

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL 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

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**FINAL HOUSE FLOOR ACTION:** 115 Y's 0 N's **GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

HB 7049 passed the House on February 13, 2020. The bill was amended in the Senate on March 12, 2020, and returned to the House. The House concurred in the Senate amendment and subsequently passed the bill as amended on March 12, 2020.

The bill moves the state protocol officer function from the Executive Office of the Governor to the Department of State and designates that the Secretary of State shall serve in this capacity. 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.

The bill designates the Department of State as the agency to whom state-funded musical, cultural, or artistic organizations must provide notice of intent to travel internationally.

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 department's intergovernmental programs. The bill provides that CSOs may not receive funds from the department unless specifically authorized by the Legislature. 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. To the extent that the department allocates any of its existing resources in support of the Secretary of State's duties as the state protocol officer, there may be an indeterminate, negative fiscal impact on state expenditures. Additionally, to the extent that the Legislature chooses to specifically authorize CSOs to receive funds from the department, there could be future fiscal impacts on state expenditures.

The bill was approved by the Governor on June 23, 2020, ch. 2020-93, L.O.F., and will become effective on July 1, 2020.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### **Present Situation**

The role of the state protocol officer was established within the Department of State in 1980.<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> In 1996, these duties were transferred to the Secretary of State,<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup> 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.

The bill designates the Department of State as the agency to whom state-funded musical, cultural, or artistic organizations must provide notice of intent to travel internationally.

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<sup>1</sup> CH 80-159 LOF

<sup>2</sup> *Ibid*

<sup>3</sup> CH 90-201 LOF

<sup>4</sup> CH 96-320 LOF

<sup>5</sup> CH 2004-242 LOF

<sup>6</sup> CH 2011-142 LOF

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 department's intergovernmental programs. The bill provides that CSOs may not receive state funds from the department unless specifically authorized by the Legislature. The bill provides rulemaking authority for the CSO provisions, requires annual audits of CSOs, and provides a future repeal date of October 1, 2025.

## 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. To the extent that the department allocates any of its existing resources in support of the Secretary of State's duties as the state protocol officer, there may be an indeterminate, negative fiscal impact on state expenditures. Additionally, to the extent that the Legislature chooses to specifically authorize CSOs to receive funds from the department, there could be future fiscal impacts on state expenditures.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.