions, bureaus, units, programs, duties,
617 commissions, boards, and councils for elimination,
618 consolidation, or privatization.

619 (6) AUTHORITY TO HIRE EXECUTIVE DIRECTOR AND STAFF.—The
620 state board may hire an executive director and staff to assist



606568

621 in carrying out the functions of the Workforce Innovation and
622 Opportunity Act and in using funds made available through the
623 act. The state board shall authorize the executive director and
624 staff to work with the department in carrying out the functions
625 of the Workforce Innovation and Opportunity Act.

626 Section 12. Section 445.004, Florida Statutes, is amended
627 to read:

628 445.004 CareerSource Florida, Inc., and the state board;
629 creation; purpose; membership; duties and powers.—

630 (1) CareerSource Florida, Inc., is created as a not-for-
631 profit corporation, which shall be registered, incorporated,
632 organized, and operated in compliance with chapter 617 and shall
633 operate at the direction of the state board. CareerSource
634 Florida, Inc., is not a unit or entity of state government and
635 is exempt from chapters 120 and 287. CareerSource Florida, Inc.,
636 shall apply the procurement and expenditure procedures required
637 by federal law for the expenditure of federal funds.
638 CareerSource Florida, Inc., shall be administratively housed
639 within the department and shall operate under agreement with ~~of~~
640 ~~Economic Opportunity; however, CareerSource Florida, Inc., is~~
641 ~~not subject to control, supervision, or direction by the~~
642 ~~department in any manner.~~ The Legislature finds that public
643 policy dictates that CareerSource Florida, Inc., operate in the
644 most open and accessible manner consistent with its public
645 purpose. To this end, the Legislature specifically declares that
646 CareerSource Florida, Inc., its board, councils, and any
647 advisory committees or similar groups created by CareerSource
648 Florida, Inc., are subject to the provisions of chapter 119
649 relating to public records, and those provisions of chapter 286



606568

650 relating to public meetings.

651 (2) CareerSource Florida, Inc., provides administrative
652 support for the state board, ~~is~~ the principal workforce policy
653 organization for the state. The purpose of the state board
654 ~~CareerSource Florida, Inc.,~~ is to design and implement
655 strategies that help Floridians enter, remain in, and advance in
656 the workplace, so that they may become more highly skilled and
657 successful, which benefits these Floridians, Florida businesses,
658 and the entire state, and fosters the development of the state's
659 business climate. CareerSource Florida, Inc., shall, consistent
660 with its agreement with the department, implement the policy
661 directives of the state board and administer state workforce
662 development programs as authorized by law.

663 (3) (a) ~~CareerSource Florida, Inc., shall be governed by a~~
664 ~~board of directors, whose membership and appointment must be~~
665 ~~consistent with Pub. L. No. 113-128, Title I, s. 101(b).~~ Members
666 of the state board described in Pub. L. No. 113-128, Title I, s.
667 101(b)(1)(C)(iii)(I)(aa) are ~~shall be~~ nonvoting members. The
668 number of members is ~~directors shall be~~ determined by the
669 Governor, who shall consider the importance of minority, gender,
670 and geographic representation in making appointments to the
671 state board. When the Governor is in attendance, he or she shall
672 preside at all meetings of the state board ~~of directors~~.

673 (b) The state board ~~of directors of CareerSource Florida,~~
674 ~~Inc.,~~ shall be chaired by a ~~board~~ member designated by the
675 Governor pursuant to Pub. L. No. 113-128. A member may not serve
676 more than two terms.

677 (c) Members appointed by the Governor may serve no more
678 than two terms and must be appointed for 3-year terms. However,



606568

679 in order to establish staggered terms for state board members,
680 the Governor shall appoint or reappoint one-third of the state
681 board members for 1-year terms, one-third of the state board
682 members for 2-year terms, and one-third of the state board
683 members for 3-year terms beginning July 1, 2016. Subsequent
684 appointments or reappointments shall be for 3-year terms, except
685 that a member appointed to fill a vacancy on the state board
686 shall be appointed to serve only the remainder of the term of
687 the member whom he or she is replacing, and may be appointed for
688 a subsequent 3-year term. Private sector representatives of
689 businesses, appointed by the Governor pursuant to Pub. L. No.
690 113-128, shall constitute a majority of the membership of the
691 state board. Private sector representatives shall be appointed
692 from nominations received by the Governor, including, but not
693 limited to, those nominations made by the President of the
694 Senate and the Speaker of the House of Representatives. Private
695 sector appointments to the state board must be representative of
696 the business community of this state; no fewer than one-half of
697 the appointments must be representative of small businesses, and
698 at least five members must have economic development experience.
699 Members appointed by the Governor serve at the pleasure of the
700 Governor and are eligible for reappointment.

701 (d) The state board must include the vice chairperson of
702 the board of directors of Enterprise Florida, Inc., and one
703 member representing each of the Workforce Innovation and
704 Opportunity Act partners, including the Division of Career and
705 Adult Education, and other entities representing programs
706 identified in the Workforce Innovation and Opportunity Act, as
707 determined necessary.



606568

708 (e) A member of the state board of directors of
709 ~~CareerSource Florida, Inc.~~, may be removed by the Governor for
710 cause. Absence from three consecutive meetings results in
711 automatic removal. The chair of the state board CareerSource
712 ~~Florida, Inc.~~, shall notify the Governor of such absences.

713 (f) Representatives of businesses appointed to the state
714 ~~board of directors~~ may not include providers of workforce
715 services.

716 (g) The state board shall hire an executive director for
717 CareerSource Florida, Inc. The executive director serves as the
718 president, the chief executive officer, and an employee of
719 CareerSource Florida, Inc. The president of CareerSource
720 Florida, Inc., serves at the pleasure of the Governor.

721 (4) (a) ~~The president of CareerSource Florida, Inc., shall~~
722 ~~be hired by the board of directors of CareerSource Florida,~~
723 ~~Inc., and shall serve at the pleasure of the Governor in the~~
724 ~~capacity of an executive director and secretary of CareerSource~~
725 ~~Florida, Inc.~~

726 (b) ~~The state board of directors of CareerSource Florida,~~
727 ~~Inc.~~, shall meet at least quarterly and at other times upon the
728 call of its chair. The state board and its committees,
729 subcommittees, or other subdivisions may use any method of
730 telecommunications to conduct meetings, including establishing a
731 quorum through telecommunications, if the public is given proper
732 notice of the telecommunications meeting and is given reasonable
733 access to observe and, if appropriate, participate.

734 (b)(e) A majority of the total current membership of the
735 state board of directors of CareerSource Florida, Inc.,
736 constitutes a quorum and is required to organize and conduct the



606568

737 business of the state board, except that a majority of the
738 executive committee is required to adopt or amend the bylaws.

739 ~~(d) A majority of those voting is required to organize and~~
740 ~~conduct the business of the board, except that a majority of the~~
741 ~~entire board of directors is required to adopt or amend the~~
742 ~~bylaws.~~

743 ~~(c)(e)~~ Except as delegated or authorized by the state board
744 ~~of directors of CareerSource Florida, Inc.,~~ individual members
745 have no authority to control or direct the operations of
746 CareerSource Florida, Inc., or the actions of its officers and
747 employees, ~~including the president.~~

748 ~~(d)(f)~~ Members of the state board ~~of directors of~~
749 ~~CareerSource Florida, Inc.,~~ and its committees serve without
750 compensation, but these members and, the president, ~~and the~~
751 employees of CareerSource Florida, Inc., may be reimbursed for
752 all reasonable, necessary, and actual expenses as provided under
753 ~~pursuant to~~ s. 112.061.

754 ~~(e)(g)~~ The state board shall ~~of directors of CareerSource~~
755 ~~Florida, Inc.,~~ may establish an executive committee consisting
756 of the chair and at least six additional ~~board~~ members selected
757 by the chair, one of whom must be a representative of organized
758 labor. The executive committee and the president of CareerSource
759 Florida, Inc., have such authority as the state board delegates
760 to them, except that the state board ~~of directors~~ may not
761 delegate to the executive committee authority to take action
762 that requires approval by a majority of the entire state board
763 ~~of directors.~~

764 ~~(f)(h)~~ The chair may appoint committees to fulfill the
765 state board's responsibilities, to comply with federal



606568

766 requirements, or to obtain technical assistance, and must
767 incorporate members of local workforce development boards into
768 its structure.

769 ~~(g)(i)~~ Each member of the state board ~~of directors~~ who is
770 not otherwise required to file a financial disclosure under
771 ~~pursuant to~~ s. 8, Art. II of the State Constitution or s.
772 112.3144 must file disclosure of financial interests under
773 ~~pursuant to~~ s. 112.3145.

774 (5) The state board has ~~CareerSource Florida, Inc., shall~~
775 ~~have~~ all the powers and authority not explicitly prohibited by
776 statute which are necessary or convenient to carry out and
777 effectuate its purposes as determined by statute, Pub. L. No.
778 113-128, and the Governor, as well as its functions, duties, and
779 responsibilities, including, but not limited to, the following:

780 (a) Serving as the state's workforce development board
781 pursuant to Pub. L. No. 113-128. Unless otherwise required by
782 federal law, at least 90 percent of workforce development
783 funding must go toward direct customer service.

784 (b) Providing ~~oversight and~~ policy direction to ensure that
785 the following programs are administered by the department
786 consistent in compliance with approved plans ~~and under contract~~
787 ~~with CareerSource Florida, Inc.:~~

788 1. Programs authorized under Title I of the Workforce
789 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
790 exception of programs funded directly by the United States
791 Department of Labor under Title I, s. 167.

792 2. Programs authorized under the Wagner-Peyser Act of 1933,
793 as amended, 29 U.S.C. ss. 49 et seq.

794 3. Activities authorized under Title II of the Trade Act of



606568

795 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
796 Adjustment Assistance Program.

797 4. Activities authorized under 38 U.S.C. chapter 41,
798 including job counseling, training, and placement for veterans.

799 5. Employment and training activities carried out under
800 funds awarded to this state by the United States Department of
801 Housing and Urban Development.

802 6. Welfare transition services funded by the Temporary
803 Assistance for Needy Families Program, created under the
804 Personal Responsibility and Work Opportunity Reconciliation Act
805 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
806 of the Social Security Act, as amended.

807 7. The Florida Bonding Program, provided under Pub. L. No.
808 97-300, s. 164(a)(1).

809 8. The Food Assistance Employment and Training Program,
810 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
811 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
812 ~~and~~ the Hunger Prevention Act, Pub. L. No. 100-435; and the
813 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

814 9. The Quick-Response Training Program, provided under ss.
815 288.046-288.047. Matching funds and in-kind contributions that
816 are provided by clients of the Quick-Response Training Program
817 ~~shall~~ count toward the requirements of s. 288.904, pertaining to
818 the return on investment from activities of Enterprise Florida,
819 Inc.

820 10. The Work Opportunity Tax Credit, provided under the Tax
821 and Trade Relief Extension Act of 1998, Pub. L. No. 105-277, and
822 the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

823 11. Offender placement services, provided under ss.



606568

824 944.707-944.708.

825

826 The department may adopt rules necessary to administer this
827 chapter which relate to implementing and administering the
828 programs listed in this paragraph as well as rules related to
829 eligible training providers and auditing and monitoring
830 subrecipients of the workforce system grant funds.

831 ~~(c) The department may adopt rules necessary to administer~~
832 ~~this chapter which relate to implementing and administering the~~
833 ~~programs listed in paragraph (b) as well as rules related to~~
834 ~~eligible training providers and auditing and monitoring~~
835 ~~subrecipients of the workforce system grant funds.~~

836 ~~(d)~~ Contracting with public and private entities as
837 necessary to further the directives of this section. All
838 contracts executed by the state board or CareerSource Florida,
839 Inc., must include specific performance expectations and
840 deliverables. All ~~CareerSource Florida, Inc.,~~ contracts,
841 including those solicited, managed, or paid by the department
842 under pursuant to s. 20.60(5)(c), are exempt from s. 112.061,
843 but shall be governed by subsection (1).

844 ~~(d)(e)~~ Notifying the Governor and the department of
845 statewide or local workforce development and training needs that
846 may require policy changes or an update to the state plan
847 required under s. 445.003, and notifying the Governor, the
848 President of the Senate, and the Speaker of the House of
849 Representatives of noncompliance by the department or other
850 agencies or obstruction of the state board's efforts by such
851 agencies. Upon such notification, the Executive Office of the
852 Governor shall assist agencies to bring them into compliance



606568

853 with state board objectives.

854 (e) ~~(f)~~ Ensuring that the state does not waste valuable
855 training resources. The state board's policy is ~~board shall~~
856 ~~direct~~ that all resources, including equipment purchased for
857 training Workforce Innovation and Opportunity Act clients, be
858 available for use at all times by eligible populations as first
859 priority users. At times when eligible populations are not
860 available, such resources shall be used for any other state-
861 authorized education and training purpose. The state board
862 ~~CareerSource Florida, Inc.,~~ may authorize expenditures to award
863 suitable framed certificates, pins, or other tokens of
864 recognition for performance by a local workforce development
865 board, its committees and subdivisions, and other units of the
866 workforce system. The state board ~~CareerSource Florida, Inc.,~~
867 may also authorize expenditures for promotional items, such as
868 t-shirts, hats, or pens printed with messages promoting the
869 state's workforce system to employers, job seekers, and program
870 participants. However, such expenditures are subject to federal
871 regulations applicable to the expenditure of federal funds.

872 (f) ~~(g)~~ Establishing a dispute resolution process for all
873 memoranda of understanding or other contracts or agreements
874 entered into between the department and local workforce
875 development boards.

876 (g) ~~(h)~~ Archiving records with the Bureau of Archives and
877 Records Management of the Division of Library and Information
878 Services of the Department of State.

879 (6) The state board ~~CareerSource Florida, Inc.,~~ may take
880 action that it deems necessary to achieve the purposes of this
881 section, including, but not limited to:



606568

882 (a) Creating a state employment, education, and training
883 policy that ensures that programs to prepare workers are
884 responsive to present and future business and industry needs and
885 complement the initiatives of Enterprise Florida, Inc.

886 (b) Establishing policy direction for a funding system that
887 provides incentives to improve the outcomes of career education,
888 registered apprenticeship, and work-based learning programs and
889 that focuses resources on occupations related to new or emerging
890 industries that add greatly to the value of the state's economy.

891 (c) Establishing a comprehensive policy related to the
892 education and training of target populations such as those who
893 have disabilities, are economically disadvantaged, receive
894 public assistance, are not proficient in English, or are
895 dislocated workers. This approach should ensure the effective
896 use of federal, state, local, and private resources in reducing
897 the need for public assistance.

898 (d) Designating Institutes of Applied Technology composed
899 of public and private postsecondary institutions working
900 together with business and industry to ensure that career
901 education programs use the most advanced technology and
902 instructional methods available and respond to the changing
903 needs of business and industry.

904 (e) Providing policy direction for a system to project and
905 evaluate labor market supply and demand using the results of the
906 Workforce Estimating Conference created in s. 216.136 and the
907 career education performance standards identified under s.
908 1008.43.

909 (f) Reviewing the performance of public programs that are
910 responsible for economic development, education, employment, and



606568

911 training. The review must include an analysis of the return on
912 investment of these programs.

913 (g) Expanding the occupations identified by the Workforce
914 Estimating Conference to meet needs created by local emergencies
915 or plant closings or to capture occupations within emerging
916 industries.

917 (7) By December 1 of each year, the state board
918 ~~CareerSource Florida, Inc.~~, shall submit to the Governor, the
919 President of the Senate, the Speaker of the House of
920 Representatives, the Senate Minority Leader, and the House
921 Minority Leader a complete and detailed annual report setting
922 forth:

923 (a) All audits, including any audit conducted under
924 subsection (8).

925 (b) The operations and accomplishments of the state board,
926 including the programs or entities specified in subsection (6).

927 (8) Pursuant to his or her own authority or at the
928 direction of the Legislative Auditing Committee, the Auditor
929 General may conduct an audit of the state board and CareerSource
930 Florida, Inc., or the programs or entities created by the state
931 board CareerSource Florida, Inc. The Office of Program Policy
932 Analysis and Government Accountability, pursuant to its
933 authority or at the direction of the Legislative Auditing
934 Committee, may review the systems and controls related to
935 performance outcomes and quality of services of the state board
936 and CareerSource Florida, Inc.

937 (9) The state board CareerSource Florida, Inc., in
938 collaboration with the local workforce development boards and
939 appropriate state agencies and local public and private service



606568

940 providers, shall establish uniform performance accountability
941 measures that apply across the core programs to gauge the
942 performance of the state and local workforce development boards
943 in achieving the workforce development strategy.

944 (a) The performance accountability measures for the core
945 programs consist of the primary indicators of performance, any
946 additional indicators of performance, and a state-adjusted level
947 of performance for each indicator pursuant to Pub. L. No. 113-
948 128, Title I, s. 116(b).

949 (b) The performance accountability measures for each local
950 area consist of the primary indicators of performance, any
951 additional indicators of performance, and a local level of
952 performance for each indicator pursuant to Pub. L. No. 113-128.
953 The local level of performance is determined by the local board,
954 the chief elected official, and the Governor pursuant to Pub. L.
955 No. 113-128, Title I, s. 116(c).

956 (c) Performance accountability measures shall be used to
957 generate performance reports pursuant to Pub. L. No. 113-128,
958 Title I, s. 116(d).

959 (d) The performance accountability measures of success that
960 are adopted by the state board ~~CareerSource Florida, Inc.~~, or
961 the local workforce development boards must be developed in a
962 manner that provides for an equitable comparison of the relative
963 success or failure of any service provider in terms of positive
964 outcomes.

965 (10) The workforce development strategy for the state shall
966 be designed by the state board, in consultation with the
967 department, and approved by the Governor ~~CareerSource Florida,~~
968 ~~Inc.~~ The strategy must include efforts that enlist business,



606568

969 education, and community support for students to achieve long-
970 term career goals, ensuring that young people have the academic
971 and occupational skills required to succeed in the workplace.
972 The strategy must also assist employers in upgrading or updating
973 the skills of their employees and assisting workers to acquire
974 the education or training needed to secure a better job with
975 better wages. The strategy must assist the state's efforts to
976 attract and expand job-creating businesses offering high-paying,
977 high-demand occupations.

978 (11) The workforce development system must use ~~a charter~~
979 ~~process approach aimed at encouraging~~ local design and control
980 of service delivery and targeted activities. The state board, in
981 consultation with the department CareerSource Florida, Inc., is
982 ~~shall be~~ responsible for ensuring that ~~granting charters to~~
983 local workforce development boards ~~that~~ have a membership
984 consistent with the requirements of federal and state law and
985 have developed a plan consistent with the state's workforce
986 development strategy. The plan must specify methods for
987 allocating the resources and programs in a manner that
988 eliminates unwarranted duplication, minimizes administrative
989 costs, meets the existing job market demands and the job market
990 demands resulting from successful economic development
991 activities, ensures access to quality workforce development
992 services for all Floridians, allows for pro rata or partial
993 distribution of benefits and services, prohibits the creation of
994 a waiting list or other indication of an unserved population,
995 serves as many individuals as possible within available
996 resources, and maximizes successful outcomes. The state board ~~As~~
997 ~~part of the charter process, CareerSource Florida, Inc.,~~ shall



606568

998 establish incentives for effective coordination of federal and
999 state programs, outline rewards for successful job placements,
1000 and institute collaborative approaches among local service
1001 providers. ~~Local decisionmaking and control shall be important~~
1002 ~~components for inclusion in this charter application.~~

1003 (12) CareerSource Florida, Inc., under the direction of the
1004 state board, shall enter into agreement with Space Florida and
1005 collaborate with vocational institutes, community colleges,
1006 colleges, and universities in this state to develop a workforce
1007 development strategy to implement the workforce provisions of s.
1008 331.3051.

1009 (13) The department may consult with the state board to
1010 issue technical assistance letters on the operation of federal
1011 programs and the expenditure of federal funds by the state board
1012 or any local workforce development board. A technical assistance
1013 letter must be in writing, must be posted on the department's
1014 website, and remains in effect until superseded or terminated. A
1015 technical assistance letter is not a rule of general
1016 applicability under s. 120.54 and is not a declaratory statement
1017 issued under s. 120.565 or an order issued under s. 120.569.
1018 Section 120.53 does not apply to technical assistance letters.

1019 Section 13. Section 445.006, Florida Statutes, is amended
1020 to read:

1021 445.006 State plan for workforce development.—

1022 (1) STATE PLAN.—The state board ~~CareerSource Florida, Inc.~~,
1023 in conjunction with state and local partners in the workforce
1024 system, shall develop a state plan that produces an educated and
1025 skilled workforce. The state plan must consist of strategic and
1026 operational planning elements. The state plan shall be submitted



606568

1027 by the Governor to the United States Department of Labor
1028 pursuant to the requirements of Pub. L. No. 113-128.

1029 (2) STRATEGIC PLANNING ELEMENTS.—The state board
1030 ~~CareerSource Florida, Inc.~~, in conjunction with state and local
1031 partners in the workforce system, shall develop strategic
1032 planning elements, pursuant to Pub. L. No. 113-128, Title I, s.
1033 102, for the state plan.

1034 (a) The strategic planning elements of the state plan must
1035 include, but need not be limited to, strategies for:

1036 1. Fulfilling the workforce system goals and strategies
1037 prescribed in s. 445.004;

1038 2. Aggregating, integrating, and leveraging workforce
1039 system resources;

1040 3. Coordinating the activities of federal, state, and local
1041 workforce system partners;

1042 4. Addressing the workforce needs of small businesses; and

1043 5. Fostering the participation of rural communities and
1044 distressed urban cores in the workforce system.

1045 (b) The strategic planning elements must include criteria
1046 for allocating workforce resources to local workforce
1047 development boards. With respect to allocating funds to serve
1048 customers of the welfare transition program, such criteria may
1049 include weighting factors that indicate the relative degree of
1050 difficulty associated with securing and retaining employment
1051 placements for specific subsets of the welfare transition
1052 caseload.

1053 (3) OPERATIONAL PLANNING ELEMENTS.—The state board
1054 ~~CareerSource Florida, Inc.~~, in conjunction with state and local
1055 partners in the workforce system, shall develop operational



606568

1056 planning elements, pursuant to Pub. L. No. 113-128, Title I, s.
1057 102, for the state plan.

1058 Section 14. Subsection (1), paragraph (b) of subsection
1059 (2), and subsections (3) through (7) and (9) through (13) of
1060 section 445.007, Florida Statutes, are amended, and paragraph
1061 (c) is added to subsection (2) of that section, to read:

1062 445.007 Local workforce development boards.—

1063 (1) One local workforce development board shall be
1064 appointed in each designated service delivery area and shall
1065 serve as the local workforce development board pursuant to Pub.
1066 L. No. 113-128. The membership of the local board must be
1067 consistent with Pub. L. No. 113-128, Title I, s. 107(b). If a
1068 public education or training provider is represented on the
1069 local board, a representative of a private education provider
1070 must also be appointed to the local board. The state board
1071 ~~CareerSource Florida, Inc.~~, may waive this requirement if
1072 requested by a local workforce development board if it is
1073 demonstrated that such representatives do not exist in the
1074 region. The importance of minority and gender representation
1075 shall be considered when making appointments to the local board.
1076 The local board, its committees, subcommittees, and
1077 subdivisions, and other units of the workforce system, including
1078 units that may consist in whole or in part of local governmental
1079 units, may use any method of telecommunications to conduct
1080 meetings, including establishing a quorum through
1081 telecommunications, provided that the public is given proper
1082 notice of the telecommunications meeting and reasonable access
1083 to observe and, when appropriate, participate. Local workforce
1084 development boards are subject to chapters 119 and 286 and s.



606568

1085 24, Art. I of the State Constitution. If the local workforce
1086 development board enters into a contract with an organization or
1087 individual represented on the local board ~~of directors~~, the
1088 contract must be approved by a two-thirds vote of the local
1089 board, a quorum having been established, and the local board
1090 member who could benefit financially from the transaction must
1091 abstain from voting on the contract. A local board member must
1092 disclose any such conflict in a manner that is consistent with
1093 the procedures outlined in s. 112.3143. Each member of a local
1094 workforce development board who is not otherwise required to
1095 file a full and public disclosure of financial interests under
1096 ~~pursuant to~~ s. 8, Art. II of the State Constitution or s.
1097 112.3144 shall file a statement of financial interests under
1098 ~~pursuant to~~ s. 112.3145. The executive director or designated
1099 person responsible for the operational and administrative
1100 functions of the local workforce development board who is not
1101 otherwise required to file a full and public disclosure of
1102 financial interests under ~~pursuant to~~ s. 8, Art. II of the State
1103 Constitution or s. 112.3144 shall file a statement of financial
1104 interests under ~~pursuant to~~ s. 112.3145.

1105 (2)

1106 (b) The Governor may remove a member of the local board,
1107 the executive director of the local board, or the designated
1108 person responsible for the operational and administrative
1109 functions of the local board for cause. ~~As used in this~~
1110 ~~paragraph, the term "cause" includes, but is not limited to,~~
1111 ~~engaging in fraud or other criminal acts, incapacity, unfitness,~~
1112 ~~neglect of duty, official incompetence and irresponsibility,~~
1113 ~~misfeasance, malfeasance, nonfeasance, or lack of performance.~~



606568

1114 (c) The chief elected official for the local workforce
1115 development board may remove a member of the local board, the
1116 executive director of the local board, or the designated person
1117 responsible for the operational and administrative functions of
1118 the local board for cause.

1119 (3) The department ~~of Economic Opportunity, under the~~
1120 ~~direction of CareerSource Florida, Inc.,~~ shall assign staff to
1121 meet with each local workforce development board annually to
1122 review the local board's performance and to certify that the
1123 local board is in compliance with applicable state and federal
1124 law.

1125 (4) In addition to the duties and functions specified by
1126 the state board CareerSource Florida, Inc., and by the
1127 interlocal agreement approved by the local county or city
1128 governing bodies, the local workforce development board shall
1129 have the following responsibilities:

1130 (a) Develop, submit, ratify, or amend the local plan
1131 pursuant to Pub. L. No. 113-128, Title I, s. 108 and this act.

1132 (b) Conclude agreements necessary to designate the fiscal
1133 agent and administrative entity. A public or private entity,
1134 including an entity established under ~~pursuant to~~ s. 163.01,
1135 which makes a majority of the appointments to a local workforce
1136 development board may serve as the local board's administrative
1137 entity if approved by the department CareerSource Florida, Inc.,
1138 based upon a showing that a fair and competitive process was
1139 used to select the administrative entity.

1140 (c) ~~Complete assurances required for the charter process of~~
1141 ~~CareerSource Florida, Inc.,~~ and Provide ongoing oversight
1142 related to administrative costs, duplicated services, career



606568

1143 counseling, economic development, equal access, compliance and
1144 accountability, and performance outcomes.

1145 (d) Oversee the one-stop delivery system in its local area.

1146 (5) The department and CareerSource Florida, Inc., in
1147 consultation with the state board, shall implement a training
1148 program for the local workforce development boards to
1149 familiarize local board members with the state's workforce
1150 development goals and strategies.

1151 (6) The local workforce development board shall designate
1152 all local service providers and may not transfer this authority
1153 to a third party. Consistent with the intent of the Workforce
1154 Innovation and Opportunity Act, local workforce development
1155 boards should provide the greatest possible choice of training
1156 providers to those who qualify for training services. A local
1157 workforce development board may not restrict the choice of
1158 training providers based upon cost, location, or historical
1159 training arrangements. However, a local board may restrict the
1160 amount of training resources available to any one client. Such
1161 restrictions may vary based upon the cost of training in the
1162 client's chosen occupational area. The local workforce
1163 development board may be designated as a one-stop operator and
1164 direct provider of intake, assessment, eligibility
1165 determinations, or other direct provider services except
1166 training services. Such designation may occur only with the
1167 agreement of the chief elected official and the Governor as
1168 specified in 29 U.S.C. s. 2832(f)(2). The state board
1169 ~~CareerSource Florida, Inc.,~~ shall establish procedures by which
1170 a local workforce development board may request permission to
1171 operate under this section and the criteria under which such



1172 permission may be granted. The criteria shall include, but need
1173 not be limited to, a reduction in the cost of providing the
1174 permitted services. Such permission shall be granted for a
1175 period not to exceed 3 years for any single request submitted by
1176 the local workforce development board.

1177 (7) Local workforce development boards shall adopt a
1178 committee structure consistent with applicable federal law and
1179 state policies established by the state board ~~CareerSource~~
1180 ~~Florida, Inc.~~

1181 (9) For purposes of procurement, local workforce
1182 development boards and their administrative entities are not
1183 state agencies and are exempt from chapters 120 and 287. The
1184 local workforce development boards shall apply the procurement
1185 and expenditure procedures required by federal law and policies
1186 of the department ~~of Economic Opportunity~~ and the state board
1187 ~~CareerSource Florida, Inc.~~, for the expenditure of federal,
1188 state, and nonpass-through funds. The making or approval of
1189 smaller, multiple payments for a single purchase with the intent
1190 to avoid or evade the monetary thresholds and procedures
1191 established by federal law and policies of the department ~~of~~
1192 ~~Economic Opportunity~~ and the state board ~~CareerSource Florida,~~
1193 ~~Inc.~~, is grounds for removal for cause. Local workforce
1194 development boards, their administrative entities, committees,
1195 and subcommittees, and other workforce units may authorize
1196 expenditures to award suitable framed certificates, pins, or
1197 other tokens of recognition for performance by units of the
1198 workforce system. Local workforce development boards; their
1199 administrative entities, committees, and subcommittees; and
1200 other workforce units may authorize expenditures for promotional



606568

1201 items, such as t-shirts, hats, or pens printed with messages
1202 promoting Florida's workforce system to employers, job seekers,
1203 and program participants. However, such expenditures are subject
1204 to federal regulations applicable to the expenditure of federal
1205 funds. All contracts executed by local workforce development
1206 boards must include specific performance expectations and
1207 deliverables.

1208 (10) State and federal funds provided to the local
1209 workforce development boards may not be used directly or
1210 indirectly to pay for meals, food, or beverages for ~~board~~
1211 members, staff, or employees of local workforce development
1212 boards, the state board CareerSource Florida, Inc., or the
1213 department ~~of Economic Opportunity~~ except as expressly
1214 authorized by state law. Preapproved, reasonable, and necessary
1215 per diem allowances and travel expenses may be reimbursed. Such
1216 reimbursement shall be at the standard travel reimbursement
1217 rates established in s. 112.061 and shall be in compliance with
1218 all applicable federal and state requirements. The department
1219 shall provide fiscal and programmatic guidance CareerSource
1220 Florida, Inc., shall develop a statewide fiscal policy
1221 applicable to the state board, CareerSource Florida, Inc., and
1222 all local workforce development boards, to hold both the state
1223 and local workforce development boards strictly accountable for
1224 adherence to the policy and subject to regular and periodic
1225 monitoring by the department ~~of Economic Opportunity, the~~
1226 ~~administrative entity for CareerSource Florida, Inc.~~ Local
1227 boards are prohibited from expending state or federal funds for
1228 entertainment costs and recreational activities for local board
1229 members and employees as these terms are defined by 2 C.F.R.



606568

1230 part 200 ~~230~~.

1231 (11) To increase transparency and accountability, a local
1232 workforce development board must comply with the requirements of
1233 this section before contracting with a member of the local board
1234 or a relative, as defined in s. 112.3143(1)(c), of a local board
1235 member or of an employee of the local board. Such contracts may
1236 not be executed before or without the prior approval of the
1237 department ~~CareerSource Florida, Inc.~~ Such contracts, as well as
1238 documentation demonstrating adherence to this section as
1239 specified by the department ~~CareerSource Florida, Inc.~~, must be
1240 submitted to the department ~~of Economic Opportunity~~ for review
1241 and approval ~~recommendation according to criteria to be~~
1242 ~~determined by CareerSource Florida, Inc.~~ Such a contract must be
1243 approved by a two-thirds vote of the local board, a quorum
1244 having been established; all conflicts of interest must be
1245 disclosed before the vote; and any member who may benefit from
1246 the contract, or whose relative may benefit from the contract,
1247 must abstain from the vote. A contract under \$25,000 between a
1248 local workforce development board and a member of that board or
1249 between a relative, as defined in s. 112.3143(1)(c), of a local
1250 board member or of an employee of the local board is not
1251 required to have the prior approval of the department
1252 ~~CareerSource Florida, Inc.~~, but must be approved by a two-thirds
1253 vote of the local board, a quorum having been established, and
1254 must be reported to the department ~~of Economic Opportunity~~ and
1255 the state board ~~CareerSource Florida, Inc.~~, within 30 days after
1256 approval. If a contract cannot be approved by the department
1257 ~~CareerSource Florida, Inc.~~, a review of the decision to
1258 disapprove the contract may be requested by the local workforce



606568

1259 development board or other parties to the disapproved contract.

1260 (12) Each local workforce development board shall develop a
1261 budget for the purpose of carrying out the duties of the local
1262 board under this section, subject to the approval of the chief
1263 elected official. Each local workforce development board shall
1264 submit its annual budget for review to the department
1265 ~~CareerSource Florida, Inc.~~, no later than 2 weeks after the
1266 chair approves the budget.

1267 ~~(13) By March 1, 2018, CareerSource Florida, Inc., shall~~
1268 ~~establish regional planning areas in accordance with Pub. L. No.~~
1269 ~~113-128, Title I, s. 106(a)(2). Local workforce development~~
1270 ~~boards and chief elected officials within identified regional~~
1271 ~~planning areas shall prepare a regional workforce development~~
1272 ~~plan as required under Pub. L. No. 113-128, Title I, s.~~
1273 ~~106(c)(2).~~

1274 Section 15. Subsections (1) and (4) of section 445.0071,
1275 Florida Statutes, are amended to read:

1276 445.0071 Florida Youth Summer Jobs Pilot Program.—

1277 (1) CREATION.—Contingent upon appropriations, there is
1278 created the Florida Youth Summer Jobs Pilot Program within
1279 workforce development district 22 served by the Broward
1280 Workforce Development Board. The board shall, in consultation
1281 with the state board ~~CareerSource Florida, Inc.~~, provide a
1282 program offering at-risk and disadvantaged children summer jobs
1283 in partnership with local communities and public employers.

1284 (4) GOVERNANCE.—

1285 (a) The pilot program shall be administered by the local
1286 workforce development board in consultation with the state board
1287 ~~CareerSource Florida, Inc.~~



606568

1288 (b) The local workforce development board shall report to
1289 the state board and the department ~~CareerSource Florida, Inc.~~
1290 the number of at-risk and disadvantaged children who enter the
1291 program, the types of work activities they participate in, and
1292 the number of children who return to school, go on to
1293 postsecondary school, or enter the workforce full time at the
1294 end of the program. The state board ~~CareerSource Florida, Inc.~~
1295 shall report to the Legislature by November 1 of each year on
1296 the performance of the program.

1297 Section 16. Subsections (1) and (2) of section 445.008,
1298 Florida Statutes, are amended to read:

1299 445.008 Workforce Training Institute.-

1300 (1) The state board, through CareerSource Florida, Inc.,
1301 may create the Workforce Training Institute, which shall be a
1302 comprehensive program of workforce training courses designed to
1303 meet the unique needs of, and shall include Internet-based
1304 training modules suitable for and made available to,
1305 professionals integral to the workforce system, including
1306 advisors and counselors in educational institutions.

1307 (2) The state board, through CareerSource Florida, Inc.,
1308 may enter into a contract for the provision of administrative
1309 support services for the institute and shall adopt policies for
1310 the administration and operation of the institute and establish
1311 admission fees in an amount which, in the aggregate, does not
1312 exceed the cost of the program. CareerSource Florida, Inc., may
1313 accept donations or grants of any type for any function or
1314 purpose of the institute. All donations and grants received by
1315 CareerSource Florida, Inc., must be reported to the state board
1316 and the department.



606568

1317 Section 17. Subsections (2), (3), and (4), paragraph (b) of
1318 subsection (6), subsection (7), paragraphs (a), (c), and (d) of
1319 subsection (8), and subsection (9) of section 445.009, Florida
1320 Statutes, are amended to read:

1321 445.009 One-stop delivery system.—

1322 (2) (a) Subject to a process designed by the state board
1323 ~~CareerSource Florida, Inc.~~, and in compliance with Pub. L. No.
1324 113-128, local workforce development boards shall designate one-
1325 stop delivery system operators.

1326 (b) A local workforce development board may designate as
1327 its one-stop delivery system operator any public or private
1328 entity that is eligible to provide services under any state or
1329 federal workforce program that is a mandatory or discretionary
1330 partner in the local workforce development area's one-stop
1331 delivery system if approved by the department ~~CareerSource~~
1332 ~~Florida, Inc.~~, upon a showing by the local workforce development
1333 board that a fair and competitive process was used in the
1334 selection. As a condition of authorizing a local workforce
1335 development board to designate such an entity as its one-stop
1336 delivery system operator, the department ~~CareerSource Florida,~~
1337 ~~Inc.~~, must require the local workforce development board to
1338 demonstrate that safeguards are in place to ensure that the one-
1339 stop delivery system operator will not exercise an unfair
1340 competitive advantage or unfairly refer or direct customers of
1341 the one-stop delivery system to services provided by that one-
1342 stop delivery system operator. A local workforce development
1343 board may retain its current one-stop career center operator
1344 without further procurement action if the local board has an
1345 established one-stop career center that has complied with



606568

1346 federal and state law.

1347 (c) The local workforce development board must enter into a
1348 memorandum of understanding with each mandatory or optional
1349 partner participating in the one-stop delivery system which
1350 details the partner's required contribution to infrastructure
1351 costs, as required by Pub. L. No. 113-128, s. 121(h). ~~If the
1352 local workforce development board and the one-stop partner are
1353 unable to come to an agreement regarding infrastructure costs by
1354 July 1, 2017, the costs shall be allocated pursuant to a policy
1355 established by the Governor.~~

1356 (3) Local workforce development boards shall enter into a
1357 memorandum of understanding with the department ~~of Economic
1358 Opportunity~~ for the delivery of employment services authorized
1359 by the federal Wagner-Peyser Act. This memorandum of
1360 understanding must be performance based.

1361 (a) Unless otherwise required by federal law, at least 90
1362 percent of the Wagner-Peyser funding must go into direct
1363 customer service costs.

1364 (b) Employment services must be provided through the one-
1365 stop delivery system, under the guidance of one-stop delivery
1366 system operators. One-stop delivery system operators shall have
1367 overall authority for directing the staff of the workforce
1368 system. Personnel matters shall remain under the ultimate
1369 authority of the department. However, the one-stop delivery
1370 system operator shall submit to the department information
1371 concerning the job performance of employees of the department
1372 who deliver employment services. The department shall consider
1373 any such information submitted by the one-stop delivery system
1374 operator in conducting performance appraisals of the employees.



606568

1375 (c) The department shall retain fiscal responsibility and
1376 accountability for the administration of funds allocated to the
1377 state under the Wagner-Peyser Act. An employee of the department
1378 who is providing services authorized under the Wagner-Peyser Act
1379 shall be paid using Wagner-Peyser Act funds.

1380 (4) One-stop delivery system partners shall enter into a
1381 memorandum of understanding pursuant to Pub. L. No. 113-128,
1382 Title I, s. 121, with the local workforce development board.
1383 Failure of a local partner to participate cannot unilaterally
1384 block the majority of partners from moving forward with their
1385 one-stop delivery system, and the state board, in conjunction
1386 with the department, may notify the Governor CareerSource
1387 Florida, Inc., pursuant to s. 445.004(5)(c), may make
1388 notification of a local partner that fails to participate.

1389 (6)

1390 (b) To expand electronic capabilities, the state board and
1391 the department CareerSource Florida, Inc., working with local
1392 workforce development boards, shall develop a centralized help
1393 center to assist local workforce development boards in
1394 fulfilling core services, minimizing the need for fixed-site
1395 one-stop delivery system centers.

1396 (7) Intensive services and training provided pursuant to
1397 Pub. L. No. 113-128 shall be provided to individuals through
1398 Intensive Service Accounts and Individual Training Accounts. The
1399 state board CareerSource Florida, Inc., shall develop an
1400 implementation plan, including identification of initially
1401 eligible training providers, transition guidelines, and criteria
1402 for use of these accounts. Individual Training Accounts must be
1403 compatible with Individual Development Accounts for education



606568

1404 allowed in federal and state welfare reform statutes.

1405 (8) (a) Individual Training Accounts must be expended on
1406 programs that prepare people to enter high-wage occupations
1407 identified by the Workforce Estimating Conference created by s.
1408 216.136, and on other programs recommended and approved by the
1409 state board following a review by the department to determine
1410 the program's compliance with federal law as approved by
1411 CareerSource Florida, Inc.

1412 (c) The department CareerSource Florida, Inc., shall
1413 periodically review Individual Training Account pricing
1414 schedules developed by local workforce development boards and
1415 present findings and recommendations for process improvement to
1416 the President of the Senate and the Speaker of the House of
1417 Representatives.

1418 (d) To the maximum extent possible, training providers
1419 shall use funding sources other than the funding provided under
1420 Pub. L. No. 113-128. The state board CareerSource Florida, Inc.,
1421 shall develop a system to encourage the leveraging of
1422 appropriated resources for the workforce system and shall report
1423 on such efforts as part of the required annual report.

1424 (9) (a) The state board CareerSource Florida, Inc., working
1425 with the department, shall coordinate among the agencies a plan
1426 for a One-Stop Electronic Network made up of one-stop delivery
1427 system centers and other partner agencies that are operated by
1428 authorized public or private for-profit or not-for-profit
1429 agents. The plan shall identify resources within existing
1430 revenues to establish and support this electronic network for
1431 service delivery that includes Government Services Direct. If
1432 necessary, the plan shall identify additional funding needed to



606568

1433 achieve the provisions of this subsection.

1434 (b) The network shall assure that a uniform method is used
1435 to determine eligibility for and management of services provided
1436 by agencies that conduct workforce development activities. The
1437 Department of Management Services shall develop strategies to
1438 allow access to the databases and information management systems
1439 of the following systems in order to link information in those
1440 databases with the one-stop delivery system:

1441 1. The Reemployment Assistance Program under chapter 443.

1442 2. The public employment service described in s. 443.181.

1443 3. The public assistance information system used by the
1444 Department of Children and Families and the components related
1445 to temporary cash assistance, food assistance, and Medicaid
1446 eligibility.

1447 4. The Student Financial Assistance System of the
1448 Department of Education.

1449 5. Enrollment in the public postsecondary education system.

1450 6. Other information systems determined appropriate by the
1451 state board, in consultation with the department CareerSource
1452 Florida, Inc.

1453 Section 18. Section 445.011, Florida Statutes, is amended
1454 to read:

1455 445.011 Workforce information systems.—

1456 (1) The department, in consultation with the state board
1457 CareerSource Florida, Inc., shall implement, subject to
1458 legislative appropriation, automated information systems that
1459 are necessary for the efficient and effective operation and
1460 management of the workforce development system. These
1461 information systems shall include, but need not be limited to,



606568

1462 the following:

1463 (a) An integrated management system for the one-stop
1464 service delivery system, which includes, at a minimum, common
1465 registration and intake, screening for needs and benefits, case
1466 planning and tracking, training benefits management, service and
1467 training provider management, performance reporting, executive
1468 information and reporting, and customer-satisfaction tracking
1469 and reporting.

1470 1. The system should report current budgeting, expenditure,
1471 and performance information for assessing performance related to
1472 outcomes, service delivery, and financial administration for
1473 workforce programs pursuant to s. 445.004(5) and (9).

1474 2. The information system should include auditable systems
1475 and controls to ensure financial integrity and valid and
1476 reliable performance information.

1477 3. The system should support service integration and case
1478 management by providing for case tracking for participants in
1479 welfare transition programs.

1480 (b) An automated job-matching information system that is
1481 accessible to employers, job seekers, and other users via the
1482 Internet, and that includes, at a minimum:

1483 1. Skill match information, including skill gap analysis;
1484 resume creation; job order creation; skill tests; job search by
1485 area, employer type, and employer name; and training provider
1486 linkage;

1487 2. Job market information based on surveys, including
1488 local, state, regional, national, and international occupational
1489 and job availability information; and

1490 3. Service provider information, including education and



606568

1491 training providers, child care facilities and related
1492 information, health and social service agencies, and other
1493 providers of services that would be useful to job seekers.

1494 (2) The department ~~In procuring workforce information~~
1495 ~~systems, CareerSource Florida, Inc., shall employ competitive~~
1496 ~~processes, including requests for proposals, competitive~~
1497 ~~negotiation, and other competitive processes to ensure that the~~
1498 ~~procurement results in the most cost-effective investment of~~
1499 ~~state funds.~~

1500 ~~(3) CareerSource Florida, Inc.,~~ may procure independent
1501 verification and validation services associated with developing
1502 and implementing any workforce information system.

1503 ~~(3)-(4) The department CareerSource Florida, Inc.,~~ shall
1504 coordinate development and implementation of workforce
1505 information systems with the state chief information officer to
1506 ensure compatibility with the state's information system
1507 strategy and enterprise architecture.

1508 Section 19. Subsections (1) and (3) of section 445.014,
1509 Florida Statutes, are amended to read:

1510 445.014 Small business workforce service initiative.—

1511 (1) Subject to legislative appropriation, the state board
1512 ~~CareerSource Florida, Inc.,~~ shall establish a program to
1513 encourage local workforce development boards to establish one-
1514 stop delivery systems that maximize the provision of workforce
1515 and human-resource support services to small businesses. Under
1516 the program, a local workforce development board may apply, on a
1517 competitive basis, for funds to support the provision of such
1518 services to small businesses through the local workforce
1519 development area's one-stop delivery system.



606568

1520 (3) The state board ~~CareerSource Florida, Inc.~~, shall
1521 establish guidelines governing the administration of this
1522 program and shall establish criteria to be used in evaluating
1523 applications for funding. Such criteria must include, but need
1524 not be limited to, a showing that the local workforce
1525 development board has in place a detailed plan for establishing
1526 a one-stop delivery system designed to meet the workforce needs
1527 of small businesses and for leveraging other funding sources in
1528 support of such activities.

1529 Section 20. Paragraphs (b), (c), and (d) of subsection (2)
1530 and subsection (4) of section 445.021, Florida Statutes, are
1531 amended to read:

1532 445.021 Relocation assistance program.—

1533 (2) The relocation assistance program shall involve five
1534 steps by the local workforce development board, in cooperation
1535 with the Department of Children and Families:

1536 (b) A determination that there is a basis for believing
1537 that relocation will contribute to the ability of the applicant
1538 to achieve self-sufficiency. For example, the applicant:

1539 1. Is unlikely to achieve economic self-sufficiency at the
1540 current community of residence;

1541 2. Has secured a job that provides an increased salary or
1542 improved benefits and that requires relocation to another
1543 community;

1544 3. Has a family support network that will contribute to job
1545 retention in another community;

1546 4. Is determined, pursuant to criteria or procedures
1547 established by the state board ~~of directors of CareerSource~~
1548 ~~Florida, Inc.~~, to be a victim of domestic violence who would



606568

1549 experience reduced probability of further incidents through
1550 relocation; or

1551 5. Must relocate in order to receive education or training
1552 that is directly related to the applicant's employment or career
1553 advancement.

1554 (c) Establishment of a relocation plan that includes such
1555 requirements as are necessary to prevent abuse of the benefit
1556 and provisions to protect the safety of victims of domestic
1557 violence and avoid provisions that place them in anticipated
1558 danger. The payment to defray relocation expenses shall be
1559 determined based on criteria approved by the state board ~~of~~
1560 ~~directors of CareerSource Florida, Inc.~~ Participants in the
1561 relocation program shall be eligible for diversion or
1562 transitional benefits.

1563 (d) A determination, pursuant to criteria adopted by the
1564 state board ~~of directors of CareerSource Florida, Inc.~~, that a
1565 community receiving a relocated family has the capacity to
1566 provide needed services and employment opportunities.

1567 (4) The state board ~~of directors of CareerSource Florida,~~
1568 ~~Inc.~~ may establish criteria for developing and implementing
1569 relocation plans and for drafting agreements to restrict a
1570 family from applying for temporary cash assistance for a
1571 specified period after receiving a relocation assistance
1572 payment.

1573 Section 21. Section 445.022, Florida Statutes, is amended
1574 to read:

1575 445.022 Retention Incentive Training Accounts.—To promote
1576 job retention and to enable upward job advancement into higher
1577 skilled, higher paying employment, the state board ~~of directors~~



606568

1578 ~~of CareerSource Florida, Inc.,~~ and the local workforce
1579 development boards may assemble a list of programs and courses
1580 offered by postsecondary educational institutions which may be
1581 available to participants who have become employed to promote
1582 job retention and advancement.

1583 (1) The state board ~~of directors of CareerSource Florida,~~
1584 ~~Inc.,~~ may establish Retention Incentive Training Accounts
1585 (RITAs) to use Temporary Assistance to Needy Families (TANF)
1586 block grant funds specifically appropriated for this purpose.
1587 RITAs must complement the Individual Training Account required
1588 by the federal Workforce Innovation and Opportunity Act, Pub. L.
1589 No. 113-128.

1590 (2) RITAs may pay for tuition, fees, educational materials,
1591 coaching and mentoring, performance incentives, transportation
1592 to and from courses, child care costs during education courses,
1593 and other such costs as the local workforce development boards
1594 determine are necessary to effect successful job retention and
1595 advancement.

1596 (3) Local workforce development boards shall retain only
1597 those courses that continue to meet their performance standards
1598 as established in their local plan.

1599 (4) Local workforce development boards shall report
1600 annually to the Legislature on the measurable retention and
1601 advancement success of each program provider and the
1602 effectiveness of RITAs, making recommendations for any needed
1603 changes or modifications.

1604 Section 22. Paragraph (e) of subsection (5) of section
1605 445.024, Florida Statutes, is amended to read:

1606 445.024 Work requirements.—



606568

1607 (5) USE OF CONTRACTS.—Local workforce development boards
1608 shall provide work activities, training, and other services, as
1609 appropriate, through contracts. In contracting for work
1610 activities, training, or services, the following applies:

1611 (e) The administrative costs associated with a contract for
1612 services provided under this section may not exceed the
1613 applicable administrative cost ceiling established in federal
1614 law. An agency or entity that is awarded a contract under this
1615 section may not charge more than 7 percent of the value of the
1616 contract for administration unless an exception is approved by
1617 the local workforce development board. A list of any exceptions
1618 approved must be submitted to the state board ~~of directors of~~
1619 ~~CareerSource Florida, Inc.~~, for review, and the state board may
1620 rescind approval of the exception.

1621 Section 23. Subsection (6) of section 445.026, Florida
1622 Statutes, is amended to read:

1623 445.026 Cash assistance severance benefit.—An individual
1624 who meets the criteria listed in this section may choose to
1625 receive a lump-sum payment in lieu of ongoing cash assistance
1626 payments, provided the individual:

1627 (6) Signs an agreement not to apply for or accept cash
1628 assistance for 6 months after receipt of the one-time payment.
1629 In the event of an emergency, such agreement shall provide for
1630 an exception to this restriction, provided that the one-time
1631 payment shall be deducted from any cash assistance for which the
1632 family subsequently is approved. This deduction may be prorated
1633 over an 8-month period. The state board ~~of directors of~~
1634 ~~CareerSource Florida, Inc.~~, shall adopt criteria defining the
1635 conditions under which a family may receive cash assistance due



606568

1636 to such emergency.

1637

1638 Such individual may choose to accept a one-time, lump-sum
1639 payment of \$1,000 in lieu of receiving ongoing cash assistance.
1640 Such payment shall only count toward the time limitation for the
1641 month in which the payment is made in lieu of cash assistance. A
1642 participant choosing to accept such payment shall be terminated
1643 from cash assistance. However, eligibility for Medicaid, food
1644 assistance, or child care shall continue, subject to the
1645 eligibility requirements of those programs.

1646 Section 24. Section 445.028, Florida Statutes, is amended
1647 to read:

1648 445.028 Transitional benefits and services.—In cooperation
1649 with the department CareerSource Florida, Inc., the Department
1650 of Children and Families shall develop procedures to ensure that
1651 families leaving the temporary cash assistance program receive
1652 transitional benefits and services that will assist the family
1653 in moving toward self-sufficiency. At a minimum, such procedures
1654 must include, but are not limited to, the following:

1655 (1) Each recipient of cash assistance who is determined
1656 ineligible for cash assistance for a reason other than a work
1657 activity sanction shall be contacted by the workforce system
1658 case manager and provided information about the availability of
1659 transitional benefits and services. Such contact shall be
1660 attempted prior to closure of the case management file.

1661 (2) Each recipient of temporary cash assistance who is
1662 determined ineligible for cash assistance due to noncompliance
1663 with the work activity requirements shall be contacted and
1664 provided information in accordance with s. 414.065(1).



606568

1665 (3) The department, in consultation with the state board of
1666 ~~directors of CareerSource Florida, Inc.~~, shall develop
1667 informational material, including posters and brochures, to
1668 better inform families about the availability of transitional
1669 benefits and services.

1670 (4) The department ~~CareerSource Florida, Inc.~~, in
1671 cooperation with the Department of Children and Families, shall,
1672 to the extent permitted by federal law, develop procedures to
1673 maximize the utilization of transitional Medicaid by families
1674 who leave the temporary cash assistance program.

1675 Section 25. Section 445.030, Florida Statutes, is amended
1676 to read:

1677 445.030 Transitional education and training.—In order to
1678 assist former recipients of temporary cash assistance who are
1679 working or actively seeking employment in continuing their
1680 training and upgrading their skills, education, or training,
1681 support services may be provided for up to 2 years after the
1682 family is no longer receiving temporary cash assistance. This
1683 section does not constitute an entitlement to transitional
1684 education and training. If funds are not sufficient to provide
1685 services under this section, the state board of ~~directors of~~
1686 ~~CareerSource Florida, Inc.~~, may limit or otherwise prioritize
1687 transitional education and training.

1688 (1) Education or training resources available in the
1689 community at no additional cost shall be used whenever possible.

1690 (2) Local workforce development boards may authorize child
1691 care or other support services in addition to services provided
1692 in conjunction with employment. For example, a participant who
1693 is employed full time may receive child care services related to



606568

1694 that employment and may also receive additional child care
1695 services in conjunction with training to upgrade the
1696 participant's skills.

1697 (3) Transitional education or training must be job-related,
1698 but may include training to improve job skills in a
1699 participant's existing area of employment or may include
1700 training to prepare a participant for employment in another
1701 occupation.

1702 (4) A local workforce development board may enter into an
1703 agreement with an employer to share the costs relating to
1704 upgrading the skills of participants hired by the employer. For
1705 example, a local workforce development board may agree to
1706 provide support services such as transportation or a wage
1707 subsidy in conjunction with training opportunities provided by
1708 the employer.

1709 Section 26. Section 445.033, Florida Statutes, is amended
1710 to read:

1711 445.033 Evaluation.—The state board ~~of directors of~~
1712 ~~CareerSource Florida, Inc.,~~ and the Department of Children and
1713 Families shall arrange for evaluation of TANF-funded programs
1714 operated under this chapter, as follows:

1715 (1) If required by federal waivers or other federal
1716 requirements, the state board ~~of directors of CareerSource~~
1717 ~~Florida, Inc.,~~ and the department may provide for evaluation
1718 according to these requirements.

1719 (2) The state board ~~of directors of CareerSource Florida,~~
1720 ~~Inc.,~~ and the department shall participate in the evaluation of
1721 this program in conjunction with evaluation of the state's
1722 workforce development programs or similar activities aimed at



606568

1723 evaluating program outcomes, cost-effectiveness, or return on
1724 investment, and the impact of time limits, sanctions, and other
1725 welfare reform measures set out in this chapter. Evaluation
1726 shall also contain information on the number of participants in
1727 work experience assignments who obtain unsubsidized employment,
1728 including, but not limited to, the length of time the
1729 unsubsidized job is retained, wages, and the public benefits, if
1730 any, received by such families while in unsubsidized employment.
1731 The evaluation must solicit the input of consumers, community-
1732 based organizations, service providers, employers, and the
1733 general public, and must publicize, especially in low-income
1734 communities, the process for submitting comments.

1735 (3) The state board ~~of directors of CareerSource Florida,~~
1736 ~~Inc.,~~ and the department may share information with and develop
1737 protocols for information exchange with the Florida Education
1738 and Training Placement Information Program.

1739 (4) The state board ~~of directors of CareerSource Florida,~~
1740 ~~Inc.,~~ and the department may initiate or participate in
1741 additional evaluation or assessment activities that will further
1742 the systematic study of issues related to program goals and
1743 outcomes.

1744 (5) In providing for evaluation activities, the state board
1745 ~~of directors of CareerSource Florida, Inc.,~~ and the department
1746 shall safeguard the use or disclosure of information obtained
1747 from program participants consistent with federal or state
1748 requirements. Evaluation methodologies may be used which are
1749 appropriate for evaluation of program activities, including
1750 random assignment of recipients or participants into program
1751 groups or control groups. To the extent necessary or



606568

1752 appropriate, evaluation data shall provide information with
1753 respect to the state, district, or county, or other substate
1754 area.

1755 (6) The state board ~~of directors of CareerSource Florida,~~
1756 ~~Inc.,~~ and the department may contract with a qualified
1757 organization for evaluations conducted under this section.

1758 Section 27. Section 445.035, Florida Statutes, is amended
1759 to read:

1760 445.035 Data collection and reporting.—The Department of
1761 Children and Families and the state board ~~of directors of~~
1762 ~~CareerSource Florida, Inc.,~~ shall collect data necessary to
1763 administer this chapter and make the reports required under
1764 federal law to the United States Department of Health and Human
1765 Services and the United States Department of Agriculture.

1766 Section 28. Subsections (1), (2), and (3), paragraph (b) of
1767 subsection (4), and subsection (5) of section 445.048, Florida
1768 Statutes, are amended to read:

1769 445.048 Passport to Economic Progress program.—

1770 (1) AUTHORIZATION.—Notwithstanding any law to the contrary,
1771 the state board ~~CareerSource Florida, Inc.,~~ in conjunction with
1772 the department and the Department of Children and Families ~~and~~
1773 ~~the Department of Economic Opportunity,~~ shall implement a
1774 Passport to Economic Progress program consistent with this
1775 section. The state board ~~CareerSource Florida, Inc.,~~ may
1776 designate local workforce development boards to participate in
1777 the program. Expenses for the program may come from appropriated
1778 revenues or from funds otherwise available to a local workforce
1779 development board which may be legally used for such purposes.
1780 The state board ~~CareerSource Florida, Inc.,~~ must consult with



606568

1781 the applicable local workforce development boards and the
1782 applicable local offices of the Department of Children and
1783 Families which serve the program areas and must encourage
1784 community input into the implementation process.

1785 (2) WAIVERS.—If the state board CareerSource Florida, Inc.,
1786 in consultation with the Department of Children and Families,
1787 finds that federal waivers would facilitate implementation of
1788 the program, the department shall immediately request such
1789 waivers, and the state board CareerSource Florida, Inc., shall
1790 report to the Governor, the President of the Senate, and the
1791 Speaker of the House of Representatives if any refusal of the
1792 federal government to grant such waivers prevents the
1793 implementation of the program. If the state board CareerSource
1794 Florida, Inc., finds that federal waivers to provisions of the
1795 Food Assistance Program would facilitate implementation of the
1796 program, the Department of Children and Families shall
1797 immediately request such waivers in accordance with s. 414.175.

1798 (3) TRANSITIONAL BENEFITS AND SERVICES.—In order to assist
1799 them in making the transition to economic self-sufficiency,
1800 former recipients of temporary cash assistance participating in
1801 the passport program shall be eligible for the following
1802 benefits and services:

1803 (a) Notwithstanding the time period specified in s.
1804 445.030, transitional education and training support services as
1805 specified in s. 445.030 for up to 4 years after the family is no
1806 longer receiving temporary cash assistance;

1807 (b) Notwithstanding the time period specified in s.
1808 445.031, transitional transportation support services as
1809 specified in s. 445.031 for up to 4 years after the family is no



606568

1810 longer receiving temporary cash assistance; and
1811 (c) Notwithstanding the time period specified in s.
1812 445.032, transitional child care as specified in s. 445.032 for
1813 up to 4 years after the family is no longer receiving temporary
1814 cash assistance.
1815
1816 All other provisions of ss. 445.030, 445.031, and 445.032 apply
1817 to such individuals, as appropriate. This subsection does not
1818 constitute an entitlement to transitional benefits and services.
1819 If funds are insufficient to provide benefits and services under
1820 this subsection, the state board ~~of directors of CareerSource~~
1821 ~~Florida, Inc.~~, or its agent, may limit such benefits and
1822 services or otherwise establish priorities for the provisions of
1823 such benefits and services.
1824 (4) INCENTIVES TO ECONOMIC SELF-SUFFICIENCY.—
1825 (b) The state board ~~CareerSource Florida, Inc.~~, in
1826 cooperation with the department and the Department of Children
1827 and Families ~~and the Department of Economic Opportunity~~, shall
1828 offer performance-based incentive bonuses as a component of the
1829 Passport to Economic Progress program. The bonuses do not
1830 represent a program entitlement and are contingent on achieving
1831 specific benchmarks prescribed in the self-sufficiency plan. If
1832 the funds appropriated for this purpose are insufficient to
1833 provide this financial incentive, the state board ~~of directors~~
1834 ~~of CareerSource Florida, Inc.~~, may reduce or suspend the bonuses
1835 in order not to exceed the appropriation or may direct the local
1836 workforce development boards to use resources otherwise given to
1837 the local workforce development board to pay such bonuses if
1838 such payments comply with applicable state and federal laws.



606568

1839 (5) EVALUATIONS AND RECOMMENDATIONS.—The state board
1840 ~~CareerSource Florida, Inc.~~, in conjunction with the department,
1841 the Department of Children and Families, ~~the Department of~~
1842 ~~Economic Opportunity,~~ and the local workforce development
1843 boards, shall conduct a comprehensive evaluation of the
1844 effectiveness of the program operated under this section.
1845 Evaluations and recommendations for the program shall be
1846 submitted by the state board ~~CareerSource Florida, Inc.~~, as part
1847 of its annual report to the Legislature.

1848 Section 29. Subsections (6), (8), and (13) of section
1849 445.051, Florida Statutes, are amended to read:

1850 445.051 Individual development accounts.—

1851 (6) The state board ~~CareerSource Florida, Inc.~~, shall
1852 establish procedures for local workforce development boards to
1853 include in their annual program and financial plan an
1854 application to offer an individual development account program
1855 as part of their TANF allocation. These procedures must include,
1856 but need not be limited to, administrative costs permitted for
1857 the fiduciary organization and policies relative to identifying
1858 the match ratio and limits on the deposits for which the match
1859 will be provided in the application process. The state board
1860 ~~CareerSource Florida, Inc.~~, shall establish policies and
1861 procedures necessary to ensure that funds held in an individual
1862 development account are not withdrawn except for one or more of
1863 the qualified purposes described in this section.

1864 (8) The state board ~~CareerSource Florida, Inc.~~, shall
1865 establish procedures for controlling the withdrawal of funds for
1866 uses other than qualified purposes, including specifying
1867 conditions under which an account must be closed.



606568

1868 (13) Pursuant to policy direction by the state board
1869 ~~CareerSource Florida, Inc.~~, the department of ~~Economic~~
1870 ~~Opportunity~~ shall adopt such rules as are necessary to implement
1871 this act.

1872 Section 30. Subsection (2) of section 445.055, Florida
1873 Statutes, is amended to read:

1874 445.055 Employment advocacy and assistance program
1875 targeting military spouses and dependents.—

1876 (2) The state board ~~CareerSource Florida, Inc.~~, shall
1877 establish an employment advocacy and assistance program
1878 targeting military spouses and dependents. This program shall
1879 deliver employment assistance services through military family
1880 employment advocates colocated within selected one-stop career
1881 centers. Persons eligible for assistance through this program
1882 include spouses and dependents of active duty military
1883 personnel, Florida National Guard members, and military
1884 reservists.

1885 Section 31. Paragraph (p) of subsection (3) of section
1886 11.45, Florida Statutes, is amended to read:

1887 11.45 Definitions; duties; authorities; reports; rules.—

1888 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor
1889 General may, pursuant to his or her own authority, or at the
1890 direction of the Legislative Auditing Committee, conduct audits
1891 or other engagements as determined appropriate by the Auditor
1892 General of:

1893 (p) CareerSource Florida, Inc., the state board as defined
1894 in s. 445.002, or the programs or entities created by the state
1895 board under ~~CareerSource Florida, Inc.~~, created pursuant to s.
1896 445.004.



606568

1897 Section 32. Paragraph (a) of subsection (5) of section
1898 288.901, Florida Statutes, is amended to read:
1899 288.901 Enterprise Florida, Inc.—
1900 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—
1901 (a) In addition to the Governor or his or her designee, the
1902 board of directors shall consist of the following appointed
1903 members:
1904 1. The Commissioner of Education or his or her designee.
1905 2. The Chief Financial Officer or his or her designee.
1906 3. The Attorney General or his or her designee.
1907 4. The Commissioner of Agriculture or his or her designee.
1908 5. The chairperson of the state board as defined in s.
1909 445.002 ~~board of directors of CareerSource Florida, Inc.~~
1910 6. The Secretary of State or his or her designee.
1911 7. Twelve members from the private sector, six of whom
1912 shall be appointed by the Governor, three of whom shall be
1913 appointed by the President of the Senate, and three of whom
1914 shall be appointed by the Speaker of the House of
1915 Representatives. Members appointed by the Governor are subject
1916 to Senate confirmation.
1917
1918 All board members shall serve without compensation, but are
1919 entitled to receive reimbursement for per diem and travel
1920 expenses pursuant to s. 112.061. Such expenses must be paid out
1921 of funds of Enterprise Florida, Inc.
1922 Section 33. Subsection (5) of section 331.369, Florida
1923 Statutes, is amended to read:
1924 331.369 Space Industry Workforce Initiative.—
1925 (5) The state board as defined in s. 445.002 ~~CareerSource~~



606568

1926 ~~Florida, Inc.~~, as part of its statutorily prescribed annual
1927 report to the Legislature, shall provide recommendations for
1928 policies, programs, and funding to enhance the workforce needs
1929 of the aerospace industry.

1930 Section 34. Paragraph (k) of subsection (1) and subsection
1931 (9) of section 413.405, Florida Statutes, are amended to read:

1932 413.405 Florida Rehabilitation Council.—There is created
1933 the Florida Rehabilitation Council to assist the division in the
1934 planning and development of statewide rehabilitation programs
1935 and services, to recommend improvements to such programs and
1936 services, and to perform the functions listed in this section.

1937 (1) The council shall be composed of:

1938 (k) At least one representative of the state board as
1939 defined in s. 445.002 ~~board of directors of CareerSource~~
1940 ~~Florida, Inc.~~

1941 (9) In addition to the other functions specified in this
1942 section, the council shall, after consulting with the state
1943 board as defined in s. 445.002 ~~board of directors of~~
1944 ~~CareerSource Florida, Inc.:~~

1945 (a) Review, analyze, and advise the division regarding the
1946 performance of the responsibilities of the division under Title
1947 I of the act, particularly responsibilities relating to:

1948 1. Eligibility, including order of selection.

1949 2. The extent, scope, and effectiveness of services
1950 provided.

1951 3. Functions performed by state agencies which affect or
1952 potentially affect the ability of individuals with disabilities
1953 to achieve employment outcomes under Title I.

1954 (b) In partnership with the division:



606568

1955 1. Develop, agree to, and review state goals and priorities
1956 in accordance with 34 C.F.R. s. 361.29(c); and

1957 2. Evaluate the effectiveness of the vocational
1958 rehabilitation program and submit reports of progress to the
1959 Governor, the President of the Senate, the Speaker of the House
1960 of Representatives, and the United States Secretary of Education
1961 in accordance with 34 C.F.R. s. 361.29(e).

1962 (c) Advise the department and the division and assist in
1963 the preparation of the state plan and amendments to the plan,
1964 applications, reports, needs assessments, and evaluations
1965 required by Title I.

1966 (d) To the extent feasible, conduct a review and analysis
1967 of the effectiveness of, and consumer satisfaction with:

1968 1. The functions performed by state agencies and other
1969 public and private entities responsible for performing functions
1970 for individuals who have disabilities.

1971 2. Vocational rehabilitation services:

1972 a. Provided or paid for from funds made available under the
1973 act or through other public or private sources.

1974 b. Provided by state agencies and other public and private
1975 entities responsible for providing vocational rehabilitation
1976 services to individuals who have disabilities.

1977 3. The employment outcomes achieved by eligible individuals
1978 receiving services under this part, including the availability
1979 of health or other employment benefits in connection with those
1980 employment outcomes.

1981 (e) Prepare and submit an annual report on the status of
1982 vocational rehabilitation programs in the state to the Governor,
1983 the President of the Senate, the Speaker of the House of



606568

1984 Representatives, and the United States Secretary of Education
1985 and make the report available to the public.

1986 (f) Coordinate with other councils within Florida,
1987 including the Florida Independent Living Council, the advisory
1988 panel established under s. 612(a)(21) of the Individuals with
1989 Disabilities Education Act, 20 U.S.C. s. 1412(a)(21), the State
1990 Planning Council described in s. 124 of the Developmental
1991 Disabilities Assistance and Bill of Rights Act, 42 U.S.C. s.
1992 15024, the state mental health planning council established
1993 under s. 1914 of the Public Health Service Act, 42 U.S.C. s.
1994 300x-3, and the state board as defined in s. 445.002 ~~board of~~
1995 ~~directors of CareerSource Florida, Inc.~~

1996 (g) Advise the department and division and provide for
1997 coordination and the establishment of working relationships
1998 among the department, the division, the Florida Independent
1999 Living Council, and centers for independent living in the state.

2000 (h) Perform other functions that are consistent with the
2001 duties and responsibilities of the council under this section.

2002 Section 35. Section 414.045, Florida Statutes, is amended
2003 to read:

2004 414.045 Cash assistance program.—Cash assistance families
2005 include any families receiving cash assistance payments from the
2006 state program for temporary assistance for needy families as
2007 defined in federal law, whether such funds are from federal
2008 funds, state funds, or commingled federal and state funds. Cash
2009 assistance families may also include families receiving cash
2010 assistance through a program defined as a separate state
2011 program.

2012 (1) For reporting purposes, families receiving cash



606568

2013 assistance shall be grouped into the following categories. The
2014 department may develop additional groupings in order to comply
2015 with federal reporting requirements, to comply with the data-
2016 reporting needs of the state board as defined in s. 445.002
2017 ~~board of directors of CareerSource Florida, Inc.~~, or to better
2018 inform the public of program progress.

2019 (a) *Work-eligible cases.*—Work-eligible cases shall include:

2020 1. Families containing an adult or a teen head of
2021 household, as defined by federal law. These cases are generally
2022 subject to the work activity requirements provided in s. 445.024
2023 and the time limitations on benefits provided in s. 414.105.

2024 2. Families with a parent where the parent's needs have
2025 been removed from the case due to sanction or disqualification
2026 shall be considered work-eligible cases to the extent that such
2027 cases are considered in the calculation of federal participation
2028 rates or would be counted in such calculation in future months.

2029 3. Families participating in transition assistance
2030 programs.

2031 4. Families otherwise eligible for temporary cash
2032 assistance which receive diversion services, a severance
2033 payment, or participate in the relocation program.

2034 (b) *Child-only cases.*—Child-only cases include cases that
2035 do not have an adult or teen head of household as defined in
2036 federal law. Such cases include:

2037 1. Children in the care of caretaker relatives, if the
2038 caretaker relatives choose to have their needs excluded in the
2039 calculation of the amount of cash assistance.

2040 2. Families in the Relative Caregiver Program as provided
2041 in s. 39.5085.



606568

2042 3. Families in which the only parent in a single-parent
2043 family or both parents in a two-parent family receive
2044 supplemental security income (SSI) benefits under Title XVI of
2045 the Social Security Act, as amended. To the extent permitted by
2046 federal law, individuals receiving SSI shall be excluded as
2047 household members in determining the amount of cash assistance,
2048 and such cases shall not be considered families containing an
2049 adult. Parents or caretaker relatives who are excluded from the
2050 cash assistance group due to receipt of SSI may choose to
2051 participate in work activities. An individual whose ability to
2052 participate in work activities is limited who volunteers to
2053 participate in work activities shall be assigned to work
2054 activities consistent with such limitations. An individual who
2055 volunteers to participate in a work activity may receive child
2056 care or support services consistent with such participation.

2057 4. Families in which the only parent in a single-parent
2058 family or both parents in a two-parent family are not eligible
2059 for cash assistance due to immigration status or other
2060 limitation of federal law. To the extent required by federal
2061 law, such cases shall not be considered families containing an
2062 adult.

2063 5. To the extent permitted by federal law and subject to
2064 appropriations, special needs children who have been adopted
2065 pursuant to s. 409.166 and whose adopting family qualifies as a
2066 needy family under the state program for temporary assistance
2067 for needy families. Notwithstanding any provision to the
2068 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
2069 shall be considered a needy family if:

2070 a. The family is determined by the department to have an



606568

2071 income below 200 percent of the federal poverty level;
2072 b. The family meets the requirements of s. 414.095(2) and
2073 (3) related to residence, citizenship, or eligible noncitizen
2074 status; and
2075 c. The family provides any information that may be
2076 necessary to meet federal reporting requirements specified under
2077 Part A of Title IV of the Social Security Act.
2078 6. Families in the Guardianship Assistance Program as
2079 provided in s. 39.6225.
2080
2081 Families described in subparagraph 1., subparagraph 2., or
2082 subparagraph 3. may receive child care assistance or other
2083 supports or services so that the children may continue to be
2084 cared for in their own homes or in the homes of relatives. Such
2085 assistance or services may be funded from the temporary
2086 assistance for needy families block grant to the extent
2087 permitted under federal law and to the extent funds have been
2088 provided in the General Appropriations Act.
2089 (2) Oversight by the state board as defined in s. 445.002
2090 ~~board of directors of CareerSource Florida, Inc.,~~ and the
2091 service delivery and financial planning responsibilities of the
2092 local workforce development boards apply to the families defined
2093 as work-eligible cases in paragraph (1)(a). The department shall
2094 be responsible for program administration related to families in
2095 groups defined in paragraph (1)(b), and the department shall
2096 coordinate such administration with the state board ~~of directors~~
2097 ~~of CareerSource Florida, Inc.,~~ to the extent needed for
2098 operation of the program.
2099 Section 36. Subsection (2) of section 420.622, Florida



606568

2100 Statutes, is amended to read:

2101 420.622 State Office on Homelessness; Council on
2102 Homelessness.—

2103 (2) The Council on Homelessness is created to consist of 17
2104 representatives of public and private agencies who shall develop
2105 policy and advise the State Office on Homelessness. The council
2106 members shall be: the Secretary of Children and Families, or his
2107 or her designee; the executive director of the Department of
2108 Economic Opportunity, or his or her designee, who shall advise
2109 the council on issues related to rural development; the State
2110 Surgeon General, or his or her designee; the Executive Director
2111 of Veterans' Affairs, or his or her designee; the Secretary of
2112 Corrections, or his or her designee; the Secretary of Health
2113 Care Administration, or his or her designee; the Commissioner of
2114 Education, or his or her designee; the Executive Director of
2115 CareerSource Florida, Inc., or his or her designee; one
2116 representative of the Florida Association of Counties; one
2117 representative of the Florida League of Cities; one
2118 representative of the Florida Supportive Housing Coalition; the
2119 Executive Director of the Florida Housing Finance Corporation,
2120 or his or her designee; one representative of the Florida
2121 Coalition for the Homeless; and four members appointed by the
2122 Governor. The council members shall be nonpaid volunteers and
2123 shall be reimbursed only for travel expenses. The appointed
2124 members of the council shall be appointed to staggered 2-year
2125 terms, and the council shall meet at least four times per year.
2126 The importance of minority, gender, and geographic
2127 representation shall be considered in appointing members to the
2128 council.



606568

2129 Section 37. Subsections (1) and (4) of section 443.171,
2130 Florida Statutes, are amended to read:

2131 443.171 Department of Economic Opportunity and commission;
2132 powers and duties; records and reports; proceedings; state-
2133 federal cooperation.—

2134 (1) POWERS AND DUTIES.—The Department of Economic
2135 Opportunity shall administer this chapter. The department may
2136 employ persons, make expenditures, require reports, conduct
2137 investigations, and take other action necessary or suitable to
2138 administer this chapter. The department shall annually submit
2139 information to the state board as defined in s. 445.002
2140 ~~CareerSource Florida, Inc.~~, covering the administration and
2141 operation of this chapter during the preceding calendar year for
2142 inclusion in the strategic plan under s. 445.006 and may make
2143 recommendations for amendment to this chapter.

2144 (4) EMPLOYMENT STABILIZATION.—The Department of Economic
2145 Opportunity, under the direction of the state board as defined
2146 in s. 445.002 ~~CareerSource Florida, Inc.~~, shall take all
2147 appropriate steps to reduce and prevent unemployment; to
2148 encourage and assist in the adoption of practical methods of
2149 career training, retraining, and career guidance; to
2150 investigate, recommend, advise, and assist municipalities,
2151 counties, school districts, and the state in the establishment
2152 and operation of reserves for public works to be used in times
2153 of business depression and unemployment; to promote the
2154 reemployment of unemployed workers throughout the state in every
2155 other way that may be feasible; to refer a claimant entitled to
2156 extended benefits to suitable work that meets the criteria of
2157 this chapter; and, to these ends, to carry on and publish the



606568

2158 results of investigations and research studies.

2159 Section 38. Subsection (1) of section 443.181, Florida
2160 Statutes, is amended to read:

2161 443.181 Public employment service.—

2162 (1) The one-stop delivery system established under s.
2163 445.009 is this state's public employment service as part of the
2164 national system of public employment offices established under
2165 29 U.S.C. s. 49. The Department of Economic Opportunity, under
2166 policy direction from the state board as defined in s. 445.002
2167 ~~CareerSource Florida, Inc.~~, shall cooperate with any official or
2168 agency of the United States having power or duties under 29
2169 U.S.C. ss. 49-491-1 and shall perform those duties necessary to
2170 secure to this state the funds provided under federal law for
2171 the promotion and maintenance of the state's public employment
2172 service. In accordance with 29 U.S.C. s. 49c, this state accepts
2173 29 U.S.C. ss. 49-491-1. The department is designated the state
2174 agency responsible for cooperating with the United States
2175 Secretary of Labor under 29 U.S.C. s. 49c. The department shall
2176 appoint sufficient employees to administer this section. The
2177 department may cooperate with or enter into agreements with the
2178 Railroad Retirement Board for the establishment, maintenance,
2179 and use of one-stop career centers.

2180 Section 39. Subsection (1) of section 446.71, Florida
2181 Statutes, is amended to read:

2182 446.71 Everglades Restoration Agricultural Community
2183 Employment Training Program.—

2184 (1) The Department of Economic Opportunity, in cooperation
2185 with the state board as defined in s. 445.002 ~~CareerSource~~
2186 ~~Florida, Inc.~~, shall establish the Everglades Restoration



606568

2187 Agricultural Community Employment Training Program within the
2188 Department of Economic Opportunity. The Department of Economic
2189 Opportunity shall use funds appropriated to the program by the
2190 Legislature to provide grants to stimulate and support training
2191 and employment programs that seek to match persons who complete
2192 such training programs to nonagricultural employment
2193 opportunities in areas of high agricultural unemployment, and to
2194 provide other training, educational, and information services
2195 necessary to stimulate the creation of jobs in the areas of high
2196 agricultural unemployment. In determining whether to provide
2197 funds to a particular program, the Department of Economic
2198 Opportunity shall consider the location of the program in
2199 proximity to the program's intended participants.

2200 Section 40. Subsection (9) of section 1011.80, Florida
2201 Statutes, is amended to read:

2202 1011.80 Funds for operation of workforce education
2203 programs.—

2204 (9) The State Board of Education and the state board as
2205 defined in s. 445.002 ~~CareerSource Florida, Inc.~~, shall provide
2206 the Legislature with recommended formulas, criteria, timeframes,
2207 and mechanisms for distributing performance funds. The
2208 commissioner shall consolidate the recommendations and develop a
2209 consensus proposal for funding. The Legislature shall adopt a
2210 formula and distribute the performance funds to the State Board
2211 of Education for Florida College System institutions and school
2212 districts through the General Appropriations Act. These
2213 recommendations shall be based on formulas that would discourage
2214 low-performing or low-demand programs and encourage through
2215 performance-funding awards:



606568

2216 (a) Programs that prepare people to enter high-wage
2217 occupations identified by the Workforce Estimating Conference
2218 created by s. 216.136 and other programs as approved by the
2219 state board as defined in s. 445.002 CareerSource Florida, Inc.
2220 At a minimum, performance incentives shall be calculated for
2221 adults who reach completion points or complete programs that
2222 lead to specified high-wage employment and to their placement in
2223 that employment.

2224 (b) Programs that successfully prepare adults who are
2225 eligible for public assistance, economically disadvantaged,
2226 disabled, not proficient in English, or dislocated workers for
2227 high-wage occupations. At a minimum, performance incentives
2228 shall be calculated at an enhanced value for the completion of
2229 adults identified in this paragraph and job placement of such
2230 adults upon completion. In addition, adjustments may be made in
2231 payments for job placements for areas of high unemployment.

2232 (c) Programs that are specifically designed to be
2233 consistent with the workforce needs of private enterprise and
2234 regional economic development strategies, as defined in
2235 guidelines set by the state board as defined in s. 445.002
2236 CareerSource Florida, Inc. The state board as defined in s.
2237 445.002 CareerSource Florida, Inc., shall develop guidelines to
2238 identify such needs and strategies based on localized research
2239 of private employers and economic development practitioners.

2240 (d) Programs identified by the state board as defined in s.
2241 445.002 CareerSource Florida, Inc., as increasing the
2242 effectiveness and cost efficiency of education.

2243 Section 41. Subsection (3) of section 1011.801, Florida
2244 Statutes, is amended to read:



606568

2245 1011.801 Workforce Development Capitalization Incentive
2246 Grant Program.—The Legislature recognizes that the need for
2247 school districts and Florida College System institutions to be
2248 able to respond to emerging local or statewide economic
2249 development needs is critical to the workforce development
2250 system. The Workforce Development Capitalization Incentive Grant
2251 Program is created to provide grants to school districts and
2252 Florida College System institutions on a competitive basis to
2253 fund some or all of the costs associated with the creation or
2254 expansion of workforce development programs that serve specific
2255 employment workforce needs.

2256 (3) The State Board of Education shall give highest
2257 priority to programs that train people to enter high-skill,
2258 high-wage occupations identified by the Workforce Estimating
2259 Conference and other programs approved by the state board as
2260 defined in s. 445.002, ~~CareerSource Florida, Inc.~~ programs that
2261 train people to enter occupations under the welfare transition
2262 program,+ or programs that train for the workforce adults who
2263 are eligible for public assistance, economically disadvantaged,
2264 disabled, not proficient in English, or dislocated workers. The
2265 State Board of Education shall consider the statewide geographic
2266 dispersion of grant funds in ranking the applications and shall
2267 give priority to applications from education agencies that are
2268 making maximum use of their workforce development funding by
2269 offering high-performing, high-demand programs.

2270
2271 ===== T I T L E A M E N D M E N T =====

2272 And the title is amended as follows:

2273 Delete everything before the enacting clause



606568

2274 and insert:

2275 A bill to be entitled
2276 An act relating to economic development; amending s.
2277 20.60, F.S.; revising the responsibilities of
2278 divisions within the Department of Economic
2279 Opportunity; requiring the executive director of the
2280 department to serve as a member of the board of
2281 directors of the Florida Development Finance
2282 Corporation; authorizing the executive director to
2283 designate a department employee to serve in this
2284 capacity; requiring that the annual report of the
2285 corporation be incorporated into the department's
2286 annual report on the condition of the business climate
2287 and economic development in the state; requiring the
2288 department to develop performance standards for the
2289 corporation and to include certain information
2290 relating to the standards in the department's annual
2291 report; amending s. 288.018, F.S.; defining the term
2292 "regional economic development organization";
2293 specifying that the concept of building the
2294 professional capacity of a regional economic
2295 development organization includes the hiring of
2296 professional staff to perform specified services;
2297 providing that matching grants may be used to provide
2298 technical assistance to local governments and economic
2299 development organizations and to existing and
2300 prospective businesses; increasing the maximum amount
2301 of annual grant funding that specified economic
2302 development organizations may receive; revising the



606568

2303 required amount of nonstate matching funds; requiring
2304 that certain information be included in contracts or
2305 agreements involving grant funds; requiring that
2306 contracts or agreements involving the expenditure of
2307 grant funds, and a plain-language version of certain
2308 contracts or agreements, be placed on the contracting
2309 regional economic development organization's website
2310 for a specified period before execution; deleting an
2311 obsolete provision; amending s. 288.0655, F.S.;;
2312 revising the maximum percentage of total
2313 infrastructure project costs for which the department
2314 may award grants; specifying that improving access to
2315 and availability of broadband Internet services is an
2316 eligible project for certain grant funds; providing
2317 that grants for improvements to broadband Internet
2318 service and access must be conducted through certain
2319 partnerships; requiring the department to reevaluate
2320 certain guidelines by a specified date; requiring that
2321 certain information be included in contracts or
2322 agreements involving grant funds; requiring a regional
2323 economic development organization to post contracts or
2324 agreements involving the expenditure of grant funds,
2325 and a plain-language version of certain contracts or
2326 agreements, on the organization's website for a
2327 specified period before execution; amending s.
2328 288.9604, F.S.; revising the membership of the board
2329 of directors of the corporation; requiring that the
2330 director of the Division of Bond Finance of the State
2331 Board of Administration, or his or her designee, serve



606568

2332 on the board of directors of the corporation; making
2333 conforming changes; authorizing meetings of the
2334 directors to be conducted by teleconference; providing
2335 for future repeals; requiring the chair and vice chair
2336 of the board of directors of the corporation to serve
2337 as regular members of the board after a specified
2338 date; providing construction; amending s. 288.9605,
2339 F.S.; providing for the electronic execution and
2340 delivery of certain documents executed by the
2341 corporation; amending s. 288.9606, F.S.; prohibiting
2342 certain bonds, notes, and other forms of indebtedness
2343 from exceeding a specified amount of time; specifying
2344 that certain bonds are payable solely from certain
2345 revenues; providing requirements for such bonds;
2346 amending s. 288.9610, F.S.; revising the entities to
2347 which the corporation is required to submit an annual
2348 report containing specified information; creating s.
2349 288.9619, F.S.; requiring that certain conflicts of
2350 interest be publicly disclosed to the corporation and
2351 set forth in the corporation's minutes; prohibiting a
2352 director with a conflict of interest from taking
2353 certain actions; amending s. 445.002, F.S.; defining
2354 the terms "for cause" and "state board"; amending s.
2355 445.003, F.S.; replacing CareerSource Florida, Inc.,
2356 with the state board or the department in provisions
2357 relating to the implementation of the federal
2358 Workforce Innovation and Opportunity Act; authorizing,
2359 rather than requiring, certain funds to be reserved
2360 for the Incumbent Worker Training Program; conforming



2361 provisions to changes made by the act; authorizing the
2362 state board to hire an executive director and staff;
2363 requiring the state board to authorize the executive
2364 director and staff to work with the department for
2365 specified reasons; amending s. 445.004, F.S.; revising
2366 provisions relating to the operation of CareerSource
2367 Florida, Inc.; revising the purpose of CareerSource
2368 Florida, Inc.; providing purpose for the state board;
2369 revising the organizational structure of CareerSource
2370 Florida, Inc.; providing requirements for the
2371 organizational structure of the state board; providing
2372 the state board with powers and authority previously
2373 held by CareerSource Florida, Inc.; revising the
2374 requirements related to such powers and authority;
2375 requiring the state board, rather than CareerSource
2376 Florida, Inc., to submit an annual report to the
2377 Governor and the Legislature; authorizing the Auditor
2378 General to conduct an audit of the state board and
2379 programs or entities created by the state board;
2380 requiring the state board, rather than CareerSource
2381 Florida, Inc., to establish certain uniform
2382 performance accountability measures; requiring the
2383 state board, in consultation with the department, to
2384 design the workforce development strategy for the
2385 state; requiring that the strategy be approved by the
2386 Governor; revising requirements relating to the
2387 workforce development system; authorizing the
2388 department to consult with the state board to issue
2389 certain technical assistance letters; amending s.



606568

2390 445.006, F.S.; requiring that the state board, rather
2391 than CareerSource Florida, Inc., take certain actions
2392 relating to the state plan for workforce development;
2393 amending s. 445.007, F.S.; replacing CareerSource
2394 Florida, Inc., with the state board or the department
2395 in provisions relating to local workforce development
2396 boards; deleting the definition of the term "cause";
2397 authorizing a chief elected official for a local
2398 workforce development board to remove certain persons
2399 from the board for cause; requiring the department to
2400 provide certain guidance to specified entities;
2401 deleting an obsolete provision; making technical
2402 changes; amending s. 445.0071, F.S.; replacing
2403 CareerSource Florida, Inc., with the state board or
2404 the department in provisions relating to the Florida
2405 Youth Summer Jobs Pilot Program; amending s. 445.008,
2406 F.S.; revising authority relating to the Workforce
2407 Training Institute; requiring that certain donations
2408 and grants be reported to the state board and the
2409 department; amending s. 445.009, F.S.; replacing
2410 CareerSource Florida, Inc., with the state board or
2411 the department in provisions relating to one-stop
2412 delivery systems; deleting an obsolete provision;
2413 amending s. 445.011, F.S.; replacing CareerSource
2414 Florida, Inc., with the department in provisions
2415 relating to workforce information systems; requiring
2416 the department to consult with the state board in
2417 implementing certain automated information systems;
2418 deleting a provision requiring CareerSource Florida,



606568

2419 Inc., to take certain actions when procuring workforce
2420 information systems; amending s. 445.014, F.S.;

2421 replacing CareerSource Florida, Inc., with the state
2422 board in provisions relating to the establishment of
2423 one-stop delivery systems; amending s. 445.021, F.S.;

2424 replacing CareerSource Florida, Inc., with the state
2425 board in provisions relating to the relocation
2426 assistance program; amending s. 445.022, F.S.;

2427 replacing CareerSource Florida, Inc., with the state
2428 board in provisions relating to Retention Incentive
2429 Training Accounts; amending s. 445.024, F.S.;

2430 replacing CareerSource Florida, Inc., with the state
2431 board in provisions relating to certain contract
2432 exceptions; amending s. 445.026, F.S.; replacing
2433 CareerSource Florida, Inc., with the state board in
2434 provisions relating to cash assistance severance
2435 benefits; amending s. 445.028, F.S.; replacing
2436 CareerSource Florida, Inc., with the department in
2437 provisions relating to transitional benefits and
2438 services; amending s. 445.030, F.S.; replacing
2439 CareerSource Florida, Inc., with the state board in
2440 provisions relating to transitional education and
2441 training; amending s. 445.033, F.S.; replacing
2442 CareerSource Florida, Inc., with the state board in
2443 provisions relating to evaluations of TANF-funded
2444 programs; amending s. 445.035, F.S.; replacing
2445 CareerSource Florida, Inc., with the state board in
2446 provisions relating to data collection and reporting;
2447 amending s. 445.048, F.S.; replacing CareerSource



606568

2448 Florida, Inc., with the state board in provisions
2449 relating to the Passport to Economic Progress program;
2450 amending s. 445.051, F.S.; replacing CareerSource
2451 Florida, Inc., with the state board in provisions
2452 relating to individual development accounts; amending
2453 s. 445.055, F.S.; replacing CareerSource Florida,
2454 Inc., with the state board in provisions relating to
2455 the establishment of an employment advocacy and
2456 assistance program targeting a certain group; amending
2457 ss. 11.45, 288.901, 331.369, 413.405, 414.045,
2458 420.622, 443.171, 443.181, 446.71, 1011.80, and
2459 1011.801, F.S.; conforming provisions to changes made
2460 by the act; providing an effective date.