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2020 Legislature

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

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26 | amending s. 288.012, F.S.; conforming provisions to
 27 | changes made by the act; providing an effective date.
 28 |

29 | Be It Enacted by the Legislature of the State of Florida:
 30 |

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

33 | 15.01 Duties.—

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

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

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51 | be recorded.

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

54 | 15.182 International travel by state-funded musical,
55 | cultural, or artistic organizations; notification to the
56 | Department of State Economic Opportunity.—

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

72 | (2) The Department of State Economic Opportunity, in
73 | conjunction with the Department of Economic Opportunity and
74 | Enterprise Florida, Inc., shall act as an intermediary between
75 | performing musical, cultural, and artistic organizations and

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76 Florida businesses to encourage and coordinate joint
77 undertakings. Such coordination may include, but is not limited
78 to, encouraging business and industry to sponsor cultural
79 events, assistance with travel of such organizations, and
80 coordinating travel schedules of cultural performance groups and
81 international trade missions.

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

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

94 288.816 Intergovernmental relations.—

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

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101 shall:

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

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

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

115 (a) Coordinate and carry out activities designed to
 116 encourage the state and its subdivisions to participate in
 117 sister city and sister state affiliations with foreign countries
 118 and their subdivisions. Such activities may include a State of
 119 Florida sister cities conference.

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

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

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126 facilitate such activities.

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

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

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

142 288.8165 Citizen support organizations.—

143 (1) CITIZEN SUPPORT ORGANIZATIONS.—The Department of State
 144 may authorize the establishment of citizen support organizations
 145 to provide assistance, funding, and promotional support for the
 146 intergovernmental programs of the department. For the purposes
 147 of this section, a "citizen support organization" means an
 148 organization which:

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

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

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

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

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

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

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

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

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

189 (3) ANNUAL AUDIT.—Each citizen support organization shall
 190 provide for an annual financial audit in accordance with s.
 191 215.981.

192 (4) FUTURE REPEAL.—This section is repealed October 1,
 193 2025, unless reviewed and saved from repeal by the Legislature.

194 (4) FUTURE REPEAL.—This section is repealed October 1,
 195 2025, unless reviewed and saved from repeal by the Legislature.

196 Section 5. Section 288.012, Florida Statutes, is amended
 197 to read:

198 288.012 State of Florida international offices; ~~state~~
 199 ~~protocol officer; protocol manual.~~—The Legislature finds that
 200 the expansion of international trade and tourism is vital to the

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201 overall health and growth of the economy of this state. This
202 expansion is hampered by the lack of technical and business
203 assistance, financial assistance, and information services for
204 businesses in this state. The Legislature finds that these
205 businesses could be assisted by providing these services at
206 State of Florida international offices. The Legislature further
207 finds that the accessibility and provision of services at these
208 offices can be enhanced through cooperative agreements or
209 strategic alliances between private businesses and state, local,
210 and international governmental entities.

211 (1) The department is authorized to:

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

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

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226 | such obligations shall be subject only to s. 216.311.

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

232 | (a) Specific policies and procedures encompassing the
 233 | entire scope of the operation and management of each office.

234 | (b) A comprehensive, commercial strategic plan identifying
 235 | marketing opportunities and industry sector priorities for the
 236 | country in which an international office is located.

237 | (c) Provisions for access to information for Florida
 238 | businesses related to trade leads and inquiries.

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

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

247 | (f) Qualitative and quantitative performance measures for
 248 | each office, including, but not limited to, the number of
 249 | businesses assisted, the number of trade leads and inquiries
 250 | generated, the number of international buyers and importers

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251 | contacted, and the amount and type of marketing conducted.
 252 | (3) Each international office shall annually submit to
 253 | Enterprise Florida, Inc., a complete and detailed report on its
 254 | activities and accomplishments during the previous fiscal year
 255 | for inclusion in the annual report required under s. 288.906. In
 256 | the format and by the annual date prescribed by Enterprise
 257 | Florida, Inc., the report must set forth information on:
 258 | (a) The number of Florida companies assisted.
 259 | (b) The number of inquiries received about investment
 260 | opportunities in this state.
 261 | (c) The number of trade leads generated.
 262 | (d) The number of investment projects announced.
 263 | (e) The estimated U.S. dollar value of sales
 264 | confirmations.
 265 | (f) The number of representation agreements.
 266 | (g) The number of company consultations.
 267 | (h) Barriers or other issues affecting the effective
 268 | operation of the office.
 269 | (i) Changes in office operations which are planned for the
 270 | current fiscal year.
 271 | (j) Marketing activities conducted.
 272 | (k) Strategic alliances formed with organizations in the
 273 | country in which the office is located.
 274 | (l) Activities conducted with Florida's other
 275 | international offices.

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276 (m) Any other information that the office believes would
277 contribute to an understanding of its activities.

278 (4) The Department of Economic Opportunity, in connection
279 with the establishment, operation, and management of any of its
280 offices located in another country, is exempt from the
281 provisions of ss. 255.21, 255.25, and 255.254 relating to
282 leasing of buildings; ss. 283.33 and 283.35 relating to bids for
283 printing; ss. 287.001-287.20 relating to purchasing and motor
284 vehicles; and ss. 282.003-282.00515 and 282.702-282.7101
285 relating to communications, and from all statutory provisions
286 relating to state employment.

287 (a) The department may exercise such exemptions only upon
288 prior approval of the Governor.

289 (b) If approval for an exemption under this section is
290 granted as an integral part of a plan of operation for a
291 specified international office, such action shall constitute
292 continuing authority for the department to exercise the
293 exemption, but only in the context and upon the terms originally
294 granted. Any modification of the approved plan of operation with
295 respect to an exemption contained therein must be resubmitted to
296 the Governor for his or her approval. An approval granted to
297 exercise an exemption in any other context shall be restricted
298 to the specific instance for which the exemption is to be
299 exercised.

300 (c) As used in this subsection, the term "plan of

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301 operation" means the plan developed pursuant to subsection (2).

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

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

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

324 ~~(7) The Governor may designate a state protocol officer.~~
 325 ~~The state protocol officer shall be housed within the Executive~~

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326 | ~~Office of the Governor. In consultation with the Governor and~~
327 | ~~other governmental officials, the state protocol officer shall~~
328 | ~~develop, maintain, publish, and distribute the state protocol~~
329 | ~~manual.~~

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