

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 7049 PCB TTA 20-02 International Affairs
SPONSOR(S): Transportation & Tourism Appropriations Subcommittee, Trumbull
TIED BILLS: **IDEN./SIM. BILLS:** CS/SB 1212

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Transportation & Tourism Appropriations Subcommittee	10 Y, 0 N	Cobb	Davis
1) Appropriations Committee	26 Y, 0 N	Cobb	Pridgeon

SUMMARY ANALYSIS

The bill moves the state protocol officer from the Executive Office of the Governor to the Department of State. The bill maintains the following duties of the state protocol officer position:

- Developing, maintaining, publishing and distributing the state protocol manual;
- Performing consular operations and certain functions relating to the sister city and sister state affiliations;
- Maintaining all consular relations between Florida and foreign governments doing business in Florida; and
- Serving as a contact and liaison for Florida for other various international interests.

The bill removes the following intergovernmental relations functions and duties of the state protocol officer:

- Issuing certificates to foreign governmental officials after verification pursuant to proper investigations through United States Department of State sources and the appropriate foreign government;
- Verifying entitlement to sales and use tax exemptions pursuant to United States Department of State guidelines and identification methods;
- Operating the sister city and sister state programs; and
- Establishing a viable system of registration and sister state affiliations between the state and foreign countries and their subdivisions, including establishing mechanisms to supervise the maintenance of these ties, and maintaining a current and accurate listing of all such affiliations.

Additionally, the bill creates s. 288.8165, F.S., relating to Citizen Support Organizations (CSOs), allowing the Department of State to support the establishment of CSOs, and provides a definition of CSOs. A CSO is a Florida not-for-profit corporation that is organized and operated to conduct programs and activities, raise funds, request and receive grants, gifts, and make expenditures that directly or indirectly benefit the state protocol officer's Office of International Affairs. The bill provides rulemaking authority for the CSO provisions, requires annual audits of CSOs, and provides a future repeal date of October 1, 2025.

Because the state protocol officer position is not currently filled, there are no current costs associated with the office or its functions. The bill conforms to the proposed House Appropriations Act PCB APC 20-01, which authorizes one FTE and appropriates 80,000 in salary rate and \$123,994 from the General Revenue Fund for costs associated with the position.

The bill has an effective date of July 1, 2020.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

The role of the state protocol officer was established within the Department of State in 1980.¹ The state protocol officer's original duties were to develop, maintain, publish, and distribute the state protocol manual in consultation with the Governor and other governmental officials.² In 1990, s. 288.816, F.S., was created to establish practices for various functions relating to Florida's intergovernmental relations, including consular relations between Florida and all foreign governments doing business in Florida, the duties for which were housed within the Executive Office of the Governor.³ In 1996, these duties were transferred to the Secretary of State,⁴ but later transferred back to the Governor's Office of Tourism, Trade, and Economic Development in 2004, along with the duties of the state protocol officer.⁵ By 2011, some functions relating to intergovernmental relations were delegated to the newly-created Department of Economic Opportunity, while the majority remained duties of the state protocol officer housed within the Executive Office of the Governor.⁶ The role of the state protocol officer within the Executive Office of the Governor is not currently filled.

Effect of Proposed Changes

The bill returns certain state protocol officer intergovernmental relations functions and the state protocol manual duties to the Secretary of State. The bill maintains the following duties of the state protocol officer:

- Developing, maintaining, publishing and distributing the state protocol manual;
- Performing consular operations and certain functions relating to the sister city and sister state affiliations;
- Maintaining all consular relations between Florida and foreign governments doing business in Florida; and
- Serving as a contact and liaison for Florida for other various international interests.

The bill removes the following intergovernmental relations functions and duties of the state protocol officer:

- Issuing certificates to foreign governmental officials after verification pursuant to proper investigations through United States Department of State sources and the appropriate foreign government;
- Verifying entitlement to sales and use tax exemptions pursuant to United States Department of State guidelines and identification methods;
- Operate the sister city and sister state programs; and
- Establishing a viable system of registration and sister state affiliations between the state and foreign countries and their subdivisions, including establishing mechanisms to supervise the maintenance of these ties, and maintaining a current and accurate listing of all such affiliations.

Additionally, the bill creates s. 288.8165, F.S., relating to Citizen Support Organizations (CSOs), allowing the Department of State to support the establishment of CSOs, and provides a definition of CSOs. A CSO is a Florida not-for-profit corporation that is organized and operated to conduct programs and activities, raise funds, request and receive grants, gifts, and make expenditures that directly or

¹ CH 80-159 LOF

² *Ibid*

³ CH 90-201 LOF

⁴ CH 96-320 LOF

⁵ CH 2004-242 LOF

⁶ CH 2011-142 LOF

indirectly benefit the state protocol officer's Office of International Affairs. The bill provides rulemaking authority for the CSO provisions, requires annual audits of CSOs, and provides a future repeal date of October 1, 2025.

B. SECTION DIRECTORY:

Section 1: Amends s. 15.01, F.S., relating to the duties of the Secretary of State

Section 2: Amends s. 15.182, F.S., relating to international travel by state-funded musical, cultural, or artistic organizations.

Section 3: Amends s. 288.816, F.S., relating to intergovernmental relations.

Section 4: Creates s. 288.8165, F.S., relating to citizen support organizations.

Section 5: Amends s. 288.012, F.S., relating to the State of Florida international offices.

Section 6: Providing an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

Because the state protocol officer position is not currently filled, there are no current costs associated with the office or its functions. The bill conforms to the proposed House Appropriations Act PCB APC 20-01, which authorizes one FTE and appropriates 80,000 in salary rate and \$123,994 from the General Revenue Fund for costs associated with the position.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill provides rulemaking authority to the Department of State for the Citizen Support Organization provisions.

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES