

1                                   A bill to be entitled  
2           An act relating to the Department of Economic  
3           Opportunity; amending s. 20.60, F.S.; renaming the  
4           executive director of the Department of Economic  
5           Opportunity as the Secretary of Economic Opportunity;  
6           authorizing the secretary to appoint deputy and  
7           assistant secretaries for a specified purpose;  
8           establishing the Office of the Secretary and the  
9           Office of Economic Accountability and Transparency;  
10          providing duties for the Office of Economic  
11          Accountability and Transparency; authorizing the  
12          secretary to create offices within the Office of the  
13          Secretary and within the divisions; requiring the  
14          secretary to appoint division directors; providing  
15          duties for the division directors; conforming  
16          provisions to changes made by the act; amending s.  
17          288.901, F.S.; revising the membership of the board of  
18          directors of Enterprise Florida, Inc.; amending s.  
19          290.042, F.S.; revising the definition of the term  
20          "administrative costs" relating to the Florida Small  
21          Cities Community Development Block Grant Program Act;  
22          amending s. 290.044, F.S.; revising the application  
23          process and funding for the Florida Small Cities  
24          Community Development Block Grant Program Fund;  
25          amending s. 290.046, F.S.; revising the application

26 process and funding for development grants awarded by  
27 the department to local governments; amending s.  
28 331.3081, F.S.; conforming a cross-reference; amending  
29 s. 435.02, F.S.; revising the definition of the term  
30 "specified agency" to include certain regional  
31 workforce boards for the purposes of labor laws;  
32 amending s. 443.091, F.S.; revising the reporting  
33 requirements for reemployment assistance benefit  
34 eligibility; defining the term "address"; amending s.  
35 443.101, F.S.; deleting a provision providing that  
36 individuals who voluntarily leave work as a direct  
37 result of circumstances relating to domestic violence  
38 are ineligible for benefits under certain  
39 circumstances; amending s. 443.1113, F.S.; requiring  
40 the department to implement an integrated modular  
41 cloud-based system, rather than an integrated  
42 Internet-based system, for the reemployment assistance  
43 program; revising the functions and objectives of the  
44 Reemployment Assistance Claims and Benefits  
45 Information System; deleting obsolete language;  
46 requiring the department to maintain a sustainable  
47 culture of continuous modernization and to maintain a  
48 specified reemployment assistance governance  
49 structure; requiring the system to be governed by the  
50 Reemployment Assistance Modernization Strategic

51 Planning Office; providing duties of the office;  
52 providing reporting requirements; authorizing the  
53 department to implement an emergency reemployment  
54 assistance system under certain circumstances;  
55 providing applicability; deleting provisions relating  
56 to duties of the governance structure of the system  
57 project; amending s. 443.151, F.S.; revising the  
58 timeline for employers' responses to notices of  
59 benefits claims sent by the department; authorizing  
60 claimants to request the department to reconsider a  
61 monetary determination; providing requirements for  
62 such request; providing that monetary determinations  
63 and redeterminations are final after a specified  
64 period of time; providing exceptions; deleting a  
65 requirement that appeals referees be attorneys in good  
66 standing with The Florida Bar or be admitted to The  
67 Florida Bar within 8 months after the date of  
68 employment; prohibiting appeals from being filed after  
69 a specified time; amending s. 445.004, F.S.; revising  
70 the membership of the state board, which directs  
71 CareerSource Florida, Inc.; amending s. 553.79, F.S.;  
72 requiring specified building permit applications  
73 applied for by licensed contractors for property  
74 owners under certain programs administered by the  
75 department to be issued within a reduced timeframe;

76 | amending ss. 14.20195, 16.615, 20.04, 213.053,  
 77 | 220.194, 288.005, 288.061, 288.0656, 288.106,  
 78 | 288.1089, 288.1251, 288.8014, 288.955, 288.9604,  
 79 | 288.987, 290.0065, 311.09, 311.105, 334.065, 373.4149,  
 80 | 380.045, 403.0752, 420.0005, 420.0006, 420.101,  
 81 | 420.503, 420.504, 420.506, 420.507, 420.511, 420.602,  
 82 | 420.609, 420.622, 427.012, 443.1116, 446.53, 450.261,  
 83 | 624.5105, and 1004.015, F.S.; conforming provisions to  
 84 | changes made by the act; providing an effective date.

85 |

86 | Be It Enacted by the Legislature of the State of Florida:

87 |

88 | Section 1. Subsections (2) and (3), paragraph (a) of  
 89 | subsection (5), paragraph (b) of subsection (6), and subsection  
 90 | (9) of section 20.60, Florida Statutes, are amended, and  
 91 | subsection (1) of that section is republished, to read:

92 | 20.60 Department of Economic Opportunity; creation; powers  
 93 | and duties.—

94 | (1) There is created the Department of Economic  
 95 | Opportunity.

96 | (2) The head of the department is the Secretary of  
 97 | Economic Opportunity ~~executive director~~, who shall be appointed  
 98 | by the Governor, subject to confirmation by the Senate. The  
 99 | secretary ~~executive director~~ shall serve at the pleasure of and  
 100 | report to the Governor. The secretary may appoint deputy and

101 assistant secretaries as necessary to aid the secretary in  
102 fulfilling his or her statutory obligations.

103 (3) (a) The following divisions and offices of the  
104 Department of Economic Opportunity are established:

105 1. ~~(a)~~ The Division of Strategic Business Development.

106 2. ~~(b)~~ The Division of Community Development.

107 3. ~~(c)~~ The Division of Workforce Services.

108 4. ~~(d)~~ The Division of Finance and Administration.

109 5. ~~(e)~~ The Division of Information Technology.

110 6. The Office of the Secretary.

111 7. The Office of Economic Accountability and Transparency,

112 which shall:

113 a. Oversee the department's critical objectives as  
114 determined by the secretary and make sure that the department's  
115 key objectives are clearly communicated to the public.

116 b. Organize department resources, expertise, data, and  
117 research to focus on and solve the complex economic challenges  
118 facing the state.

119 c. Provide leadership for the department's priority issues  
120 that require integration of policy, management, and critical  
121 objectives from multiple programs and organizations internal and  
122 external to the department; and organize and manage external  
123 communication on such priority issues.

124 d. Promote and facilitate key department initiatives to  
125 address priority economic issues and explore data and identify

126 | opportunities for innovative approaches to address such economic  
 127 | issues.

128 | e. Promote strategic planning for the department.

129 | (b) The secretary:

130 | 1. May create offices within the Office of the Secretary  
 131 | and within the divisions established in paragraph (a) to promote  
 132 | efficient and effective operation of the department.

133 | 2. Shall appoint a director for each division, who shall  
 134 | directly administer his or her division and be responsible to  
 135 | the secretary.

136 | (5) The divisions within the department have specific  
 137 | responsibilities to achieve the duties, responsibilities, and  
 138 | goals of the department. Specifically:

139 | (a) The Division of Strategic Business Development shall:

140 | 1. Analyze and evaluate business prospects identified by  
 141 | the Governor, the secretary ~~executive director of the~~  
 142 | ~~department~~, and Enterprise Florida, Inc.

143 | 2. Administer certain tax refund, tax credit, and grant  
 144 | programs created in law. Notwithstanding any other provision of  
 145 | law, the department may expend interest earned from the  
 146 | investment of program funds deposited in the Grants and  
 147 | Donations Trust Fund to contract for the administration of those  
 148 | programs, or portions of the programs, assigned to the  
 149 | department by law, by the appropriations process, or by the  
 150 | Governor. Such expenditures shall be subject to review under

151 chapter 216.

152 3. Develop measurement protocols for the state incentive  
153 programs and for the contracted entities which will be used to  
154 determine their performance and competitive value to the state.  
155 Performance measures, benchmarks, and sanctions must be  
156 developed in consultation with the legislative appropriations  
157 committees and the appropriate substantive committees, and are  
158 subject to the review and approval process provided in s.  
159 216.177. The approved performance measures, standards, and  
160 sanctions shall be included and made a part of the strategic  
161 plan for contracts entered into for delivery of programs  
162 authorized by this section.

163 4. Develop a 5-year statewide strategic plan. The  
164 strategic plan must include, but need not be limited to:

165 a. Strategies for the promotion of business formation,  
166 expansion, recruitment, and retention through aggressive  
167 marketing, international development, and export assistance,  
168 which lead to more and better jobs and higher wages for all  
169 geographic regions, disadvantaged communities, and populations  
170 of the state, including rural areas, minority businesses, and  
171 urban core areas.

172 b. The development of realistic policies and programs to  
173 further the economic diversity of the state, its regions, and  
174 their associated industrial clusters.

175 c. Specific provisions for the stimulation of economic

176 development and job creation in rural areas and midsize cities  
177 and counties of the state, including strategies for rural  
178 marketing and the development of infrastructure in rural areas.

179 d. Provisions for the promotion of the successful long-  
180 term economic development of the state with increased emphasis  
181 in market research and information.

182 e. Plans for the generation of foreign investment in the  
183 state which create jobs paying above-average wages and which  
184 result in reverse investment in the state, including programs  
185 that establish viable overseas markets, assist in meeting the  
186 financing requirements of export-ready firms, broaden  
187 opportunities for international joint venture relationships, use  
188 the resources of academic and other institutions, coordinate  
189 trade assistance and facilitation services, and facilitate  
190 availability of and access to education and training programs  
191 that assure requisite skills and competencies necessary to  
192 compete successfully in the global marketplace.

193 f. The identification of business sectors that are of  
194 current or future importance to the state's economy and to the  
195 state's global business image, and development of specific  
196 strategies to promote the development of such sectors.

197 g. Strategies for talent development necessary in the  
198 state to encourage economic development growth, taking into  
199 account factors such as the state's talent supply chain,  
200 education and training opportunities, and available workforce.



201           5. Update the strategic plan every 5 years.

202           6. Involve Enterprise Florida, Inc.; CareerSource Florida,  
 203 Inc.; local governments; the general public; local and regional  
 204 economic development organizations; other local, state, and  
 205 federal economic, international, and workforce development  
 206 entities; the business community; and educational institutions  
 207 to assist with the strategic plan.

208           (6)

209           (b) The Department of Economic Opportunity shall serve as  
 210 the designated agency for purposes of each federal workforce  
 211 development grant assigned to it for administration. The  
 212 department shall carry out the duties assigned to it by the  
 213 Governor, under the terms and conditions of each grant. The  
 214 department shall have the level of authority and autonomy  
 215 necessary to be the designated recipient of each federal grant  
 216 assigned to it and shall disburse such grants pursuant to the  
 217 plans and policies of the state board as defined in s. 445.002.  
 218 The secretary ~~executive director~~ may, upon delegation from the  
 219 Governor and pursuant to agreement with the state board, sign  
 220 contracts, grants, and other instruments as necessary to execute  
 221 functions assigned to the department. Notwithstanding other  
 222 provisions of law, the department shall administer other  
 223 programs funded by federal or state appropriations, as  
 224 determined by the Legislature in the General Appropriations Act  
 225 or other law.

226 (9) The secretary ~~executive director~~ shall:

227 (a) Manage all activities and responsibilities of the  
228 department.

229 (b) Serve as the manager for the state with respect to  
230 contracts with Enterprise Florida, Inc., and all applicable  
231 direct-support organizations. To accomplish the provisions of  
232 this section and applicable provisions of chapter 288, and  
233 notwithstanding the provisions of part I of chapter 287, the  
234 secretary ~~director~~ shall enter into specific contracts with  
235 Enterprise Florida, Inc., and other appropriate direct-support  
236 organizations. Such contracts may be for multiyear terms and  
237 must include specific performance measures for each year. For  
238 purposes of this section, the Florida Tourism Industry Marketing  
239 Corporation and the Institute for Commercialization of Florida  
240 Technology are not appropriate direct-support organizations.

241 (c) Serve as a member of the board of directors of the  
242 Florida Development Finance Corporation. The secretary ~~executive~~  
243 ~~director~~ may designate an employee of the department to serve in  
244 this capacity.

245 Section 2. Paragraph (a) of subsection (5) of section  
246 288.901, Florida Statutes, is amended to read:

247 288.901 Enterprise Florida, Inc.—

248 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

249 (a) In addition to the Governor or his or her designee,  
250 the board of directors shall consist of the following appointed

251 members:

- 252 1. The Commissioner of Education or his or her designee.
- 253 2. The Chief Financial Officer or his or her designee.
- 254 3. The Attorney General or his or her designee.
- 255 4. The Commissioner of Agriculture or his or her designee.
- 256 5. The chairperson of the state board as defined in s.
- 257 445.002.
- 258 6. The Secretary of State or his or her designee.
- 259 7. The Secretary of Economic Opportunity or his or her
- 260 designee.
- 261 8. Twelve members from the private sector, six of whom
- 262 shall be appointed by the Governor, three of whom shall be
- 263 appointed by the President of the Senate, and three of whom
- 264 shall be appointed by the Speaker of the House of
- 265 Representatives. Members appointed by the Governor are subject
- 266 to Senate confirmation.

267

268 All board members shall serve without compensation, but are

269 entitled to receive reimbursement for per diem and travel

270 expenses pursuant to s. 112.061. Such expenses must be paid out

271 of funds of Enterprise Florida, Inc.

272 Section 3. Subsection (2) of section 290.042, Florida

273 Statutes, is amended to read:

274 290.042 Definitions relating to Florida Small Cities

275 Community Development Block Grant Program Act.—As used in ss.

276 | 290.0401-290.048, the term:

277 |       (2) "Administrative costs" has the same meaning as defined  
 278 | in the Housing and Community Development Act of 1974, as  
 279 | amended, and applicable federal regulations ~~means the payment of~~  
 280 | ~~all reasonable costs of management, coordination, monitoring,~~  
 281 | ~~and evaluation, and similar costs and carrying charges, related~~  
 282 | ~~to the planning and execution of community development~~  
 283 | ~~activities which are funded in whole or in part under the~~  
 284 | ~~Florida Small Cities Community Development Block Grant Program.~~  
 285 | ~~Administrative costs shall include all costs of administration,~~  
 286 | ~~including general administration, planning and urban design, and~~  
 287 | ~~project administration costs.~~

288 |       Section 4. Subsections (3), (4), and (5) of section  
 289 | 290.044, Florida Statutes, are amended to read:

290 |       290.044 Florida Small Cities Community Development Block  
 291 | Grant Program Fund; administration; distribution.—

292 |       (3) The department shall require applicants for grants to  
 293 | compete against each other in ~~the following grant program~~  
 294 | categories that may include one or more of the following:

- 295 |       (a) Housing rehabilitation.
- 296 |       (b) Economic development.
- 297 |       (c) Neighborhood revitalization.
- 298 |       (d) Commercial revitalization.
- 299 |       (e) Any other activity authorized by the Housing and  
 300 | Community Development Act of 1974, as amended, and applicable

301 federal regulations.

302 (4) The department shall define broad community  
 303 development objectives to be achieved by the activities in ~~each~~  
 304 ~~of~~ the grant program categories with the use of funds from the  
 305 Florida Small Cities Community Development Block Grant Program  
 306 Fund. Such objectives shall be designed to meet at least one of  
 307 the national objectives provided in the Housing and Community  
 308 Development Act of 1974.

309 (5) The department may set aside an amount of up to 15 ~~5~~  
 310 percent of the funds annually for use in any eligible local  
 311 government jurisdiction for which an emergency or natural  
 312 disaster has been declared by executive order. Such funds may  
 313 only be provided to a local government to fund eligible  
 314 emergency-related activities for which no other source of  
 315 federal, state, or local disaster funds is available. The  
 316 department may provide for such set-aside by rule. In the last  
 317 quarter of the state fiscal year, any funds not allocated under  
 318 the emergency-related set-aside shall be distributed to unfunded  
 319 applications ~~from the most recent funding cycle.~~

320 Section 5. Subsection (2), paragraph (b) of subsection  
 321 (3), and subsection (6) of section 290.046, Florida Statutes,  
 322 are amended to read:

323 290.046 Applications for grants; procedures;  
 324 requirements.—

325 ~~(2)(a) Except for applications for economic development~~

326 ~~grants as provided in subparagraph (b)1., an eligible local~~  
327 ~~government may submit one application for a grant during each~~  
328 ~~application cycle.~~

329 ~~(b)1. An eligible local government may apply up to three~~  
330 ~~times in any one annual funding cycle for an economic~~  
331 ~~development grant but may not receive more than one such grant~~  
332 ~~per annual funding cycle. A local government may have more than~~  
333 ~~one open economic development grant.~~

334 (2) (a)2. The department shall establish minimum criteria  
335 pertaining to the number of jobs created for persons of low or  
336 moderate income, the degree of private sector financial  
337 commitment, and the economic feasibility of the proposed project  
338 and shall establish any other criteria the department deems  
339 appropriate. Assistance to a private, for-profit business may  
340 not be provided from a grant award unless sufficient evidence  
341 exists to demonstrate that without such public assistance the  
342 creation or retention of such jobs would not occur.

343 (b)(e)1. A local government with an open housing  
344 rehabilitation, neighborhood revitalization, or commercial  
345 revitalization contract is not eligible to apply for another  
346 housing rehabilitation, neighborhood revitalization, or  
347 commercial revitalization grant until administrative closeout of  
348 its existing contract. The department shall notify a local  
349 government of administrative closeout or of any outstanding  
350 closeout issues within 45 days after receipt of a closeout

351 package from the local government. A local government with an  
352 open housing rehabilitation, neighborhood revitalization, or  
353 commercial revitalization community development block grant  
354 contract whose activities are on schedule in accordance with the  
355 expenditure rates and accomplishments described in the contract  
356 may apply for an economic development grant.

357 (c)2- A local government with an open economic development  
358 community development block grant contract whose activities are  
359 on schedule in accordance with the expenditure rates and  
360 accomplishments described in the contract may apply for a  
361 housing rehabilitation, neighborhood revitalization, or  
362 commercial revitalization community development block grant. A  
363 local government with an open economic development contract  
364 whose activities are on schedule in accordance with the  
365 expenditure rates and accomplishments described in the contract  
366 may receive ~~no~~ more than one additional economic development  
367 grant in each fiscal year.

368 (d) The department may not award a grant until it has  
369 conducted a site visit to verify the information contained in  
370 the local government's application.

371 (3)

372 (b) Funds shall be distributed according to the rankings  
373 established in each application cycle. If economic development  
374 funds remain available after the application cycle closes, the  
375 remaining funds shall be awarded to eligible projects ~~on a~~

376 ~~first come, first served basis until such funds are fully~~  
377 ~~obligated.~~

378 (6) The department shall, before approving an application  
379 for a grant, determine that the applicant has the administrative  
380 capacity to carry out the proposed activities and has performed  
381 satisfactorily in carrying out past activities funded by  
382 community development block grants. The evaluation of past  
383 performance shall take into account procedural aspects of  
384 previous grants as well as substantive results. If the  
385 department determines that any applicant has failed to  
386 accomplish substantially the results it proposed in ~~its last~~  
387 previously funded applications ~~application~~, it may prohibit the  
388 applicant from receiving a grant or may penalize the applicant  
389 in the rating of the current application. An application for  
390 grant funds may not be denied solely upon the basis of the past  
391 performance of the eligible applicant.

392 Section 6. Section 331.3081, Florida Statutes, is amended  
393 to read:

394 331.3081 Board of directors.—Space Florida shall be  
395 governed by a 13-member independent board of directors that  
396 consists of the members appointed to the board of directors of  
397 Enterprise Florida, Inc., by the Governor, the President of the  
398 Senate, and the Speaker of the House of Representatives pursuant  
399 to s. 288.901(5)(a)8. ~~s. 288.901(5)(a)7.~~ and the Governor, who  
400 shall serve ex officio, or who may appoint a designee to serve,



401 as the chair and a voting member of the board.

402 Section 7. Subsection (5) of section 435.02, Florida  
 403 Statutes, is amended to read:

404 435.02 Definitions.—For the purposes of this chapter, the  
 405 term:

406 (5) "Specified agency" means the Department of Health, the  
 407 Department of Children and Families, the Division of Vocational  
 408 Rehabilitation within the Department of Education, the Agency  
 409 for Health Care Administration, the Department of Elderly  
 410 Affairs, the Department of Juvenile Justice, the Agency for  
 411 Persons with Disabilities, regional workforce boards providing  
 412 services as defined in s. 445.002(3), and local licensing  
 413 agencies approved pursuant to s. 402.307, when these agencies  
 414 are conducting state and national criminal history background  
 415 screening on persons who work with children or persons who are  
 416 elderly or disabled.

417 Section 8. Paragraph (c) of subsection (1) of section  
 418 443.091, Florida Statutes, is amended to read:

419 443.091 Benefit eligibility conditions.—

420 (1) An unemployed individual is eligible to receive  
 421 benefits for any week only if the Department of Economic  
 422 Opportunity finds that:

423 (c) To make continued claims for benefits, she or he is  
 424 reporting to the department in accordance with this paragraph  
 425 and department rules. Department rules may not conflict with s.

426 443.111(1)(b), which requires that each claimant continue to  
427 report regardless of any pending appeal relating to her or his  
428 eligibility or disqualification for benefits.

429 1. For each week of unemployment claimed, each report  
430 must, at a minimum, include the name and, ~~address, and telephone~~  
431 ~~number~~ of each prospective employer contacted, or the date the  
432 claimant reported to a one-stop career center, pursuant to  
433 paragraph (d). For the purposes of this subparagraph, the term  
434 "address" means a website address, a physical address, or an e-  
435 mail address.

436 2. The department shall offer an online assessment aimed  
437 at identifying an individual's skills, abilities, and career  
438 aptitude. The skills assessment must be voluntary, and the  
439 department shall allow a claimant to choose whether to take the  
440 skills assessment. The online assessment shall be made available  
441 to any person seeking services from a local workforce  
442 development board or a one-stop career center.

443 a. If the claimant chooses to take the online assessment,  
444 the outcome of the assessment shall be made available to the  
445 claimant, local workforce development board, and one-stop career  
446 center. The department, local workforce development board, or  
447 one-stop career center shall use the assessment to develop a  
448 plan for referring individuals to training and employment  
449 opportunities. Aggregate data on assessment outcomes may be made  
450 available to CareerSource Florida, Inc., and Enterprise Florida,

451 Inc., for use in the development of policies related to  
452 education and training programs that will ensure that businesses  
453 in this state have access to a skilled and competent workforce.

454 b. Individuals shall be informed of and offered services  
455 through the one-stop delivery system, including career  
456 counseling, the provision of skill match and job market  
457 information, and skills upgrade and other training  
458 opportunities, and shall be encouraged to participate in such  
459 services at no cost to the individuals. The department shall  
460 coordinate with CareerSource Florida, Inc., the local workforce  
461 development boards, and the one-stop career centers to identify,  
462 develop, and use best practices for improving the skills of  
463 individuals who choose to participate in skills upgrade and  
464 other training opportunities. The department may contract with  
465 an entity to create the online assessment in accordance with the  
466 competitive bidding requirements in s. 287.057. The online  
467 assessment must work seamlessly with the Reemployment Assistance  
468 Claims and Benefits Information System.

469 Section 9. Paragraph (a) of subsection (1) and subsection  
470 (6) of section 443.101, Florida Statutes, are amended to read:

471 443.101 Disqualification for benefits.—An individual shall  
472 be disqualified for benefits:

473 (1) (a) For the week in which he or she has voluntarily  
474 left work without good cause attributable to his or her  
475 employing unit or for the week in which he or she has been

476 discharged by the employing unit for misconduct connected with  
477 his or her work, based on a finding by the Department of  
478 Economic Opportunity. As used in this paragraph, the term "work"  
479 means any work, whether full-time, part-time, or temporary.

480 1. Disqualification for voluntarily quitting continues for  
481 the full period of unemployment next ensuing after the  
482 individual has left his or her full-time, part-time, or  
483 temporary work voluntarily without good cause and until the  
484 individual has earned income equal to or greater than 17 times  
485 his or her weekly benefit amount. As used in this subsection,  
486 the term "good cause" includes only that cause attributable to  
487 the employing unit which would compel a reasonable employee to  
488 cease working or attributable to the individual's illness or  
489 disability requiring separation from his or her work. Any other  
490 disqualification may not be imposed.

491 2. An individual is not disqualified under this subsection  
492 for:

493 a. Voluntarily leaving temporary work to return  
494 immediately when called to work by the permanent employing unit  
495 that temporarily terminated his or her work within the previous  
496 6 calendar months;

497 b. Voluntarily leaving work to relocate as a result of his  
498 or her military-connected spouse's permanent change of station  
499 orders, activation orders, or unit deployment orders; or

500 c. Voluntarily leaving work if he or she proves that his

501 or her discontinued employment is a direct result of  
502 circumstances related to domestic violence as defined in s.  
503 741.28. An individual who voluntarily leaves work under this  
504 sub-subparagraph must:

505 (I) Make reasonable efforts to preserve employment, unless  
506 the individual establishes that such remedies are likely to be  
507 futile or to increase the risk of future incidents of domestic  
508 violence. Such efforts may include seeking a protective  
509 injunction, relocating to a secure place, or seeking reasonable  
510 accommodation from the employing unit, such as a transfer or  
511 change of assignment;

512 (II) Provide evidence such as an injunction, a protective  
513 order, or other documentation authorized by state law which  
514 reasonably proves that domestic violence has occurred; and

515 (III) Reasonably believe that he or she is likely to be  
516 the victim of a future act of domestic violence at, in transit  
517 to, or departing from his or her place of employment. ~~An~~  
518 ~~individual who is otherwise eligible for benefits under this~~  
519 ~~sub-subparagraph is ineligible for each week that he or she no~~  
520 ~~longer meets such criteria or refuses a reasonable accommodation~~  
521 ~~offered in good faith by his or her employing unit.~~

522 3. The employment record of an employing unit may not be  
523 charged for the payment of benefits to an individual who has  
524 voluntarily left work under sub-subparagraph 2.c.

525 4. Disqualification for being discharged for misconduct

526 | connected with his or her work continues for the full period of  
527 | unemployment next ensuing after having been discharged and until  
528 | the individual is reemployed and has earned income of at least  
529 | 17 times his or her weekly benefit amount and for not more than  
530 | 52 weeks immediately following that week, as determined by the  
531 | department in each case according to the circumstances or the  
532 | seriousness of the misconduct, under the department's rules for  
533 | determining disqualification for benefits for misconduct.

534 |         5. If an individual has provided notification to the  
535 | employing unit of his or her intent to voluntarily leave work  
536 | and the employing unit discharges the individual for reasons  
537 | other than misconduct before the date the voluntary quit was to  
538 | take effect, the individual, if otherwise entitled, shall  
539 | receive benefits from the date of the employer's discharge until  
540 | the effective date of his or her voluntary quit.

541 |         6. If an individual is notified by the employing unit of  
542 | the employer's intent to discharge the individual for reasons  
543 | other than misconduct and the individual quits without good  
544 | cause before the date the discharge was to take effect, the  
545 | claimant is ineligible for benefits pursuant to s. 443.091(1)(d)  
546 | for failing to be available for work for the week or weeks of  
547 | unemployment occurring before the effective date of the  
548 | discharge.

549 |         (6) For making any false or fraudulent representation for  
550 | the purpose of obtaining benefits contrary to this chapter,

551 constituting a violation under s. 443.071. The disqualification  
552 imposed under this subsection shall begin with the week for ~~in~~  
553 which the false or fraudulent representation was ~~is~~ made and  
554 shall continue for a period not to exceed 1 year after the date  
555 the Department of Economic Opportunity discovers the false or  
556 fraudulent representation and until any overpayment of benefits  
557 resulting from such representation has been repaid in full. This  
558 disqualification may be appealed in the same manner as any other  
559 disqualification imposed under this section. A conviction by any  
560 court of competent jurisdiction in this state of the offense  
561 prohibited or punished by s. 443.071 is conclusive upon the  
562 appeals referee and the commission of the making of the false or  
563 fraudulent representation for which disqualification is imposed  
564 under this section.

565 Section 10. Section 443.1113, Florida Statutes, is amended  
566 to read:

567 443.1113 Reemployment Assistance Claims and Benefits  
568 Information System.—

569 (1) Subject to legislative appropriation, the Department  
570 of Economic Opportunity shall implement an integrated modular  
571 cloud-based system that is necessary for the efficient  
572 distribution of benefits and the effective operation and  
573 management of the reemployment assistance program. ~~To The extent~~  
574 ~~that funds are appropriated for each phase of the Reemployment~~  
575 ~~Assistance Claims and Benefits Information system~~ may be cited

576 ~~by the Legislature, the Department of Economic Opportunity shall~~  
577 ~~replace and enhance the functionality provided in the following~~  
578 ~~systems with an integrated Internet-based system that is known~~  
579 ~~as the "Reemployment Assistance Claims and Benefits Information~~  
580 ~~System" and must:~~

581 (a) Be accessible through the Internet ~~Claims and benefit~~  
582 ~~mainframe system.~~

583 (b) Be accessible on mobile devices and personal computers  
584 ~~Florida unemployment Internet direct.~~

585 (c) Process reemployment assistance claims ~~Florida~~  
586 ~~continued claim Internet directory.~~

587 (d) Process benefit payments ~~Call center interactive voice~~  
588 ~~response system.~~

589 (e) Process and manage overpayments ~~Benefit overpayment~~  
590 ~~screening system.~~

591 (f) Perform adjudication functions ~~Internet and Intranet~~  
592 ~~appeals system.~~

593 (g) Process appeals and manage appeal hearings.

594 (h) Manage and process employer charging.

595 (2) Wherever cost-effective and operationally feasible,  
596 ~~the Reemployment Assistance Claims and Benefits System shall~~  
597 ~~accomplish the following main business objectives:~~

598 (a) ~~Wherever cost-effective and operationally feasible,~~  
599 ~~Eliminate or automate existing paper processes and enhance any~~  
600 ~~existing automated workflows in order to expedite customer~~



601 transactions and eliminate redundancy.

602 (b) Enable and enhance online, self-service capabilities  
 603 ~~access~~ to claimant and employer information and federal and  
 604 state reporting.

605 (c) Integrate benefit payment control with the  
 606 adjudication program and collection system in order to improve  
 607 the detection of fraud.

608 (d) Comply with all requirements established in federal  
 609 and state law for reemployment assistance.

610 (e) Integrate with the Department of Revenue's statewide  
 611 unified tax system that collects reemployment assistance taxes.

612 (3) The scope of the Reemployment Assistance Claims and  
 613 Benefits Information System does not include any of the  
 614 following functionalities:

615 (a) Collection of reemployment assistance taxes.

616 (b) General ledger, financial management, or budgeting  
 617 capabilities.

618 (c) Human resource planning or management capabilities.

619 ~~(4) The project to implement the Reemployment Assistance~~  
 620 ~~Claims and Benefits Information System is comprised of the~~  
 621 ~~following phases and corresponding implementation timeframes:~~

622 ~~(a) No later than the end of fiscal year 2009-2010~~  
 623 ~~completion of the business re-engineering analysis and~~  
 624 ~~documentation of both the detailed system requirements and the~~  
 625 ~~overall system architecture.~~

626 ~~(b) The Reemployment Assistance Claims and Benefits~~  
627 ~~Internet portal that replaces the Florida Unemployment Internet~~  
628 ~~Direct and the Florida Continued Claims Internet Directory~~  
629 ~~systems, the Call Center Interactive Voice Response System, the~~  
630 ~~Benefit Overpayment Screening System, the Internet and Intranet~~  
631 ~~Appeals System, and the Claims and Benefits Mainframe System~~  
632 ~~shall be deployed to full operational status no later than the~~  
633 ~~end of fiscal year 2013-2014.~~

634 ~~(4)(5)~~ The Department of Economic Opportunity shall  
635 maintain a sustainable culture of continuous modernization and  
636 shall implement and maintain the following Reemployment  
637 Assistance Claims and Benefits Information System project  
638 ~~governance structure until such time as the project is~~  
639 ~~completed, suspended, or terminated:~~

640 ~~(a) The project sponsor for the Reemployment Assistance~~  
641 ~~Claims and Benefits Information System project is the~~  
642 ~~department.~~

643 ~~(a)(b)~~ The system project shall be governed by an  
644 ~~executive steering committee composed of the Reemployment~~  
645 Assistance Modernization Strategic Planning Office.

646 ~~(b)~~ The Reemployment Assistance Modernization Strategic  
647 Planning Office shall report directly to the Secretary of  
648 Economic Opportunity and is responsible for:

649 1. Coordinating and seeking input, including, but not  
650 limited to, from the following entities voting members or their

651 designees:

652 ~~1. The executive director of the department.~~

653 ~~a.2. The executive director of the Department of Revenue.~~

654 ~~b.3. The Department of Management Services, including, but~~  
655 ~~not limited to, the state chief information officer~~ The director  
656 ~~of the Division of Workforce Services within the department.~~

657 ~~4. The program director of the General Tax Administration~~  
658 ~~Program Office within the Department of Revenue.~~

659 ~~5. The chief information officer of the department.~~

660 ~~(c) The executive steering committee has the overall~~  
661 ~~responsibility for ensuring that the project meets its primary~~  
662 ~~objectives and is specifically responsible for:~~

663 ~~1. Providing management direction and support to the~~  
664 ~~project management team.~~

665 ~~2. Assessing the project's alignment with the strategic~~  
666 ~~goals of the department for administering the reemployment~~  
667 ~~assistance program.~~

668 2. Implementing continuous modernization initiatives for  
669 the Reemployment Assistance Claims and Benefits Information  
670 System. The modernization initiatives must include, but need not  
671 be limited to:

672 a. Infrastructure.

673 b. Software.

674 c. Data and analytics.

675 d. Security.

676 3. Providing regular updates to the Secretary of Economic  
677 Opportunity.

678 4. Developing and maintaining an enterprise disaster  
679 preparedness plan.

680 (5) By October 1, 2023, and each year thereafter, the  
681 Department of Economic Opportunity shall submit a Reemployment  
682 Assistance Claims and Benefits Information System report to the  
683 Governor, the President of the Senate, and the Speaker of the  
684 House of Representatives. The report must, at a minimum,  
685 include:

686 (a) A summary of continuous modernization efforts over the  
687 last fiscal year.

688 (b) A 3-year outlook of recommended modernization projects  
689 that include projected costs and timeframes for completion.

690 (6) In the event of a disaster or an emergency, as  
691 declared by the President of the United States or the Governor  
692 of this state, which may disrupt or endanger the Department of  
693 Economic Opportunity's usual procedures or facilities, the  
694 department may implement an emergency reemployment assistance  
695 system. Subsection (1) does not apply to an emergency  
696 reemployment assistance system.

697 ~~3. Reviewing and approving or disapproving any changes to~~  
698 ~~the project's scope, schedule, and costs.~~

699 ~~4. Reviewing, approving or disapproving, and determining~~  
700 ~~whether to proceed with any major project deliverables.~~

701 ~~5. Recommending suspension or termination of the project~~  
702 ~~to the Governor, the President of the Senate, and the Speaker of~~  
703 ~~the House of Representatives if it determines that the primary~~  
704 ~~objectives cannot be achieved.~~

705 ~~(d) The project management team shall work under the~~  
706 ~~direction of the executive steering committee and shall be~~  
707 ~~minimally comprised of senior managers and stakeholders from the~~  
708 ~~department and the Department of Revenue. The project management~~  
709 ~~team is responsible for:~~

710 ~~1. Providing daily planning, management, and oversight of~~  
711 ~~the project.~~

712 ~~2. Submitting an operational work plan and providing~~  
713 ~~quarterly updates to that plan to the executive steering~~  
714 ~~committee. The plan must specify project milestones,~~  
715 ~~deliverables, and expenditures.~~

716 ~~3. Submitting written monthly project status reports to~~  
717 ~~the executive steering committee which include:~~

718 ~~a. Planned versus actual project costs;~~

719 ~~b. An assessment of the status of major milestones and~~  
720 ~~deliverables;~~

721 ~~c. Identification of any issues requiring resolution, the~~  
722 ~~proposed resolution for these issues, and information regarding~~  
723 ~~the status of the resolution;~~

724 ~~d. Identification of risks that must be managed; and~~

725 ~~e. Identification of and recommendations regarding~~

726 ~~necessary changes in the project's scope, schedule, or costs.~~  
727 ~~All recommendations must be reviewed by project stakeholders~~  
728 ~~before submission to the executive steering committee in order~~  
729 ~~to ensure that the recommendations meet required acceptance~~  
730 ~~criteria.~~

731 Section 11. Paragraphs (a) and (b) of subsection (3) and  
732 paragraphs (a) and (b) of subsection (4) of section 443.151,  
733 Florida Statutes, are amended to read:

734 443.151 Procedure concerning claims.—

735 (3) DETERMINATION OF ELIGIBILITY.—

736 (a) Notices of claim.—The Department of Economic  
737 Opportunity shall promptly provide a notice of claim to the  
738 claimant's most recent employing unit and all employers whose  
739 employment records are liable for benefits under the monetary  
740 determination. The employer must respond to the notice of claim  
741 within 14 ~~20~~ days after the mailing date of the notice, or in  
742 lieu of mailing, within 14 ~~20~~ days after the delivery of the  
743 notice. If a contributing employer or its agent fails to timely  
744 or adequately respond to the notice of claim or request for  
745 information, the employer's account may not be relieved of  
746 benefit charges as provided in s. 443.131(3)(a), notwithstanding  
747 paragraph (5)(b). The department may adopt rules as necessary to  
748 implement the processes described in this paragraph relating to  
749 notices of claim.

750 (b) Monetary determinations.—In addition to the notice of

751 claim, the department shall also promptly provide an initial  
752 monetary determination to the claimant and each base period  
753 employer whose account is subject to being charged for its  
754 respective share of benefits on the claim. The monetary  
755 determination must include a statement of whether and in what  
756 amount the claimant is entitled to benefits, and, in the event  
757 of a denial, must state the reasons for the denial. A monetary  
758 determination for the first week of a benefit year must also  
759 include a statement of whether the claimant was paid the wages  
760 required under s. 443.091(1)(g) and, if so, the first day of the  
761 benefit year, the claimant's weekly benefit amount, and the  
762 maximum total amount of benefits payable to the claimant for a  
763 benefit year. The claimant may file a request for the department  
764 to reconsider a monetary determination within 20 days after the  
765 department mails the notice to the claimant's last known address  
766 or, in lieu of mailing, within 20 days after the delivery of the  
767 notice. A monetary determination is final for a claimant if the  
768 claimant does not file a timely request for the department to  
769 reconsider the monetary determination. A monetary  
770 redetermination is final for a claimant unless within 20 days  
771 after the mailing of the notice of monetary redetermination to  
772 the claimant's last known address or, in lieu of mailing, within  
773 20 days after the delivery of the notice, the claimant files an  
774 appeal. The monetary determination or monetary redetermination  
775 is final for an employer or other party entitled to notice

776 unless within 20 days after the mailing of the respective notice  
777 to the employer or party to its last known address or, in lieu  
778 of mailing, within 20 days after delivery of the notice, an  
779 appeal is filed by the employer or the party ~~The monetary~~  
780 ~~determination is final unless within 20 days after the mailing~~  
781 ~~of the notices to the parties' last known addresses, or in lieu~~  
782 ~~of mailing, within 20 days after the delivery of the notices, an~~  
783 ~~appeal or written request for reconsideration is filed by the~~  
784 ~~claimant or other party entitled to notice.~~ The department may  
785 adopt rules as necessary to implement the processes described in  
786 this paragraph relating to notices of monetary determinations  
787 and the appeals or reconsideration requests filed in response to  
788 such notices.

789 (4) APPEALS.—

790 (a) Appeals referees.—

791 1. The Department of Economic Opportunity shall appoint  
792 one or more impartial salaried appeals referees in accordance  
793 with s. 443.171(3) to hear and decide appealed claims.

794 2. ~~An appeals referee must be an attorney in good standing~~  
795 ~~with The Florida Bar or be successfully admitted to The Florida~~  
796 ~~Bar within 8 months after his or her date of employment. This~~  
797 ~~subparagraph does not apply to an appeals referee appointed~~  
798 ~~before January 1, 2014.~~

799 3. A person may not participate on behalf of the  
800 department as an appeals referee in any case in which she or he



801 is an interested party.

802 ~~3.4.~~ The department may designate alternates to serve in  
803 the absence or disqualification of any appeals referee on a  
804 temporary basis. These alternates must have the same  
805 qualifications required of appeals referees.

806 ~~4.5.~~ The department shall provide the commission and the  
807 appeals referees with proper facilities and assistance for the  
808 execution of their functions.

809 (b) Filing and hearing.—

810 1. The claimant or any other party entitled to notice of a  
811 determination may appeal an adverse determination to an appeals  
812 referee within 20 days after the date of mailing of the notice  
813 to her or his last known address or, if the notice is not  
814 mailed, within 20 days after the date of delivering the notice.

815 2. Unless the appeal is untimely or withdrawn or review is  
816 initiated by the commission, the appeals referee, after mailing  
817 all parties and attorneys of record a notice of hearing at least  
818 10 days before the date of hearing, notwithstanding the 14-day  
819 notice requirement in s. 120.569(2)(b), may only affirm, modify,  
820 or reverse the determination. An appeal may not be withdrawn  
821 without the permission of the appeals referee.

822 3. ~~However,~~ If an appeal appears to have been filed after  
823 the permissible time limit, the Office of Appeals may issue an  
824 order to show cause to the appellant which requires the  
825 appellant to show why the appeal should not be dismissed as

826 | untimely. If, within 15 days after the mailing date of the order  
827 | to show cause, the appellant does not provide written evidence  
828 | of timely filing or good cause for failure to appeal timely, the  
829 | appeal shall be dismissed. However, an appeal may not be filed  
830 | more than 5 years after the date of the mailing of the  
831 | determination or, if the determination is not mailed, more than  
832 | 5 years after the date of the delivery of the determination.

833 |         4. If an appeal involves a question of whether services  
834 | were performed by a claimant in employment or for an employer,  
835 | the referee must give special notice of the question and of the  
836 | pendency of the appeal to the employing unit and to the  
837 | department, both of which become parties to the proceeding.

838 |         5.a. Any part of the evidence may be received in written  
839 | form, and all testimony of parties and witnesses shall be made  
840 | under oath.

841 |         b. Irrelevant, immaterial, or unduly repetitious evidence  
842 | shall be excluded, but all other evidence of a type commonly  
843 | relied upon by reasonably prudent persons in the conduct of  
844 | their affairs is admissible, whether or not such evidence would  
845 | be admissible in a trial in state court.

846 |         c. Hearsay evidence may be used for the purpose of  
847 | supplementing or explaining other evidence, or to support a  
848 | finding if it would be admissible over objection in civil  
849 | actions. Notwithstanding s. 120.57(1)(c), hearsay evidence may  
850 | support a finding of fact if:

851 (I) The party against whom it is offered has a reasonable  
852 opportunity to review such evidence prior to the hearing; and

853 (II) The appeals referee or special deputy determines,  
854 after considering all relevant facts and circumstances, that the  
855 evidence is trustworthy and probative and that the interests of  
856 justice are best served by its admission into evidence.

857 6. The parties must be notified promptly of the referee's  
858 decision. The referee's decision is final unless further review  
859 is initiated under paragraph (c) within 20 days after the date  
860 of mailing notice of the decision to the party's last known  
861 address or, in lieu of mailing, within 20 days after the  
862 delivery of the notice.

863 Section 12. Paragraph (d) of subsection (3) of section  
864 445.004, Florida Statutes, is amended, and subsections (1) and  
865 (2) of that section are republished, to read:

866 445.004 CareerSource Florida, Inc., and the state board;  
867 creation; purpose; membership; duties and powers.—

868 (1) CareerSource Florida, Inc., is created as a not-for-  
869 profit corporation, which shall be registered, incorporated,  
870 organized, and operated in compliance with chapter 617 and shall  
871 operate at the direction of the state board. CareerSource  
872 Florida, Inc., is not a unit or entity of state government and  
873 is exempt from chapters 120 and 287. CareerSource Florida, Inc.,  
874 shall apply the procurement and expenditure procedures required  
875 by federal law for the expenditure of federal funds.

876 CareerSource Florida, Inc., shall be administratively housed  
877 within the department and shall operate under agreement with the  
878 department. The Legislature finds that public policy dictates  
879 that CareerSource Florida, Inc., operate in the most open and  
880 accessible manner consistent with its public purpose. To this  
881 end, the Legislature specifically declares that CareerSource  
882 Florida, Inc., its board, councils, and any advisory committees  
883 or similar groups created by CareerSource Florida, Inc., are  
884 subject to the provisions of chapter 119 relating to public  
885 records, and those provisions of chapter 286 relating to public  
886 meetings.

887 (2) CareerSource Florida, Inc., provides administrative  
888 support for the state board, the principal workforce policy  
889 organization for the state. The purpose of the state board is to  
890 design and implement strategies that help Floridians enter,  
891 remain in, and advance in the workplace, so that they may become  
892 more highly skilled and successful, which benefits these  
893 Floridians, Florida businesses, and the entire state, and  
894 fosters the development of the state's business climate.  
895 CareerSource Florida, Inc., shall, consistent with its agreement  
896 with the department, implement the policy directives of the  
897 state board and administer state workforce development programs  
898 as authorized by law.

899 (3)

900 (d) The state board must include the Secretary of Economic

901 Opportunity or his or her designee, the vice chairperson of the  
902 board of directors of Enterprise Florida, Inc., and one member  
903 representing each of the Workforce Innovation and Opportunity  
904 Act partners, including the Division of Career and Adult  
905 Education, and other entities representing programs identified  
906 in the Workforce Innovation and Opportunity Act, as determined  
907 necessary.

908 Section 13. Subsection (14) of section 553.79, Florida  
909 Statutes, is amended to read:

910 553.79 Permits; applications; issuance; inspections.—

911 (14) (a) Except as provided in paragraph (b), a building  
912 permit for a single-family residential dwelling must be issued  
913 within 30 working days after receipt of the application ~~therefor~~  
914 unless unusual circumstances require a longer time for  
915 processing the application or unless the permit application  
916 fails to satisfy the Florida Building Code or the enforcing  
917 agency's laws or ordinances.

918 (b) A building permit for a single-family residential  
919 dwelling applied for by a contractor licensed in this state on  
920 behalf of a property owner who participates in a Community  
921 Development Block Grant-Disaster Recovery program administered  
922 by the Department of Economic Opportunity must be issued within  
923 15 working days after receipt of the application unless the  
924 permit application fails to satisfy the Florida Building Code or  
925 the enforcing agency's laws or ordinances.

926 Section 14. Paragraph (b) of subsection (2) of section  
927 14.20195, Florida Statutes, is amended to read:

928 14.20195 Suicide Prevention Coordinating Council;  
929 creation; membership; duties.—There is created within the  
930 Statewide Office for Suicide Prevention a Suicide Prevention  
931 Coordinating Council. The council shall develop strategies for  
932 preventing suicide.

933 (2) MEMBERSHIP.—The Suicide Prevention Coordinating  
934 Council shall consist of 31 voting members and 1 nonvoting  
935 member.

936 (b) The following state officials or their designees shall  
937 serve on the coordinating council:

- 938 1. The Secretary of Elderly Affairs.
- 939 2. The State Surgeon General.
- 940 3. The Commissioner of Education.
- 941 4. The Secretary of Health Care Administration.
- 942 5. The Secretary of Juvenile Justice.
- 943 6. The Secretary of Corrections.
- 944 7. The executive director of the Department of Law  
945 Enforcement.
- 946 8. The executive director of the Department of Veterans'  
947 Affairs.
- 948 9. The Secretary of Children and Families.
- 949 10. The Secretary ~~executive director of the Department of~~  
950 Economic Opportunity.

951 Section 15. Paragraph (j) of subsection (1) of section  
952 16.615, Florida Statutes, is amended to read:

953 16.615 Council on the Social Status of Black Men and  
954 Boys.—

955 (1) The Council on the Social Status of Black Men and Boys  
956 is established within the Department of Legal Affairs and shall  
957 consist of 19 members appointed as follows:

958 (j) The Secretary ~~executive director of the~~ Department of  
959 Economic Opportunity or his or her designee.

960 Section 16. Subsection (3) and paragraph (b) of subsection  
961 (7) of section 20.04, Florida Statutes, are amended to read:

962 20.04 Structure of executive branch.—The executive branch  
963 of state government is structured as follows:

964 (3) For their internal structure, all departments, except  
965 for the Department of Financial Services, the Department of  
966 Economic Opportunity, the Department of Children and Families,  
967 the Department of Corrections, the Department of Management  
968 Services, the Department of Revenue, and the Department of  
969 Transportation, must adhere to the following standard terms:

970 (a) The principal unit of the department is the  
971 "division." Each division is headed by a "director."

972 (b) The principal unit of the division is the "bureau."  
973 Each bureau is headed by a "chief."

974 (c) The principal unit of the bureau is the "section."  
975 Each section is headed by an "administrator."

976 (d) If further subdivision is necessary, sections may be  
 977 divided into "subsections," which are headed by "supervisors."

978 (7)

979 (b) Within the limitations of this subsection, the head of  
 980 the department may recommend the establishment of additional  
 981 divisions, bureaus, sections, and subsections of the department  
 982 to promote efficient and effective operation of the department.  
 983 However, additional divisions, or offices in the Department of  
 984 Children and Families, the Department of Corrections, the  
 985 Department of Economic Opportunity, and the Department of  
 986 Transportation, may be established only by specific statutory  
 987 enactment. New bureaus, sections, and subsections of departments  
 988 may be initiated by a department and established as recommended  
 989 by the Department of Management Services and approved by the  
 990 Executive Office of the Governor, or may be established by  
 991 specific statutory enactment.

992 Section 17. Paragraph (a) of subsection (7) of section  
 993 213.053, Florida Statutes, is amended to read:

994 213.053 Confidentiality and information sharing.—

995 (7) (a) Any information received by the Department of  
 996 Revenue in connection with the administration of taxes,  
 997 including, but not limited to, information contained in returns,  
 998 reports, accounts, or declarations filed by persons subject to  
 999 tax, shall be made available to the following in performance of  
 1000 their official duties:



- 1001           1. The Auditor General or his or her authorized agent;
- 1002           2. The director of the Office of Program Policy Analysis
- 1003 and Government Accountability or his or her authorized agent;
- 1004           3. The Chief Financial Officer or his or her authorized
- 1005 agent;
- 1006           4. The Director of the Office of Insurance Regulation of
- 1007 the Financial Services Commission or his or her authorized
- 1008 agent;
- 1009           5. A property appraiser or tax collector or their
- 1010 authorized agents pursuant to s. 195.084(1);
- 1011           6. Designated employees of the Department of Education
- 1012 solely for determination of each school district's price level
- 1013 index pursuant to s. 1011.62(2);
- 1014           7. The Secretary ~~executive director of the Department~~ of
- 1015 Economic Opportunity or his or her authorized agent;
- 1016           8. The taxpayers' rights advocate or his or her authorized
- 1017 agent pursuant to s. 20.21(3); and
- 1018           9. The coordinator of the Office of Economic and
- 1019 Demographic Research or his or her authorized agent.
- 1020           Section 18. Paragraph (b) of subsection (5) of section
- 1021 220.194, Florida Statutes, is amended to read:
- 1022           220.194 Corporate income tax credits for spaceflight
- 1023 projects.—
- 1024           (5) APPLICATION AND CERTIFICATION.—
- 1025           (b) In order to take a tax credit under subparagraph (a)1.

1026 or, if applicable, to transfer an approved credit under  
 1027 subparagraph (a)2., a spaceflight business must submit an  
 1028 application for certification to the Department of Economic  
 1029 Opportunity along with a nonrefundable \$250 fee.

1030 1. The application must include:

1031 a. The name and physical in-state address of the taxpayer.

1032 b. Documentation demonstrating to the satisfaction of the  
 1033 Department of Economic Opportunity that:

1034 (I) The taxpayer is a spaceflight business.

1035 (II) The business has engaged in a qualifying spaceflight  
 1036 project before taking or transferring a credit under this  
 1037 section.

1038 c. In addition to any requirement specific to a credit,  
 1039 documentation that the business has:

1040 (I) Created 35 new jobs in this state directly associated  
 1041 with spaceflight projects during its immediately preceding 3  
 1042 taxable years. The business shall be deemed to have created new  
 1043 jobs if the number of full-time jobs located in this state at  
 1044 the time of application for certification is greater than the  
 1045 total number of full-time jobs located in this state at the time  
 1046 of application for approval to earn credits; and

1047 (II) Invested a total of at least \$15 million in this  
 1048 state on a spaceflight project during its immediately preceding  
 1049 3 taxable years.

1050 d. The total amount and types of credits sought.

1051 e. An acknowledgment that a transfer of a tax credit is to  
 1052 be accomplished pursuant to subsection (5).

1053 f. A copy of an audit or audits of the preceding 3 taxable  
 1054 years, prepared by a certified public accountant licensed to  
 1055 practice in this state, which identifies that portion of the  
 1056 business's activities in this state related to spaceflight  
 1057 projects in this state.

1058 g. An acknowledgment that the business must file an annual  
 1059 report on the spaceflight project's progress with the Department  
 1060 of Economic Opportunity.

1061 h. Any other information necessary to demonstrate that the  
 1062 applicant meets the job creation, investment, and other  
 1063 requirements of this section.

1064 2. Within 60 days after receipt of the application for  
 1065 certification, the Department of Economic Opportunity shall  
 1066 evaluate the application and recommend the business for  
 1067 certification or denial. The Secretary ~~executive director of the~~  
 1068 ~~Department~~ of Economic Opportunity must approve or deny the  
 1069 application within 30 days after receiving the recommendation.  
 1070 If approved, the Department of Economic Opportunity must provide  
 1071 a letter of certification to the applicant consistent with any  
 1072 restrictions imposed. If the Department of Economic Opportunity  
 1073 denies any part of the requested credit, the Department of  
 1074 Economic Opportunity must inform the applicant of the grounds  
 1075 for the denial. A copy of the certification shall be submitted

1076 to the department within 10 days after the secretary's ~~executive~~  
 1077 ~~director's~~ approval.

1078 Section 19. Subsection (3) of section 288.005, Florida  
 1079 Statutes, is amended to read:

1080 288.005 Definitions.—As used in this chapter, the term:

1081 ~~(3) "Executive director" means the executive director of~~  
 1082 ~~the Department of Economic Opportunity, unless otherwise stated.~~

1083 Section 20. Subsections (1) and (3), paragraph (a) of  
 1084 subsection (5), and subsection (6) of section 288.061, Florida  
 1085 Statutes, are amended to read:

1086 288.061 Economic development incentive application  
 1087 process.—

1088 (1) Upon receiving a submitted economic development  
 1089 incentive application, the Division of Strategic Business  
 1090 Development of the Department of Economic Opportunity and  
 1091 designated staff of Enterprise Florida, Inc., shall review the  
 1092 application to ensure that the application is complete, whether  
 1093 and what type of state and local permits may be necessary for  
 1094 the applicant's project, whether it is possible to waive such  
 1095 permits, and what state incentives and amounts of such  
 1096 incentives may be available to the applicant. The department  
 1097 shall recommend to the Secretary of Economic Opportunity  
 1098 ~~executive director~~ to approve or disapprove an applicant  
 1099 business. If review of the application demonstrates that the  
 1100 application is incomplete, the secretary ~~executive director~~

1101 shall notify the applicant business within the first 5 business  
1102 days after receiving the application.

1103 (3) Within 10 business days after the department receives  
1104 the submitted economic development incentive application, the  
1105 Secretary of Economic Opportunity ~~executive director~~ shall  
1106 approve or disapprove the application and issue a letter of  
1107 certification to the applicant which includes a justification of  
1108 that decision, unless the business requests an extension of that  
1109 time.

1110 (a) The contract or agreement with the applicant must  
1111 specify the total amount of the award, the performance  
1112 conditions that must be met to obtain the award, the schedule  
1113 for payment, and sanctions that would apply for failure to meet  
1114 performance conditions. The department may enter into one  
1115 agreement or contract covering all of the state incentives that  
1116 are being provided to the applicant. The contract must provide  
1117 that release of funds is contingent upon sufficient  
1118 appropriation of funds by the Legislature.

1119 (b) The release of funds for the incentive or incentives  
1120 awarded to the applicant depends upon the statutory requirements  
1121 of the particular incentive program.

1122 (5) (a) The Secretary of Economic Opportunity ~~executive~~  
1123 ~~director~~ may not approve an economic development incentive  
1124 application unless the application includes a signed written  
1125 declaration by the applicant which states that the applicant has

1126 read the information in the application and that the information  
 1127 is true, correct, and complete to the best of the applicant's  
 1128 knowledge and belief.

1129 (6) Beginning July 1, 2020, the Secretary of Economic  
 1130 Opportunity ~~executive director~~ may not approve an economic  
 1131 development incentive application unless the application  
 1132 includes proof to the department that the applicant business is  
 1133 registered with and uses the E-Verify system, as defined in s.  
 1134 448.095, to verify the work authorization status of all newly  
 1135 hired employees. If the department determines that an awardee is  
 1136 not complying with this subsection, the department must notify  
 1137 the awardee by certified mail of the department's determination  
 1138 of noncompliance and the awardee's right to appeal the  
 1139 determination. Upon a final determination of noncompliance, the  
 1140 awardee must repay all moneys received as an economic  
 1141 development incentive to the department within 30 days after the  
 1142 final determination.

1143 Section 21. Paragraph (a) of subsection (6) of section  
 1144 288.0656, Florida Statutes, is amended to read:

1145 288.0656 Rural Economic Development Initiative.—

1146 (6) (a) By August 1 of each year, the head of each of the  
 1147 following agencies and organizations shall designate a deputy  
 1148 secretary or higher-level staff person from within the agency or  
 1149 organization to serve as the REDI representative for the agency  
 1150 or organization:

- 1151 1. The Department of Transportation.
- 1152 2. The Department of Environmental Protection.
- 1153 3. The Department of Agriculture and Consumer Services.
- 1154 4. The Department of State.
- 1155 5. The Department of Health.
- 1156 6. The Department of Children and Families.
- 1157 7. The Department of Corrections.
- 1158 8. The Department of Education.
- 1159 9. The Department of Juvenile Justice.
- 1160 10. The Fish and Wildlife Conservation Commission.
- 1161 11. Each water management district.
- 1162 12. Enterprise Florida, Inc.
- 1163 13. CareerSource Florida, Inc.
- 1164 14. VISIT Florida.
- 1165 15. The Florida Regional Planning Council Association.
- 1166 16. The Agency for Health Care Administration.
- 1167 17. The Institute of Food and Agricultural Sciences
- 1168 (IFAS).

1169  
 1170 An alternate for each designee shall also be chosen, and the  
 1171 names of the designees and alternates shall be sent to the  
 1172 Secretary of Economic Opportunity ~~executive director of the~~  
 1173 ~~department.~~

1174 Section 22. Paragraph (c) of subsection (5) and subsection  
 1175 (8) of section 288.106, Florida Statutes, are amended to read:

1176 288.106 Tax refund program for qualified target industry  
 1177 businesses.—

1178 (5) TAX REFUND AGREEMENT.—

1179 (c) The agreement must be signed by the Secretary of  
 1180 Economic Opportunity ~~executive director~~ and by an authorized  
 1181 officer of the qualified target industry business within 120  
 1182 days after the issuance of the letter of certification under  
 1183 subsection (4), but not before passage and receipt of the  
 1184 resolution of local financial support. The department may grant  
 1185 an extension of this period at the written request of the  
 1186 qualified target industry business.

1187 (8) SPECIAL INCENTIVES.—If the department determines it is  
 1188 in the best interest of the public for reasons of facilitating  
 1189 economic development, growth, or new employment opportunities  
 1190 within a Disproportionally Affected County, the department may,  
 1191 between July 1, 2011, and June 30, 2014, waive any or all wage  
 1192 or local financial support eligibility requirements and allow a  
 1193 qualified target industry business from another state which  
 1194 relocates all or a portion of its business to a  
 1195 Disproportionally Affected County to receive a tax refund  
 1196 payment of up to \$6,000 multiplied by the number of jobs  
 1197 specified in the tax refund agreement under subparagraph  
 1198 (5) (a) 1. over the term of the agreement. Before ~~Prior to~~  
 1199 granting such waiver, the Secretary of Economic Opportunity  
 1200 ~~executive director of the department~~ shall file with the



1201 Governor a written statement of the conditions and circumstances  
 1202 constituting the reason for the waiver. Such business shall be  
 1203 eligible for the additional tax refund payments specified in  
 1204 subparagraph (3)(b)4. if it meets the criteria. As used in this  
 1205 section, the term "Disproportionally Affected County" means Bay  
 1206 County, Escambia County, Franklin County, Gulf County, Okaloosa  
 1207 County, Santa Rosa County, Walton County, or Wakulla County.

1208 Section 23. Subsection (5) of section 288.1089, Florida  
 1209 Statutes, is amended to read:

1210 288.1089 Innovation Incentive Program.—

1211 (5) The department shall review proposals pursuant to s.  
 1212 288.061 for all three categories of innovation incentive awards.  
 1213 Before making a recommendation to the Secretary of Economic  
 1214 Opportunity ~~executive director~~, the department shall solicit  
 1215 comments and recommendations from the Department of Agriculture  
 1216 and Consumer Services. For each project, the evaluation and  
 1217 recommendation to the department must include, but need not be  
 1218 limited to:

1219 (a) A description of the project, its required facilities,  
 1220 and the associated product, service, or research and development  
 1221 associated with the project.

1222 (b) The percentage of match provided for the project.

1223 (c) The number of full-time equivalent jobs that will be  
 1224 created by the project, the total estimated average annual wages  
 1225 of such jobs, and the types of business activities and jobs

1226 likely to be stimulated by the project.

1227 (d) The cumulative investment to be dedicated to the  
 1228 project within 5 years and the total investment expected in the  
 1229 project if more than 5 years.

1230 (e) The projected economic and fiscal impacts on the local  
 1231 and state economies relative to investment.

1232 (f) A statement of any special impacts the project is  
 1233 expected to stimulate in a particular business sector in the  
 1234 state or regional economy or in the state's universities and  
 1235 community colleges.

1236 (g) A statement of any anticipated or proposed  
 1237 relationships with state universities.

1238 (h) A statement of the role the incentive is expected to  
 1239 play in the decision of the applicant to locate or expand in  
 1240 this state.

1241 (i) A recommendation and explanation of the amount of the  
 1242 award needed to cause the applicant to expand or locate in this  
 1243 state.

1244 (j) A discussion of the efforts and commitments made by  
 1245 the local community in which the project is to be located to  
 1246 induce the applicant's location or expansion, taking into  
 1247 consideration local resources and abilities.

1248 (k) A recommendation for specific performance criteria the  
 1249 applicant would be expected to achieve in order to receive  
 1250 payments from the fund and penalties or sanctions for failure to

1251 meet or maintain performance conditions.

1252 (1) Additional evaluative criteria for a research and  
1253 development facility project, including:

1254 1. A description of the extent to which the project has  
1255 the potential to serve as catalyst for an emerging or evolving  
1256 cluster.

1257 2. A description of the extent to which the project has or  
1258 could have a long-term collaborative research and development  
1259 relationship with one or more universities or community colleges  
1260 in this state.

1261 3. A description of the existing or projected impact of  
1262 the project on established clusters or targeted industry  
1263 sectors.

1264 4. A description of the project's contribution to the  
1265 diversity and resiliency of the innovation economy of this  
1266 state.

1267 5. A description of the project's impact on special needs  
1268 communities, including, but not limited to, rural areas,  
1269 distressed urban areas, and enterprise zones.

1270 (m) Additional evaluative criteria for alternative and  
1271 renewable energy proposals, including:

1272 1. The availability of matching funds or other in-kind  
1273 contributions applied to the total project from an applicant.  
1274 The Department of Agriculture and Consumer Services shall give  
1275 greater preference to projects that provide such matching funds

1276 or other in-kind contributions.

1277       2. The degree to which the project stimulates in-state  
1278 capital investment and economic development in metropolitan and  
1279 rural areas, including the creation of jobs and the future  
1280 development of a commercial market for renewable energy  
1281 technologies.

1282       3. The extent to which the proposed project has been  
1283 demonstrated to be technically feasible based on pilot project  
1284 demonstrations, laboratory testing, scientific modeling, or  
1285 engineering or chemical theory that supports the proposal.

1286       4. The degree to which the project incorporates an  
1287 innovative new technology or an innovative application of an  
1288 existing technology.

1289       5. The degree to which a project generates thermal,  
1290 mechanical, or electrical energy by means of a renewable energy  
1291 resource that has substantial long-term production potential.

1292       6. The degree to which a project demonstrates efficient  
1293 use of energy and material resources.

1294       7. The degree to which the project fosters overall  
1295 understanding and appreciation of renewable energy technologies.

1296       8. The ability to administer a complete project.

1297       9. Project duration and timeline for expenditures.

1298       10. The geographic area in which the project is to be  
1299 conducted in relation to other projects.

1300       11. The degree of public visibility and interaction.

1301 Section 24. Paragraph (b) of subsection (1) of section  
 1302 288.1251, Florida Statutes, is amended to read:

1303 288.1251 Promotion and development of entertainment  
 1304 industry; Office of Film and Entertainment; creation; purpose;  
 1305 powers and duties.—

1306 (1) CREATION.—

1307 (b) The department shall conduct a national search for a  
 1308 qualified person to fill the position of Commissioner of Film  
 1309 and Entertainment when the position is vacant. The Secretary of  
 1310 Economic Opportunity ~~executive director of the department~~ has  
 1311 the responsibility to hire the film commissioner. Qualifications  
 1312 for the film commissioner include, but are not limited to, the  
 1313 following:

1314 1. A working knowledge of the equipment, personnel,  
 1315 financial, and day-to-day production operations of the  
 1316 industries to be served by the Office of Film and Entertainment;

1317 2. Marketing and promotion experience related to the film  
 1318 and entertainment industries to be served;

1319 3. Experience working with a variety of individuals  
 1320 representing large and small entertainment-related businesses,  
 1321 industry associations, local community entertainment industry  
 1322 liaisons, and labor organizations; and

1323 4. Experience working with a variety of state and local  
 1324 governmental agencies.

1325 Section 25. Subsection (8) of section 288.8014, Florida

1326 Statutes, is amended to read:

1327 288.8014 Triumph Gulf Coast, Inc.; organization; board of  
1328 directors.—

1329 (8) The Secretary ~~executive director of the Department~~ of  
1330 Economic Opportunity, or his or her designee, the secretary of  
1331 the Department of Environmental Protection, or his or her  
1332 designee, and the chair of the Committee of 8 Disproportionally  
1333 Affected Counties, or his or her designee, shall be available to  
1334 consult with the board of directors and may be requested to  
1335 attend meetings of the board of directors. These individuals  
1336 shall not be permitted to vote on any matter before the board.

1337 Section 26. Paragraph (a) of subsection (4) of section  
1338 288.955, Florida Statutes, is amended to read:

1339 288.955 Scripps Florida Funding Corporation.—

1340 (4) BOARD; MEMBERSHIP.—The corporation shall be governed  
1341 by a board of directors.

1342 (a) The board of directors shall consist of nine voting  
1343 members, of whom the Governor shall appoint three, the President  
1344 of the Senate shall appoint three, and the Speaker of the House  
1345 of Representatives shall appoint three. The Secretary of  
1346 Economic Opportunity ~~executive director of the department~~ or the  
1347 secretary's ~~director's~~ designee shall serve as an ex-officio,  
1348 nonvoting member of the board of directors.

1349 Section 27. Subsection (2) of section 288.9604, Florida  
1350 Statutes, is amended to read:

1351 288.9604 Creation of the corporation.—

1352 (2) The board of directors of the corporation shall  
 1353 consist of seven directors. The Secretary of Economic  
 1354 Opportunity ~~executive director of the department,~~ or his or her  
 1355 designee, shall serve as chair of the board of directors of the  
 1356 corporation. The director of the Division of Bond Finance of the  
 1357 State Board of Administration, or his or her designee, shall  
 1358 serve as a director on the board of directors of the  
 1359 corporation. The Governor, subject to confirmation by the  
 1360 Senate, shall appoint the remaining five directors of the board  
 1361 of directors of the corporation. The terms of office for the  
 1362 appointed directors are for 4 years after the date of their  
 1363 appointment. A vacancy occurring during a term of an appointed  
 1364 director shall be filled for the unexpired term. An appointed  
 1365 director is eligible for reappointment. At least three of the  
 1366 appointed directors of the corporation must have experience in  
 1367 finance, and one of the directors must have experience in  
 1368 economic development.

1369 Section 28. Subsection (5) of section 288.987, Florida  
 1370 Statutes, is amended to read:

1371 288.987 Florida Defense Support Task Force.—

1372 (5) The Secretary ~~executive director of the Department~~ of  
 1373 Economic Opportunity, or his or her designee, shall serve as the  
 1374 ex officio, nonvoting executive director of the task force.

1375 Section 29. Paragraph (a) of subsection (6) of section

1376 290.0065, Florida Statutes, is amended to read:

1377 290.0065 State designation of enterprise zones.—

1378 (6) (a) The department may develop guidelines necessary for  
 1379 the approval of areas under this section by the Secretary of  
 1380 Economic Opportunity ~~executive director~~.

1381 Section 30. Subsection (1) of section 311.09, Florida  
 1382 Statutes, is amended to read:

1383 311.09 Florida Seaport Transportation and Economic  
 1384 Development Council.—

1385 (1) The Florida Seaport Transportation and Economic  
 1386 Development Council is created within the Department of  
 1387 Transportation. The council consists of the following 17  
 1388 members: the port director, or the port director's designee, of  
 1389 each of the ports of Jacksonville, Port Canaveral, Port Citrus,  
 1390 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,  
 1391 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key  
 1392 West, and Fernandina; the secretary of the Department of  
 1393 Transportation or his or her designee; and the secretary  
 1394 ~~director~~ of the Department of Economic Opportunity or his or her  
 1395 designee.

1396 Section 31. Paragraph (b) of subsection (1) of section  
 1397 311.105, Florida Statutes, is amended to read:

1398 311.105 Florida Seaport Environmental Management  
 1399 Committee; permitting; mitigation.—

1400 (1)



1401 (b) The committee shall consist of the following members:  
 1402 the Secretary of Environmental Protection, or his or her  
 1403 designee, as an ex officio, nonvoting member; a designee from  
 1404 the United States Army Corps of Engineers, as an ex officio,  
 1405 nonvoting member; a designee from the Florida Inland Navigation  
 1406 District, as an ex officio, nonvoting member; the Secretary  
 1407 ~~executive director of the Department~~ of Economic Opportunity, or  
 1408 his or her designee, as an ex officio, nonvoting member; and  
 1409 five or more port directors, as voting members, appointed to the  
 1410 committee by the council chair, who shall also designate one  
 1411 such member as committee chair.

1412 Section 32. Subsection (3) of section 334.065, Florida  
 1413 Statutes, is amended to read:

1414 334.065 Center for Urban Transportation Research.—

1415 (3) An advisory board shall be created to periodically and  
 1416 objectively review and advise the center concerning its research  
 1417 program. Except for projects mandated by law, state-funded base  
 1418 projects shall not be undertaken without approval of the  
 1419 advisory board. The membership of the board shall consist of  
 1420 nine experts in transportation-related areas, including the  
 1421 secretaries of the Department ~~Florida Departments~~ of  
 1422 Transportation, the Department of ~~and~~ Environmental Protection,  
 1423 and ~~the executive director of~~ the Department of Economic  
 1424 Opportunity, or their designees, and a member of the Florida  
 1425 Transportation Commission. The nomination of the remaining

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1426 members of the board shall be made to the President of the  
1427 University of South Florida by the College of Engineering at the  
1428 University of South Florida, and the appointment of these  
1429 members must be reviewed and approved by the Florida  
1430 Transportation Commission and confirmed by the Board of  
1431 Governors.

1432 Section 33. Subsection (5) of section 373.4149, Florida  
1433 Statutes, is amended to read:

1434 373.4149 Miami-Dade County Lake Belt Plan.—

1435 (5) The secretary of the Department of Environmental  
1436 Protection, the secretary ~~executive director~~ of the Department  
1437 of Economic Opportunity, the secretary of the Department of  
1438 Transportation, the Commissioner of Agriculture, the executive  
1439 director of the Fish and Wildlife Conservation Commission, and  
1440 the executive director of the South Florida Water Management  
1441 District may enter into agreements with landowners, developers,  
1442 businesses, industries, individuals, and governmental agencies  
1443 as necessary to effectuate the Miami-Dade County Lake Belt Plan  
1444 and the provisions of this section.

1445 Section 34. Subsection (2) of section 380.045, Florida  
1446 Statutes, is amended to read:

1447 380.045 Resource planning and management committees;  
1448 objectives; procedures.—

1449 (2) The committee must ~~shall~~ include, but is ~~shall~~ not be  
1450 limited to, representation from each of the following: elected

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1451 officials from the local governments within the area under  
1452 study; the planning office of each of the local governments  
1453 within the area under study; the state land planning agency; any  
1454 other state agency under chapter 20 a representative of which  
1455 the Governor feels is relevant to the compilation of the  
1456 committee; and a water management district, if appropriate, and  
1457 regional planning council all or part of whose jurisdiction lies  
1458 within the area under study. After the appointment of the  
1459 members, the Governor shall select a chair and vice chair. A  
1460 staff member of the state land planning agency shall be  
1461 appointed by the secretary ~~director~~ of such agency to serve as  
1462 the secretary of the committee. The state land planning agency  
1463 shall, to the greatest extent possible, provide technical  
1464 assistance and administrative support to the committee. Meetings  
1465 will be called as needed by the chair or on the demand of three  
1466 or more members of the committee. The committee will act on a  
1467 simple majority of a quorum present and shall make a report  
1468 within 6 months to the head of the state land planning agency.  
1469 The committee must ~~shall~~, from the time of appointment, remain  
1470 in existence for no less than 6 months.

1471 Section 35. Subsection (5) of section 403.0752, Florida  
1472 Statutes, is amended to read:

1473 403.0752 Ecosystem management agreements.—

1474 (5) The Secretary ~~Executive Director~~ of the Department of  
1475 Economic Opportunity, the Secretary of Transportation, the

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1476 Commissioner of Agriculture, the Executive Director of the Fish  
1477 and Wildlife Conservation Commission, and the executive  
1478 directors of the water management districts are authorized to  
1479 participate in the development of ecosystem management  
1480 agreements with regulated entities and other governmental  
1481 agencies as necessary to effectuate the provisions of this  
1482 section. Local governments are encouraged to participate in  
1483 ecosystem management agreements.

1484 Section 36. Subsection (1) of section 420.0005, Florida  
1485 Statutes, is amended to read:

1486 420.0005 State Housing Trust Fund; State Housing Fund.—

1487 (1) There is established in the State Treasury a separate  
1488 trust fund to be named the "State Housing Trust Fund." There  
1489 shall be deposited in the fund all moneys appropriated by the  
1490 Legislature, or moneys received from any other source, for the  
1491 purpose of this chapter, and all proceeds derived from the use  
1492 of such moneys. The fund shall be administered by the Florida  
1493 Housing Finance Corporation on behalf of the department, as  
1494 specified in this chapter. Money deposited to the fund and  
1495 appropriated by the Legislature must, notwithstanding the  
1496 provisions of chapter 216 or s. 420.504(3), be transferred  
1497 quarterly in advance, to the extent available, or, if not so  
1498 available, as soon as received into the State Housing Trust  
1499 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)  
1500 by the Chief Financial Officer to the corporation upon

1501 certification by the Secretary ~~executive director of the~~  
1502 ~~Department~~ of Economic Opportunity that the corporation is in  
1503 compliance with the requirements of s. 420.0006. The  
1504 certification made by the secretary ~~executive director~~ shall  
1505 also include the split of funds among programs administered by  
1506 the corporation and the department as specified in chapter 92-  
1507 317, Laws of Florida, as amended. Moneys advanced by the Chief  
1508 Financial Officer must be deposited by the corporation into a  
1509 separate fund established with a qualified public depository  
1510 meeting the requirements of chapter 280 to be named the "State  
1511 Housing Fund" and used for the purposes of this chapter.  
1512 Administrative and personnel costs incurred in implementing this  
1513 chapter may be paid from the State Housing Fund, but such costs  
1514 may not exceed 5 percent of the moneys deposited into such fund.  
1515 To the State Housing Fund shall be credited all loan repayments,  
1516 penalties, and other fees and charges accruing to such fund  
1517 under this chapter. It is the intent of this chapter that all  
1518 loan repayments, penalties, and other fees and charges collected  
1519 be credited in full to the program account from which the loan  
1520 originated. Moneys in the State Housing Fund which are not  
1521 currently needed for the purposes of this chapter shall be  
1522 invested in such manner as is provided for by statute. The  
1523 interest received on any such investment shall be credited to  
1524 the State Housing Fund.

1525 Section 37. Section 420.0006, Florida Statutes, is amended

1526 to read:

1527           420.0006 Authority to contract with corporation; contract  
1528 requirements; nonperformance.—The Secretary ~~executive director~~  
1529 of Economic Opportunity ~~the department~~ shall contract,  
1530 notwithstanding part I of chapter 287, with the Florida Housing  
1531 Finance Corporation on a multiyear basis to stimulate, provide,  
1532 and foster affordable housing in the state. The contract must  
1533 incorporate the performance measures required by s. 420.511 and  
1534 be consistent with the corporation's strategic business plan  
1535 prepared in accordance with s. 420.511. The contract must  
1536 provide that if the corporation fails to comply with a  
1537 performance measure required by s. 420.511, the secretary  
1538 ~~executive director~~ shall notify the Governor and refer the  
1539 nonperformance to the department's inspector general for review  
1540 and determination as to whether such failure is due to forces  
1541 beyond the corporation's control or whether such failure is due  
1542 to inadequate management of the corporation's resources.  
1543 Advances shall continue to be made pursuant to s. 420.0005  
1544 during the pendency of the review. If such failure is due to  
1545 outside forces, it may not be deemed a violation of the  
1546 contract. If such failure is due to inadequate management, the  
1547 department's inspector general shall provide recommendations  
1548 regarding solutions. The Governor may resolve differences of  
1549 opinion with respect to performance under the contract and may  
1550 request that advances continue in the event of a failure under

1551 the contract due to inadequate management. The Chief Financial  
1552 Officer shall approve the request absent a finding by the Chief  
1553 Financial Officer that continuing such advances would adversely  
1554 impact the state; however, the Chief Financial Officer shall  
1555 provide advances sufficient to meet the debt service  
1556 requirements of the corporation and sufficient to fund contracts  
1557 committing funds from the State Housing Trust Fund if such  
1558 contracts are in accordance with the laws of this state.

1559 Section 38. Paragraph (d) of subsection (1) of section  
1560 420.101, Florida Statutes, is amended to read:

1561 420.101 Housing Development Corporation of Florida;  
1562 creation, membership, and purposes.—

1563 (1) Twenty-five or more persons, a majority of whom shall  
1564 be residents of this state, who may desire to create a housing  
1565 development corporation under the provisions of this part for  
1566 the purpose of promoting and developing housing and advancing  
1567 the prosperity and economic welfare of the state and, to that  
1568 end, to exercise the powers and privileges hereinafter provided,  
1569 may be incorporated by filing in the Department of State, as  
1570 hereinafter provided, articles of incorporation. The articles of  
1571 incorporation shall contain:

1572 (d) The names and post office addresses of the members of  
1573 the first board of directors. The first board of directors shall  
1574 be elected by and from the stockholders of the corporation and  
1575 shall consist of 21 members. However, five of such members shall

1576 consist of the following persons, who shall be nonvoting  
 1577 members: the Secretary ~~executive director of the Department of~~  
 1578 Economic Opportunity or her or his designee; the head of the  
 1579 Department of Financial Services or her or his designee with  
 1580 expertise in banking matters; a designee of the head of the  
 1581 Department of Financial Services with expertise in insurance  
 1582 matters; one state senator appointed by the President of the  
 1583 Senate; and one representative appointed by the Speaker of the  
 1584 House of Representatives.

1585 Section 39. Subsection (8) of section 420.503, Florida  
 1586 Statutes, is amended to read:

1587 420.503 Definitions.—As used in this part, the term:

1588 (8) "Contract" means the contract between the Secretary  
 1589 ~~executive director of Economic Opportunity the department~~ and  
 1590 the corporation for provision of housing services referenced in  
 1591 s. 420.0006.

1592 Section 40. Subsections (1) and (3) of section 420.504,  
 1593 Florida Statutes, are amended to read:

1594 420.504 Public corporation; creation, membership, terms,  
 1595 expenses.—

1596 (1) A public corporation and a public body corporate and  
 1597 politic, to be known as the "Florida Housing Finance  
 1598 Corporation," is created within the Department of Economic  
 1599 Opportunity. It is declared to be the intent of and  
 1600 constitutional construction by the Legislature that the Florida



1601 Housing Finance Corporation constitutes an entrepreneurial  
1602 public corporation organized to provide and promote the public  
1603 welfare by administering the governmental function of financing  
1604 or refinancing housing and related facilities in this state and  
1605 that the corporation is not a department of the executive branch  
1606 of state government within the scope and meaning of s. 6, Art.  
1607 IV of the State Constitution, but is functionally related to the  
1608 Department of Economic Opportunity in which it is placed. The  
1609 executive function of state government to be performed by the  
1610 Secretary ~~executive director of the Department~~ of Economic  
1611 Opportunity in the conduct of the business of the Florida  
1612 Housing Finance Corporation must be performed pursuant to a  
1613 contract to monitor and set performance standards for the  
1614 implementation of the business plan for the provision of housing  
1615 approved for the corporation as provided in s. 420.0006. This  
1616 contract must include performance standards for the provision of  
1617 affordable housing in this state established in the strategic  
1618 business plan described in s. 420.511.

1619 (3) The corporation is a separate budget entity and is not  
1620 subject to control, supervision, or direction by the Department  
1621 of Economic Opportunity in any manner, including, but not  
1622 limited to, personnel, purchasing, transactions involving real  
1623 or personal property, and budgetary matters. The corporation  
1624 shall consist of a board of directors composed of the Secretary  
1625 ~~executive director of the Department~~ of Economic Opportunity as

1626 an ex officio and voting member, or a senior-level agency  
 1627 employee designated by the secretary ~~director~~, and eight members  
 1628 appointed by the Governor subject to confirmation by the Senate  
 1629 from the following:

1630 (a) One citizen actively engaged in the residential home  
 1631 building industry.

1632 (b) One citizen actively engaged in the banking or  
 1633 mortgage banking industry.

1634 (c) One citizen who is a representative of those areas of  
 1635 labor engaged in home building.

1636 (d) One citizen with experience in housing development who  
 1637 is an advocate for low-income persons.

1638 (e) One citizen actively engaged in the commercial  
 1639 building industry.

1640 (f) One citizen who is a former local government elected  
 1641 official.

1642 (g) Two citizens of the state who are not principally  
 1643 employed as members or representatives of any of the groups  
 1644 specified in paragraphs (a)-(f).

1645 Section 41. Subsection (1) of section 420.506, Florida  
 1646 Statutes, is amended to read:

1647 420.506 Executive director; agents and employees;  
 1648 inspector general.—

1649 (1) The appointment and removal of an executive director  
 1650 shall be by the Secretary ~~executive director of the Department~~

1651 of Economic Opportunity, with the advice and consent of the  
 1652 corporation's board of directors. The executive director shall  
 1653 employ legal and technical experts and such other agents and  
 1654 employees, permanent and temporary, as the corporation may  
 1655 require, and shall communicate with and provide information to  
 1656 the Legislature with respect to the corporation's activities.  
 1657 Notwithstanding s. 216.262, the board may develop and implement  
 1658 rules regarding the employment of employees of the corporation  
 1659 and service providers, including legal counsel. The board is  
 1660 entitled to establish travel procedures and guidelines for  
 1661 employees of the corporation, subject to s. 112.061(6) and (7).  
 1662 The executive director's office and the corporation's files and  
 1663 records must be located in Leon County.

1664 Section 42. Subsection (30) of section 420.507, Florida  
 1665 Statutes, is amended to read:

1666 420.507 Powers of the corporation.—The corporation shall  
 1667 have all the powers necessary or convenient to carry out and  
 1668 effectuate the purposes and provisions of this part, including  
 1669 the following powers which are in addition to all other powers  
 1670 granted by other provisions of this part:

1671 (30) To prepare and submit to the Secretary ~~executive~~  
 1672 ~~director~~ of Economic Opportunity ~~the department~~ a budget request  
 1673 for purposes of the corporation, which request shall,  
 1674 notwithstanding the provisions of chapter 216 and in accordance  
 1675 with s. 216.351, contain a request for operational expenditures

1676 and separate requests for other authorized corporation programs.  
 1677 The request need not contain information on the number of  
 1678 employees, salaries, or any classification thereof, and the  
 1679 approved operating budget therefor need not comply with s.  
 1680 216.181(8)-(10). The secretary ~~executive director~~ may include  
 1681 within the department's budget request the corporation's budget  
 1682 request in the form as authorized by this section.

1683 Section 43. Subsection (2) of section 420.511, Florida  
 1684 Statutes, is amended to read:

1685 420.511 Strategic business plan; long-range program plan;  
 1686 annual report; audited financial statements.—

1687 (2) The corporation, in coordination with the department,  
 1688 shall annually develop a long-range program plan for the  
 1689 provision of affordable housing in this state as required  
 1690 pursuant to chapter 186. In part, the plan must include  
 1691 provisions that maximize the abilities of the corporation to  
 1692 implement the state housing strategy established under s.  
 1693 420.0003, to respond to federal housing initiatives, and to  
 1694 develop programs in a manner that is more responsive to the  
 1695 needs of public and private partners. The plan shall be  
 1696 developed on a schedule consistent with that established by s.  
 1697 186.021. For purposes of this section, the Secretary of Economic  
 1698 Opportunity ~~executive director~~ or his or her designee shall  
 1699 serve as the corporation's representative to achieve a  
 1700 coordinated and integrated planning relationship with the

1701 department.

1702 Section 44. Subsection (7) of section 420.602, Florida  
 1703 Statutes, is amended to read:

1704 420.602 Definitions.—As used in this part, the following  
 1705 terms shall have the following meanings, unless the context  
 1706 otherwise requires:

1707 ~~(7) "Director" means the executive director of the~~  
 1708 ~~Department of Economic Opportunity.~~

1709 Section 45. Subsection (5) of section 420.609, Florida  
 1710 Statutes, is amended to read:

1711 420.609 Affordable Housing Study Commission.—Because the  
 1712 Legislature firmly supports affordable housing in Florida for  
 1713 all economic classes:

1714 (5) The commission shall review, evaluate, and make  
 1715 recommendations regarding existing and proposed housing programs  
 1716 and initiatives. The commission shall provide these and any  
 1717 other housing recommendations to the Secretary ~~director~~ of  
 1718 Economic Opportunity ~~the department~~ and the executive director  
 1719 of the corporation.

1720 Section 46. Subsection (2) of section 420.622, Florida  
 1721 Statutes, is amended to read:

1722 420.622 State Office on Homelessness; Council on  
 1723 Homelessness.—

1724 (2) The Council on Homelessness is created to consist of  
 1725 19 representatives of public and private agencies who shall

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1726 develop policy and advise the State Office on Homelessness. The  
1727 council members shall be: the Secretary of Children and  
1728 Families, or his or her designee; the Secretary ~~executive~~  
1729 ~~director of the Department~~ of Economic Opportunity, or his or  
1730 her designee, who shall advise the council on issues related to  
1731 rural development; the State Surgeon General, or his or her  
1732 designee; the Executive Director of Veterans' Affairs, or his or  
1733 her designee; the Secretary of Corrections, or his or her  
1734 designee; the Secretary of Health Care Administration, or his or  
1735 her designee; the Commissioner of Education, or his or her  
1736 designee; the Executive Director of CareerSource Florida, Inc.,  
1737 or his or her designee; one representative of the Florida  
1738 Association of Counties; one representative of the Florida  
1739 League of Cities; one representative of the Florida Supportive  
1740 Housing Coalition; one representative of the Florida Housing  
1741 Coalition; the Executive Director of the Florida Housing Finance  
1742 Corporation, or his or her designee; one representative of the  
1743 Florida Coalition for the Homeless; the secretary of the  
1744 Department of Elder Affairs, or his or her designee; and four  
1745 members appointed by the Governor. The council members shall be  
1746 nonpaid volunteers and shall be reimbursed only for travel  
1747 expenses. The appointed members of the council shall be  
1748 appointed to staggered 2-year terms and are encouraged to have  
1749 experience in the administration or provision of resources,  
1750 services, or housing that addresses the needs of persons

1751 experiencing homelessness. The council shall meet at least four  
 1752 times per year. The importance of minority, gender, and  
 1753 geographic representation shall be considered in appointing  
 1754 members to the council.

1755 Section 47. Paragraph (g) of subsection (1) of section  
 1756 427.012, Florida Statutes, is amended to read:

1757 427.012 The Commission for the Transportation  
 1758 Disadvantaged.—There is created the Commission for the  
 1759 Transportation Disadvantaged in the Department of  
 1760 Transportation.

1761 (1) The commission shall consist of seven members, all of  
 1762 whom shall be appointed by the Governor, in accordance with the  
 1763 requirements of s. 20.052.

1764 (g) The Secretary of Transportation, the Secretary of  
 1765 Children and Families, the Secretary ~~executive director of the~~  
 1766 ~~Department~~ of Economic Opportunity, the executive director of  
 1767 the Department of Veterans' Affairs, the Secretary of Elderly  
 1768 Affairs, the Secretary of Health Care Administration, the  
 1769 director of the Agency for Persons with Disabilities, and a  
 1770 county manager or administrator who is appointed by the  
 1771 Governor, or a senior management level representative of each,  
 1772 shall serve as ex officio, nonvoting advisors to the commission.

1773 Section 48. Subsections (2), (3), and (4) of section  
 1774 443.1116, Florida Statutes, are amended to read:

1775 443.1116 Short-time compensation.—

1776 (2) APPROVAL OF SHORT-TIME COMPENSATION PLANS.—An employer  
1777 wishing to participate in the short-time compensation program  
1778 must submit a signed, written, short-time plan to the Department  
1779 of Economic Opportunity for approval. The Secretary of Economic  
1780 Opportunity ~~director~~ or his or her designee shall approve the  
1781 plan if:

1782 (a) The plan applies to and identifies each specific  
1783 affected unit;

1784 (b) The individuals in the affected unit are identified by  
1785 name and social security number;

1786 (c) The normal weekly hours of work for individuals in the  
1787 affected unit are reduced by at least 10 percent and by not more  
1788 than 40 percent;

1789 (d) The plan includes a certified statement by the  
1790 employer that the aggregate reduction in work hours is in lieu  
1791 of layoffs that would affect at least 10 percent of the  
1792 employees in the affected unit and that would have resulted in  
1793 an equivalent reduction in work hours;

1794 (e) The plan applies to at least 10 percent of the  
1795 employees in the affected unit;

1796 (f) The plan is approved in writing by the collective  
1797 bargaining agent for each collective bargaining agreement  
1798 covering any individual in the affected unit;

1799 (g) The plan does not serve as a subsidy to seasonal  
1800 employers during the off-season or as a subsidy to employers who



1801 traditionally use part-time employees;

1802 (h) The plan certifies that, if the employer provides  
1803 fringe benefits to any employee whose workweek is reduced under  
1804 the program, the fringe benefits will continue to be provided to  
1805 the employee participating in the short-time compensation  
1806 program under the same terms and conditions as though the  
1807 workweek of such employee had not been reduced or to the same  
1808 extent as other employees not participating in the short-time  
1809 compensation program. As used in this paragraph, the term  
1810 "fringe benefits" includes, but is not limited to, health  
1811 insurance, retirement benefits under defined benefit pension  
1812 plans as defined in subsection 35 of s. 1002 of the Employee  
1813 Retirement Income Security Act of 1974, 29 U.S.C., contributions  
1814 under a defined contribution plan as defined in s. 414(i) of the  
1815 Internal Revenue Code, paid vacation and holidays, and sick  
1816 leave;

1817 (i) The plan describes the manner in which the  
1818 requirements of this subsection will be implemented, including a  
1819 plan for giving notice, if feasible, to an employee whose  
1820 workweek is to be reduced, together with an estimate of the  
1821 number of layoffs that would have occurred absent the ability to  
1822 participate in short-time compensation; and

1823 (j) The terms of the employer's written plan and  
1824 implementation are consistent with employer obligations under  
1825 applicable federal laws and laws of this state.

1826 (3) APPROVAL OR DISAPPROVAL OF THE PLAN.—The Secretary of  
 1827 Economic Opportunity ~~director~~ or his or her designee shall  
 1828 approve or disapprove a short-time compensation plan in writing  
 1829 within 15 days after its receipt. If the plan is denied, the  
 1830 secretary ~~director~~ or his or her designee shall notify the  
 1831 employer of the reasons for disapproval.

1832 (4) BEGINNING AND TERMINATION OF SHORT-TIME COMPENSATION  
 1833 BENEFIT PERIOD.—A plan takes effect on the date of its approval  
 1834 by the Secretary of Economic Opportunity ~~director~~ or his or her  
 1835 designee and expires at the end of the 12th full calendar month  
 1836 after its effective date.

1837 Section 49. Paragraph (d) of subsection (2) of section  
 1838 446.53, Florida Statutes, is amended to read:

1839 446.53 Concrete masonry education.—

1840 (2)

1841 (d) In addition to the 13 voting members described in  
 1842 paragraph (a), the Secretary ~~executive director~~ of the  
 1843 ~~Department~~ of Economic Opportunity, or his or her designee,  
 1844 shall serve ex officio as a nonvoting member of the board of  
 1845 directors of the council.

1846 Section 50. Section 450.261, Florida Statutes, is amended  
 1847 to read:

1848 450.261 Interstate Migrant Labor Commission; Florida  
 1849 membership.—In selecting the Florida membership of the  
 1850 Interstate Migrant Labor Commission, the Governor may designate

1851 the Secretary ~~executive director of the~~ Department of Economic  
1852 Opportunity as his or her representative.

1853 Section 51. Paragraph (d) of subsection (1), paragraph (a)  
1854 of subsection (4), and paragraphs (b), (c), and (d) of  
1855 subsection (5) of section 624.5105, Florida Statutes, are  
1856 amended to read:

1857 624.5105 Community contribution tax credit; authorization;  
1858 limitations; eligibility and application requirements;  
1859 administration; definitions; expiration.—

1860 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

1861 (d) Each proposal for the granting of such tax credit  
1862 requires the prior approval of the Secretary of Economic  
1863 Opportunity ~~director~~.

1864 (4) ADMINISTRATION.—

1865 (a)1. The Department of Economic Opportunity may adopt  
1866 rules to administer this section, including rules for the  
1867 approval or disapproval of proposals by insurers.

1868 2. The decision of the Secretary of Economic Opportunity  
1869 ~~director~~ shall be in writing, and, if approved, the proposal  
1870 shall state the maximum credit allowable to the insurer. A copy  
1871 of the decision shall be transmitted to the executive director  
1872 of the Department of Revenue, who shall apply such credit to the  
1873 tax liability of the insurer.

1874 3. The Department of Economic Opportunity shall monitor  
1875 all projects periodically, in a manner consistent with available

1876 resources to ensure that resources are utilized in accordance  
 1877 with this section; however, each project shall be reviewed no  
 1878 less frequently than once every 2 years.

1879 4. The Department of Economic Opportunity shall, in  
 1880 consultation with the Florida Housing Finance Corporation and  
 1881 the statewide and regional housing and financial intermediaries,  
 1882 market the availability of the community contribution tax credit  
 1883 program to community-based organizations.

1884 (5) DEFINITIONS.—As used in this section, the term:

1885 ~~(b) "Director" means the director of the Department of~~  
 1886 ~~Economic Opportunity.~~

1887 (b) ~~(e)~~ "Local government" means any county or incorporated  
 1888 municipality in the state.

1889 (c) ~~(d)~~ "Project" means an activity as defined in s.  
 1890 220.03(1)(t).

1891 Section 52. Paragraph (f) of subsection (2) of section  
 1892 1004.015, Florida Statutes, is amended to read:

1893 1004.015 Florida Talent Development Council.—

1894 (2) Members of the council shall include:

1895 (f) The Secretary ~~executive director of the Department of~~  
 1896 Economic Opportunity.

1897 Section 53. This act shall take effect upon becoming a  
 1898 law.