

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 system hosted in a cloud service, rather than an
42 integrated Internet-based system, for the reemployment
43 assistance program; revising the functions and
44 objectives of the Reemployment Assistance Claims and
45 Benefits Information System; revising the duties of
46 the department; providing reporting requirements;
47 deleting obsolete language; deleting provisions
48 relating to duties of the governance structure of the
49 system project; amending s. 443.151, F.S.; revising
50 the timeline for employers' responses to notices of

51 benefits claims sent by the department; authorizing
 52 claimants to request the department to reconsider a
 53 monetary determination; providing requirements for
 54 such request; providing that monetary determinations
 55 and redeterminations are final after a specified
 56 period of time; providing exceptions; deleting a
 57 requirement that appeals referees be attorneys in good
 58 standing with The Florida Bar or be admitted to The
 59 Florida Bar within 8 months after the date of
 60 employment; prohibiting appeals from being filed after
 61 a specified time; amending s. 445.004, F.S.; revising
 62 the membership of the state board, which directs
 63 CareerSource Florida, Inc.; amending s. 553.79, F.S.;
 64 requiring specified building permit applications
 65 applied for by licensed contractors for property
 66 owners under certain programs administered by the
 67 department to be issued within a reduced timeframe;
 68 amending ss. 14.20195, 16.615, 20.04, 213.053,
 69 220.194, 288.005, 288.061, 288.0656, 288.106,
 70 288.1089, 288.1251, 288.8014, 288.955, 288.9604,
 71 288.987, 290.0065, 311.09, 311.105, 334.065, 373.4149,
 72 380.045, 403.0752, 420.0005, 420.0006, 420.101,
 73 420.503, 420.504, 420.506, 420.507, 420.511, 420.602,
 74 420.609, 420.622, 427.012, 443.1116, 446.53, 450.261,
 75 624.5105, and 1004.015, F.S.; conforming provisions to

76 changes made by the act; requiring the department to
 77 take certain actions for a specified fiscal year;
 78 providing an effective date.

80 Be It Enacted by the Legislature of the State of Florida:

81
 82 Section 1. Subsections (2) and (3), paragraph (a) of
 83 subsection (5), paragraph (b) of subsection (6), and subsection
 84 (9) of section 20.60, Florida Statutes, are amended, and
 85 subsection (1) of that section is republished, to read:

86 20.60 Department of Economic Opportunity; creation; powers
 87 and duties.—

88 (1) There is created the Department of Economic
 89 Opportunity.

90 (2) The head of the department is the Secretary of
 91 Economic Opportunity ~~executive director~~, who shall be appointed
 92 by the Governor, subject to confirmation by the Senate. The
 93 secretary ~~executive director~~ shall serve at the pleasure of and
 94 report to the Governor. The secretary may appoint deputy and
 95 assistant secretaries as necessary to aid the secretary in
 96 fulfilling his or her statutory obligations.

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

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

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

101 3.~~(e)~~ The Division of Workforce Services.

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

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

104 6. The Office of the Secretary.

105 7. The Office of Economic Accountability and Transparency,

106 which shall:

107 a. Oversee the department's critical objectives as

108 determined by the secretary and make sure that the department's

109 key objectives are clearly communicated to the public.

110 b. Organize department resources, expertise, data, and

111 research to focus on and solve the complex economic challenges

112 facing the state.

113 c. Provide leadership for the department's priority issues

114 that require integration of policy, management, and critical

115 objectives from multiple programs and organizations internal and

116 external to the department; and organize and manage external

117 communication on such priority issues.

118 d. Promote and facilitate key department initiatives to

119 address priority economic issues and explore data and identify

120 opportunities for innovative approaches to address such economic

121 issues.

122 e. Promote strategic planning for the department.

123 (b) The secretary:

124 1. May create offices within the Office of the Secretary

125 and within the divisions established in paragraph (a) to promote

126 efficient and effective operation of the department.

127 2. Shall appoint a director for each division, who shall
 128 directly administer his or her division and be responsible to
 129 the secretary.

130 (5) The divisions within the department have specific
 131 responsibilities to achieve the duties, responsibilities, and
 132 goals of the department. Specifically:

133 (a) The Division of Strategic Business Development shall:

134 1. Analyze and evaluate business prospects identified by
 135 the Governor, the secretary ~~executive director of the~~
 136 ~~department~~, and Enterprise Florida, Inc.

137 2. Administer certain tax refund, tax credit, and grant
 138 programs created in law. Notwithstanding any other provision of
 139 law, the department may expend interest earned from the
 140 investment of program funds deposited in the Grants and
 141 Donations Trust Fund to contract for the administration of those
 142 programs, or portions of the programs, assigned to the
 143 department by law, by the appropriations process, or by the
 144 Governor. Such expenditures shall be subject to review under
 145 chapter 216.

146 3. Develop measurement protocols for the state incentive
 147 programs and for the contracted entities which will be used to
 148 determine their performance and competitive value to the state.
 149 Performance measures, benchmarks, and sanctions must be
 150 developed in consultation with the legislative appropriations

151 committees and the appropriate substantive committees, and are
152 subject to the review and approval process provided in s.
153 216.177. The approved performance measures, standards, and
154 sanctions shall be included and made a part of the strategic
155 plan for contracts entered into for delivery of programs
156 authorized by this section.

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

159 a. Strategies for the promotion of business formation,
160 expansion, recruitment, and retention through aggressive
161 marketing, international development, and export assistance,
162 which lead to more and better jobs and higher wages for all
163 geographic regions, disadvantaged communities, and populations
164 of the state, including rural areas, minority businesses, and
165 urban core areas.

166 b. The development of realistic policies and programs to
167 further the economic diversity of the state, its regions, and
168 their associated industrial clusters.

169 c. Specific provisions for the stimulation of economic
170 development and job creation in rural areas and midsize cities
171 and counties of the state, including strategies for rural
172 marketing and the development of infrastructure in rural areas.

173 d. Provisions for the promotion of the successful long-
174 term economic development of the state with increased emphasis
175 in market research and information.

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

187 f. The identification of business sectors that are of
188 current or future importance to the state's economy and to the
189 state's global business image, and development of specific
190 strategies to promote the development of such sectors.

191 g. Strategies for talent development necessary in the
192 state to encourage economic development growth, taking into
193 account factors such as the state's talent supply chain,
194 education and training opportunities, and available workforce.

195 5. Update the strategic plan every 5 years.

196 6. Involve Enterprise Florida, Inc.; CareerSource Florida,
197 Inc.; local governments; the general public; local and regional
198 economic development organizations; other local, state, and
199 federal economic, international, and workforce development
200 entities; the business community; and educational institutions

201 to assist with the strategic plan.

202 (6)

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

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

221 (a) Manage all activities and responsibilities of the
222 department.

223 (b) Serve as the manager for the state with respect to
224 contracts with Enterprise Florida, Inc., and all applicable
225 direct-support organizations. To accomplish the provisions of

226 | this section and applicable provisions of chapter 288, and
 227 | notwithstanding the provisions of part I of chapter 287, the
 228 | secretary ~~director~~ shall enter into specific contracts with
 229 | Enterprise Florida, Inc., and other appropriate direct-support
 230 | organizations. Such contracts may be for multiyear terms and
 231 | must include specific performance measures for each year. For
 232 | purposes of this section, the Florida Tourism Industry Marketing
 233 | Corporation and the Institute for Commercialization of Florida
 234 | Technology are not appropriate direct-support organizations.

235 | (c) Serve as a member of the board of directors of the
 236 | Florida Development Finance Corporation. The secretary ~~executive~~
 237 | ~~director~~ may designate an employee of the department to serve in
 238 | this capacity.

239 | Section 2. Paragraph (a) of subsection (5) of section
 240 | 288.901, Florida Statutes, is amended to read:

241 | 288.901 Enterprise Florida, Inc.—

242 | (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

243 | (a) In addition to the Governor or his or her designee,
 244 | the board of directors shall consist of the following appointed
 245 | members:

- 246 | 1. The Commissioner of Education or his or her designee.
- 247 | 2. The Chief Financial Officer or his or her designee.
- 248 | 3. The Attorney General or his or her designee.
- 249 | 4. The Commissioner of Agriculture or his or her designee.
- 250 | 5. The chairperson of the state board as defined in s.

251 445.002.

252 6. The Secretary of State or his or her designee.

253 7. The Secretary of Economic Opportunity or his or her
 254 designee.

255 8. Twelve members from the private sector, six of whom
 256 shall be appointed by the Governor, three of whom shall be
 257 appointed by the President of the Senate, and three of whom
 258 shall be appointed by the Speaker of the House of
 259 Representatives. Members appointed by the Governor are subject
 260 to Senate confirmation.

261
 262 All board members shall serve without compensation, but are
 263 entitled to receive reimbursement for per diem and travel
 264 expenses pursuant to s. 112.061. Such expenses must be paid out
 265 of funds of Enterprise Florida, Inc.

266 Section 3. Subsection (2) of section 290.042, Florida
 267 Statutes, is amended to read:

268 290.042 Definitions relating to Florida Small Cities
 269 Community Development Block Grant Program Act.—As used in ss.
 270 290.0401-290.048, the term:

271 (2) "Administrative costs" has the same meaning as defined
 272 in the Housing and Community Development Act of 1974, as
 273 amended, and applicable federal regulations ~~means the payment of~~
 274 ~~all reasonable costs of management, coordination, monitoring,~~
 275 ~~and evaluation, and similar costs and carrying charges, related~~

276 ~~to the planning and execution of community development~~
277 ~~activities which are funded in whole or in part under the~~
278 ~~Florida Small Cities Community Development Block Grant Program.~~
279 ~~Administrative costs shall include all costs of administration,~~
280 ~~including general administration, planning and urban design, and~~
281 ~~project administration costs.~~

282 Section 4. Subsections (3), (4), and (5) of section
283 290.044, Florida Statutes, are amended to read:

284 290.044 Florida Small Cities Community Development Block
285 Grant Program Fund; administration; distribution.—

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

289 (a) Housing rehabilitation.

290 (b) Economic development.

291 (c) Neighborhood revitalization.

292 (d) Commercial revitalization.

293 (e) Any other activity authorized by the Housing and
294 Community Development Act of 1974, as amended, and applicable
295 federal regulations.

296 (4) The department shall define broad community
297 development objectives to be achieved by the activities in ~~each~~
298 ~~of~~ the grant program categories with the use of funds from the
299 Florida Small Cities Community Development Block Grant Program
300 Fund. Such objectives shall be designed to meet at least one of

301 the national objectives provided in the Housing and Community
 302 Development Act of 1974.

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

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

317 290.046 Applications for grants; procedures;
 318 requirements.-

319 ~~(2)(a) Except for applications for economic development~~
 320 ~~grants as provided in subparagraph (b)1., an eligible local~~
 321 ~~government may submit one application for a grant during each~~
 322 ~~application cycle.~~

323 ~~(b)1. An eligible local government may apply up to three~~
 324 ~~times in any one annual funding cycle for an economic~~
 325 ~~development grant but may not receive more than one such grant~~

326 ~~per annual funding cycle. A local government may have more than~~
327 ~~one open economic development grant.~~

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

337 (b) (e) 1. A local government with an open housing
338 rehabilitation, neighborhood revitalization, or commercial
339 revitalization contract is not eligible to apply for another
340 housing rehabilitation, neighborhood revitalization, or
341 commercial revitalization grant until administrative closeout of
342 its existing contract. The department shall notify a local
343 government of administrative closeout or of any outstanding
344 closeout issues within 45 days after receipt of a closeout
345 package from the local government. A local government with an
346 open housing rehabilitation, neighborhood revitalization, or
347 commercial revitalization community development block grant
348 contract whose activities are on schedule in accordance with the
349 expenditure rates and accomplishments described in the contract
350 may apply for an economic development grant.

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

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

365 (3)

366 (b) Funds shall be distributed according to the rankings
367 established in each application cycle. If economic development
368 funds remain available after the application cycle closes, the
369 remaining funds shall be awarded to eligible projects ~~on a~~
370 ~~first come, first served basis until such funds are fully~~
371 ~~obligated.~~

372 (6) The department shall, before approving an application
373 for a grant, determine that the applicant has the administrative
374 capacity to carry out the proposed activities and has performed
375 satisfactorily in carrying out past activities funded by

376 community development block grants. The evaluation of past
377 performance shall take into account procedural aspects of
378 previous grants as well as substantive results. If the
379 department determines that any applicant has failed to
380 accomplish substantially the results it proposed in ~~its last~~
381 previously funded applications ~~application~~, it may prohibit the
382 applicant from receiving a grant or may penalize the applicant
383 in the rating of the current application. An application for
384 grant funds may not be denied solely upon the basis of the past
385 performance of the eligible applicant.

386 Section 6. Section 331.3081, Florida Statutes, is amended
387 to read:

388 331.3081 Board of directors.—Space Florida shall be
389 governed by a 13-member independent board of directors that
390 consists of the members appointed to the board of directors of
391 Enterprise Florida, Inc., by the Governor, the President of the
392 Senate, and the Speaker of the House of Representatives pursuant
393 to s. 288.901(5)(a)8. ~~s. 288.901(5)(a)7.~~ and the Governor, who
394 shall serve ex officio, or who may appoint a designee to serve,
395 as the chair and a voting member of the board.

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

398 435.02 Definitions.—For the purposes of this chapter, the
399 term:

400 (5) "Specified agency" means the Department of Health, the

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

411 Section 8. Paragraph (c) of subsection (1) of section
 412 443.091, Florida Statutes, is amended to read:

413 443.091 Benefit eligibility conditions.—

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

417 (c) To make continued claims for benefits, she or he is
 418 reporting to the department in accordance with this paragraph
 419 and department rules. Department rules may not conflict with s.
 420 443.111(1)(b), which requires that each claimant continue to
 421 report regardless of any pending appeal relating to her or his
 422 eligibility or disqualification for benefits.

423 1. For each week of unemployment claimed, each report
 424 must, at a minimum, include the name and, address, ~~and telephone~~
 425 ~~number~~ of each prospective employer contacted, or the date the

426 claimant reported to a one-stop career center, pursuant to
427 paragraph (d). For the purposes of this subparagraph, the term
428 "address" means a website address, a physical address, or an e-
429 mail address.

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

437 a. If the claimant chooses to take the online assessment,
438 the outcome of the assessment shall be made available to the
439 claimant, local workforce development board, and one-stop career
440 center. The department, local workforce development board, or
441 one-stop career center shall use the assessment to develop a
442 plan for referring individuals to training and employment
443 opportunities. Aggregate data on assessment outcomes may be made
444 available to CareerSource Florida, Inc., and Enterprise Florida,
445 Inc., for use in the development of policies related to
446 education and training programs that will ensure that businesses
447 in this state have access to a skilled and competent workforce.

448 b. Individuals shall be informed of and offered services
449 through the one-stop delivery system, including career
450 counseling, the provision of skill match and job market

451 information, and skills upgrade and other training
452 opportunities, and shall be encouraged to participate in such
453 services at no cost to the individuals. The department shall
454 coordinate with CareerSource Florida, Inc., the local workforce
455 development boards, and the one-stop career centers to identify,
456 develop, and use best practices for improving the skills of
457 individuals who choose to participate in skills upgrade and
458 other training opportunities. The department may contract with
459 an entity to create the online assessment in accordance with the
460 competitive bidding requirements in s. 287.057. The online
461 assessment must work seamlessly with the Reemployment Assistance
462 Claims and Benefits Information System.

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

465 443.101 Disqualification for benefits.—An individual shall
466 be disqualified for benefits:

467 (1)(a) For the week in which he or she has voluntarily
468 left work without good cause attributable to his or her
469 employing unit or for the week in which he or she has been
470 discharged by the employing unit for misconduct connected with
471 his or her work, based on a finding by the Department of
472 Economic Opportunity. As used in this paragraph, the term "work"
473 means any work, whether full-time, part-time, or temporary.

474 1. Disqualification for voluntarily quitting continues for
475 the full period of unemployment next ensuing after the

476 individual has left his or her full-time, part-time, or
477 temporary work voluntarily without good cause and until the
478 individual has earned income equal to or greater than 17 times
479 his or her weekly benefit amount. As used in this subsection,
480 the term "good cause" includes only that cause attributable to
481 the employing unit which would compel a reasonable employee to
482 cease working or attributable to the individual's illness or
483 disability requiring separation from his or her work. Any other
484 disqualification may not be imposed.

485 2. An individual is not disqualified under this subsection
486 for:

487 a. Voluntarily leaving temporary work to return
488 immediately when called to work by the permanent employing unit
489 that temporarily terminated his or her work within the previous
490 6 calendar months;

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

494 c. Voluntarily leaving work if he or she proves that his
495 or her discontinued employment is a direct result of
496 circumstances related to domestic violence as defined in s.
497 741.28. An individual who voluntarily leaves work under this
498 sub-subparagraph must:

499 (I) Make reasonable efforts to preserve employment, unless
500 the individual establishes that such remedies are likely to be

501 futile or to increase the risk of future incidents of domestic
502 violence. Such efforts may include seeking a protective
503 injunction, relocating to a secure place, or seeking reasonable
504 accommodation from the employing unit, such as a transfer or
505 change of assignment;

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

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

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

519 4. Disqualification for being discharged for misconduct
520 connected with his or her work continues for the full period of
521 unemployment next ensuing after having been discharged and until
522 the individual is reemployed and has earned income of at least
523 17 times his or her weekly benefit amount and for not more than
524 52 weeks immediately following that week, as determined by the
525 department in each case according to the circumstances or the

526 | seriousness of the misconduct, under the department's rules for
527 | determining disqualification for benefits for misconduct.

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

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

543 | (6) For making any false or fraudulent representation for
544 | the purpose of obtaining benefits contrary to this chapter,
545 | constituting a violation under s. 443.071. The disqualification
546 | imposed under this subsection shall begin with the week for ~~in~~
547 | which the false or fraudulent representation was ~~is~~ made and
548 | shall continue for a period not to exceed 1 year after the date
549 | the Department of Economic Opportunity discovers the false or
550 | fraudulent representation and until any overpayment of benefits

551 resulting from such representation has been repaid in full. This
552 disqualification may be appealed in the same manner as any other
553 disqualification imposed under this section. A conviction by any
554 court of competent jurisdiction in this state of the offense
555 prohibited or punished by s. 443.071 is conclusive upon the
556 appeals referee and the commission of the making of the false or
557 fraudulent representation for which disqualification is imposed
558 under this section.

559 Section 10. Section 443.1113, Florida Statutes, is amended
560 to read:

561 443.1113 Reemployment Assistance Claims and Benefits
562 Information System.—

563 (1) The Department of Economic Opportunity shall implement
564 an integrated, modular system hosted in a cloud computing
565 service, as defined in s. 282.0041, that provides for rapid
566 provisioning of additional data processing when necessary. The
567 system must support the efficient distribution of benefits and
568 the effective operation and management of the reemployment
569 assistance program. ~~To The extent that funds are appropriated~~
570 ~~for each phase of the Reemployment Assistance Claims and~~
571 ~~Benefits Information system may be cited by the Legislature, the~~
572 ~~Department of Economic Opportunity shall replace and enhance the~~
573 ~~functionality provided in the following systems with an~~
574 ~~integrated Internet-based system that is known as the~~
575 "Reemployment Assistance Claims and Benefits Information System"

576 and must:

577 (a) Be accessible through the Internet on both mobile
 578 devices and personal computers ~~Claims and benefit mainframe~~
 579 ~~system.~~

580 (b) Process reemployment assistance claims ~~Florida~~
 581 ~~unemployment Internet direct.~~

582 (c) Process benefit payments ~~Florida continued claim~~
 583 ~~Internet directory.~~

584 (d) Process and manage overpayments ~~Call center~~
 585 ~~interactive voice response system.~~

586 (e) Perform adjudication functions ~~Benefit overpayment~~
 587 ~~screening system.~~

588 (f) Process appeals and manage appeal hearings ~~Internet~~
 589 ~~and Intranet appeals system.~~

590 (g) Manage and process employer charging.

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

594 (a) ~~Wherever cost-effective and operationally feasible,~~
 595 Eliminate or automate existing paper processes and enhance any
 596 existing automated workflows in order to expedite customer
 597 transactions and eliminate redundancy.

598 (b) Enable and enhance online, self-service capabilities
 599 ~~access~~ to claimant and employer information and federal and
 600 state reporting.

601 (c) Integrate benefit payment control with the
602 adjudication program and collection system in order to improve
603 the detection of fraud.

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

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

608 (f) Maintain interoperability with other department
609 workforce systems.

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

613 (a) Collection of reemployment assistance taxes.

614 (b) General ledger, financial management, or budgeting
615 capabilities.

616 (c) Human resource planning or management capabilities.

617 (4) (a) The Department of Economic Opportunity shall
618 perform an annual review of the system and identify enhancements
619 or modernization efforts that improve the delivery of services
620 to claimants and employers and reporting to state and federal
621 entities. These improvements must include, but need not be
622 limited to:

623 1. Infrastructure upgrades through cloud services.

624 2. Software improvements.

625 3. Enhanced data analytics and reporting.

626 4. Increased cybersecurity pursuant to s. 282.318.

627 (b) The department shall seek input on recommended
628 enhancements from, at a minimum, the following entities:

629 1. The Florida Digital Service within the Department of
630 Management Services.

631 2. The General Tax Administration Program Office within
632 the Department of Revenue.

633 3. The Division of Accounting and Auditing within the
634 Department of Financial Services.

635 (5) By October 1, 2023, and each year thereafter, the
636 Department of Economic Opportunity shall submit a Reemployment
637 Assistance Claims and Benefits Information System report to the
638 Governor, the President of the Senate, and the Speaker of the
639 House of Representatives. The report must, at a minimum,
640 include:

641 (a) A summary of maintenance, enhancement, and
642 modernization efforts over the last fiscal year.

643 (b) A 3-year outlook of recommended enhancements or
644 modernization efforts that includes projected costs and
645 timeframes for completion.

646 (6) The Department of Economic Opportunity shall provide
647 monthly project status reports to the chair of the Senate
648 Appropriations Committee, the chair of the House Appropriations
649 Committee, the Office of Policy and Budget in the Executive
650 Office of the Governor, and the Florida Digital Service. Each

651 status report must include ongoing system maintenance activities
652 and progress made to date for each project milestone,
653 deliverable, and task order; planned and actual completion
654 dates; planned and actual costs incurred; and any current
655 project issues and risks.

656 (7) The Department of Economic Opportunity shall provide
657 project-related data to the Florida Digital Service in support
658 of the Florida Digital Service's project oversight
659 responsibilities pursuant to s. 282.0051. ~~The project to~~
660 ~~implement the Reemployment Assistance Claims and Benefits~~
661 ~~Information System is comprised of the following phases and~~
662 ~~corresponding implementation timeframes:~~

663 ~~(a) No later than the end of fiscal year 2009-2010~~
664 ~~completion of the business re-engineering analysis and~~
665 ~~documentation of both the detailed system requirements and the~~
666 ~~overall system architecture.~~

667 ~~(b) The Reemployment Assistance Claims and Benefits~~
668 ~~Internet portal that replaces the Florida Unemployment Internet~~
669 ~~Direct and the Florida Continued Claims Internet Directory~~
670 ~~systems, the Call Center Interactive Voice Response System, the~~
671 ~~Benefit Overpayment Screening System, the Internet and Intranet~~
672 ~~Appeals System, and the Claims and Benefits Mainframe System~~
673 ~~shall be deployed to full operational status no later than the~~
674 ~~end of fiscal year 2013-2014.~~

675 ~~(5) The Department of Economic Opportunity shall implement~~

676 ~~the following project governance structure until such time as~~
677 ~~the project is completed, suspended, or terminated:~~

678 ~~(a) The project sponsor for the Reemployment Assistance~~
679 ~~Claims and Benefits Information System project is the~~
680 ~~department.~~

681 ~~(b) The project shall be governed by an executive steering~~
682 ~~committee composed of the following voting members or their~~
683 ~~designees:~~

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

685 ~~2. The executive director of the Department of Revenue.~~

686 ~~3. The director of the Division of Workforce Services~~
687 ~~within the department.~~

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

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

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

694 ~~1. Providing management direction and support to the~~
695 ~~project management team.~~

696 ~~2. Assessing the project's alignment with the strategic~~
697 ~~goals of the department for administering the reemployment~~
698 ~~assistance program.~~

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

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

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

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

712 ~~1. Providing daily planning, management, and oversight of~~
 713 ~~the project.~~

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

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

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

721 ~~b. An assessment of the status of major milestones and~~
 722 ~~deliverables;~~

723 ~~e. Identification of any issues requiring resolution, the~~
 724 ~~proposed resolution for these issues, and information regarding~~
 725 ~~the status of the resolution;~~

726 ~~d. Identification of risks that must be managed; and~~
727 ~~e. Identification of and recommendations regarding~~
728 ~~necessary changes in the project's scope, schedule, or costs.~~
729 ~~All recommendations must be reviewed by project stakeholders~~
730 ~~before submission to the executive steering committee in order~~
731 ~~to ensure that the recommendations meet required acceptance~~
732 ~~criteria.~~

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

736 443.151 Procedure concerning claims.—

737 (3) DETERMINATION OF ELIGIBILITY.—

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

751 notices of claim.

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

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

791 (4) APPEALS.—

792 (a) Appeals referees.—

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

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

801 ~~3.~~ A person may not participate on behalf of the
802 department as an appeals referee in any case in which she or he
803 is an interested party.

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

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

811 (b) Filing and hearing.—

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

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

824 3. ~~However,~~ If an appeal appears to have been filed after
825 the permissible time limit, the Office of Appeals may issue an

826 | order to show cause to the appellant which requires the
827 | appellant to show why the appeal should not be dismissed as
828 | untimely. If, within 15 days after the mailing date of the order
829 | to show cause, the appellant does not provide written evidence
830 | of timely filing or good cause for failure to appeal timely, the
831 | appeal shall be dismissed. However, an appeal may not be filed
832 | more than 5 years after the date of the mailing of the
833 | determination or, if the determination is not mailed, more than
834 | 5 years after the date of the delivery of the determination.

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

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

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

848 | c. Hearsay evidence may be used for the purpose of
849 | supplementing or explaining other evidence, or to support a
850 | finding if it would be admissible over objection in civil

851 actions. Notwithstanding s. 120.57(1)(c), hearsay evidence may
 852 support a finding of fact if:

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

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

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

865 Section 12. Paragraph (d) of subsection (3) of section
 866 445.004, Florida Statutes, is amended, and subsections (1) and
 867 (2) of that section are republished, to read:

868 445.004 CareerSource Florida, Inc., and the state board;
 869 creation; purpose; membership; duties and powers.—

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

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

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

901 (3)
 902 (d) The state board must include the Secretary of Economic
 903 Opportunity or his or her designee, the vice chairperson of the
 904 board of directors of Enterprise Florida, Inc., and one member
 905 representing each of the Workforce Innovation and Opportunity
 906 Act partners, including the Division of Career and Adult
 907 Education, and other entities representing programs identified
 908 in the Workforce Innovation and Opportunity Act, as determined
 909 necessary.

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

912 553.79 Permits; applications; issuance; inspections.—

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

920 (b) A building permit for a single-family residential
 921 dwelling applied for by a contractor licensed in this state on
 922 behalf of a property owner who participates in a Community
 923 Development Block Grant-Disaster Recovery program administered
 924 by the Department of Economic Opportunity must be issued within
 925 15 working days after receipt of the application unless the

926 | permit application fails to satisfy the Florida Building Code or
 927 | the enforcing agency's laws or ordinances.

928 | Section 14. Paragraph (b) of subsection (2) of section
 929 | 14.20195, Florida Statutes, is amended to read:

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

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

938 | (b) The following state officials or their designees shall
 939 | serve on the coordinating council:

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

951 10. The Secretary ~~executive director of the~~ Department of
 952 Economic Opportunity.

953 Section 15. Paragraph (j) of subsection (1) of section
 954 16.615, Florida Statutes, is amended to read:

955 16.615 Council on the Social Status of Black Men and
 956 Boys.—

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

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

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

964 20.04 Structure of executive branch.—The executive branch
 965 of state government is structured as follows:

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

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

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

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

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

980 (7)

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

994 Section 17. Paragraph (a) of subsection (7) of section
 995 213.053, Florida Statutes, is amended to read:

996 213.053 Confidentiality and information sharing.—

997 (7) (a) Any information received by the Department of
 998 Revenue in connection with the administration of taxes,
 999 including, but not limited to, information contained in returns,
 1000 reports, accounts, or declarations filed by persons subject to

1001 tax, shall be made available to the following in performance of
 1002 their official duties:

1003 1. The Auditor General or his or her authorized agent;

1004 2. The director of the Office of Program Policy Analysis
 1005 and Government Accountability or his or her authorized agent;

1006 3. The Chief Financial Officer or his or her authorized
 1007 agent;

1008 4. The Director of the Office of Insurance Regulation of
 1009 the Financial Services Commission or his or her authorized
 1010 agent;

1011 5. A property appraiser or tax collector or their
 1012 authorized agents pursuant to s. 195.084(1);

1013 6. Designated employees of the Department of Education
 1014 solely for determination of each school district's price level
 1015 index pursuant to s. 1011.62(2);

1016 7. The Secretary ~~executive director of the Department of~~
 1017 Economic Opportunity or his or her authorized agent;

1018 8. The taxpayers' rights advocate or his or her authorized
 1019 agent pursuant to s. 20.21(3); and

1020 9. The coordinator of the Office of Economic and
 1021 Demographic Research or his or her authorized agent.

1022 Section 18. Paragraph (b) of subsection (5) of section
 1023 220.194, Florida Statutes, is amended to read:

1024 220.194 Corporate income tax credits for spaceflight
 1025 projects.—

1026 (5) APPLICATION AND CERTIFICATION.—
 1027 (b) In order to take a tax credit under subparagraph (a)1.
 1028 or, if applicable, to transfer an approved credit under
 1029 subparagraph (a)2., a spaceflight business must submit an
 1030 application for certification to the Department of Economic
 1031 Opportunity along with a nonrefundable \$250 fee.
 1032 1. The application must include:
 1033 a. The name and physical in-state address of the taxpayer.
 1034 b. Documentation demonstrating to the satisfaction of the
 1035 Department of Economic Opportunity that:
 1036 (I) The taxpayer is a spaceflight business.
 1037 (II) The business has engaged in a qualifying spaceflight
 1038 project before taking or transferring a credit under this
 1039 section.
 1040 c. In addition to any requirement specific to a credit,
 1041 documentation that the business has:
 1042 (I) Created 35 new jobs in this state directly associated
 1043 with spaceflight projects during its immediately preceding 3
 1044 taxable years. The business shall be deemed to have created new
 1045 jobs if the number of full-time jobs located in this state at
 1046 the time of application for certification is greater than the
 1047 total number of full-time jobs located in this state at the time
 1048 of application for approval to earn credits; and
 1049 (II) Invested a total of at least \$15 million in this
 1050 state on a spaceflight project during its immediately preceding

1051 3 taxable years.

1052 d. The total amount and types of credits sought.

1053 e. An acknowledgment that a transfer of a tax credit is to
 1054 be accomplished pursuant to subsection (5).

1055 f. A copy of an audit or audits of the preceding 3 taxable
 1056 years, prepared by a certified public accountant licensed to
 1057 practice in this state, which identifies that portion of the
 1058 business's activities in this state related to spaceflight
 1059 projects in this state.

1060 g. An acknowledgment that the business must file an annual
 1061 report on the spaceflight project's progress with the Department
 1062 of Economic Opportunity.

1063 h. Any other information necessary to demonstrate that the
 1064 applicant meets the job creation, investment, and other
 1065 requirements of this section.

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

1076 Economic Opportunity must inform the applicant of the grounds
 1077 for the denial. A copy of the certification shall be submitted
 1078 to the department within 10 days after the secretary's ~~executive~~
 1079 ~~director's~~ approval.

1080 Section 19. Subsection (3) of section 288.005, Florida
 1081 Statutes, is amended to read:

1082 288.005 Definitions.—As used in this chapter, the term:
 1083 ~~(3) "Executive director" means the executive director of~~
 1084 ~~the Department of Economic Opportunity, unless otherwise stated.~~

1085 Section 20. Subsections (1) and (3), paragraph (a) of
 1086 subsection (5), and subsection (6) of section 288.061, Florida
 1087 Statutes, are amended to read:

1088 288.061 Economic development incentive application
 1089 process.—

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

1101 business. If review of the application demonstrates that the
1102 application is incomplete, the secretary ~~executive director~~
1103 shall notify the applicant business within the first 5 business
1104 days after receiving the application.

1105 (3) Within 10 business days after the department receives
1106 the submitted economic development incentive application, the
1107 Secretary of Economic Opportunity ~~executive director~~ shall
1108 approve or disapprove the application and issue a letter of
1109 certification to the applicant which includes a justification of
1110 that decision, unless the business requests an extension of that
1111 time.

1112 (a) The contract or agreement with the applicant must
1113 specify the total amount of the award, the performance
1114 conditions that must be met to obtain the award, the schedule
1115 for payment, and sanctions that would apply for failure to meet
1116 performance conditions. The department may enter into one
1117 agreement or contract covering all of the state incentives that
1118 are being provided to the applicant. The contract must provide
1119 that release of funds is contingent upon sufficient
1120 appropriation of funds by the Legislature.

1121 (b) The release of funds for the incentive or incentives
1122 awarded to the applicant depends upon the statutory requirements
1123 of the particular incentive program.

1124 (5) (a) The Secretary of Economic Opportunity ~~executive~~
1125 ~~director~~ may not approve an economic development incentive

1126 application unless the application includes a signed written
1127 declaration by the applicant which states that the applicant has
1128 read the information in the application and that the information
1129 is true, correct, and complete to the best of the applicant's
1130 knowledge and belief.

1131 (6) Beginning July 1, 2020, the Secretary of Economic
1132 Opportunity ~~executive director~~ may not approve an economic
1133 development incentive application unless the application
1134 includes proof to the department that the applicant business is
1135 registered with and uses the E-Verify system, as defined in s.
1136 448.095, to verify the work authorization status of all newly
1137 hired employees. If the department determines that an awardee is
1138 not complying with this subsection, the department must notify
1139 the awardee by certified mail of the department's determination
1140 of noncompliance and the awardee's right to appeal the
1141 determination. Upon a final determination of noncompliance, the
1142 awardee must repay all moneys received as an economic
1143 development incentive to the department within 30 days after the
1144 final determination.

1145 Section 21. Paragraph (a) of subsection (6) of section
1146 288.0656, Florida Statutes, is amended to read:

1147 288.0656 Rural Economic Development Initiative.—

1148 (6) (a) By August 1 of each year, the head of each of the
1149 following agencies and organizations shall designate a deputy
1150 secretary or higher-level staff person from within the agency or

1151 organization to serve as the REDI representative for the agency
 1152 or organization:

- 1153 1. The Department of Transportation.
- 1154 2. The Department of Environmental Protection.
- 1155 3. The Department of Agriculture and Consumer Services.
- 1156 4. The Department of State.
- 1157 5. The Department of Health.
- 1158 6. The Department of Children and Families.
- 1159 7. The Department of Corrections.
- 1160 8. The Department of Education.
- 1161 9. The Department of Juvenile Justice.
- 1162 10. The Fish and Wildlife Conservation Commission.
- 1163 11. Each water management district.
- 1164 12. Enterprise Florida, Inc.
- 1165 13. CareerSource Florida, Inc.
- 1166 14. VISIT Florida.
- 1167 15. The Florida Regional Planning Council Association.
- 1168 16. The Agency for Health Care Administration.
- 1169 17. The Institute of Food and Agricultural Sciences
 1170 (IFAS).

1171
 1172 An alternate for each designee shall also be chosen, and the
 1173 names of the designees and alternates shall be sent to the
 1174 Secretary of Economic Opportunity ~~executive director of the~~
 1175 department.

1176 Section 22. Paragraph (c) of subsection (5) and subsection
 1177 (8) of section 288.106, Florida Statutes, are amended to read:
 1178 288.106 Tax refund program for qualified target industry
 1179 businesses.—

1180 (5) TAX REFUND AGREEMENT.—

1181 (c) The agreement must be signed by the Secretary of
 1182 Economic Opportunity ~~executive director~~ and by an authorized
 1183 officer of the qualified target industry business within 120
 1184 days after the issuance of the letter of certification under
 1185 subsection (4), but not before passage and receipt of the
 1186 resolution of local financial support. The department may grant
 1187 an extension of this period at the written request of the
 1188 qualified target industry business.

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

1201 granting such waiver, the Secretary of Economic Opportunity
 1202 ~~executive director of the department~~ shall file with the
 1203 Governor a written statement of the conditions and circumstances
 1204 constituting the reason for the waiver. Such business shall be
 1205 eligible for the additional tax refund payments specified in
 1206 subparagraph (3)(b)4. if it meets the criteria. As used in this
 1207 section, the term "Disproportionally Affected County" means Bay
 1208 County, Escambia County, Franklin County, Gulf County, Okaloosa
 1209 County, Santa Rosa County, Walton County, or Wakulla County.

1210 Section 23. Subsection (5) of section 288.1089, Florida
 1211 Statutes, is amended to read:

1212 288.1089 Innovation Incentive Program.—

1213 (5) The department shall review proposals pursuant to s.
 1214 288.061 for all three categories of innovation incentive awards.
 1215 Before making a recommendation to the Secretary of Economic
 1216 Opportunity ~~executive director~~, the department shall solicit
 1217 comments and recommendations from the Department of Agriculture
 1218 and Consumer Services. For each project, the evaluation and
 1219 recommendation to the department must include, but need not be
 1220 limited to:

1221 (a) A description of the project, its required facilities,
 1222 and the associated product, service, or research and development
 1223 associated with the project.

1224 (b) The percentage of match provided for the project.

1225 (c) The number of full-time equivalent jobs that will be

1226 created by the project, the total estimated average annual wages
1227 of such jobs, and the types of business activities and jobs
1228 likely to be stimulated by the project.

1229 (d) The cumulative investment to be dedicated to the
1230 project within 5 years and the total investment expected in the
1231 project if more than 5 years.

1232 (e) The projected economic and fiscal impacts on the local
1233 and state economies relative to investment.

1234 (f) A statement of any special impacts the project is
1235 expected to stimulate in a particular business sector in the
1236 state or regional economy or in the state's universities and
1237 community colleges.

1238 (g) A statement of any anticipated or proposed
1239 relationships with state universities.

1240 (h) A statement of the role the incentive is expected to
1241 play in the decision of the applicant to locate or expand in
1242 this state.

1243 (i) A recommendation and explanation of the amount of the
1244 award needed to cause the applicant to expand or locate in this
1245 state.

1246 (j) A discussion of the efforts and commitments made by
1247 the local community in which the project is to be located to
1248 induce the applicant's location or expansion, taking into
1249 consideration local resources and abilities.

1250 (k) A recommendation for specific performance criteria the

1251 applicant would be expected to achieve in order to receive
 1252 payments from the fund and penalties or sanctions for failure to
 1253 meet or maintain performance conditions.

1254 (1) Additional evaluative criteria for a research and
 1255 development facility project, including:

1256 1. A description of the extent to which the project has
 1257 the potential to serve as catalyst for an emerging or evolving
 1258 cluster.

1259 2. A description of the extent to which the project has or
 1260 could have a long-term collaborative research and development
 1261 relationship with one or more universities or community colleges
 1262 in this state.

1263 3. A description of the existing or projected impact of
 1264 the project on established clusters or targeted industry
 1265 sectors.

1266 4. A description of the project's contribution to the
 1267 diversity and resiliency of the innovation economy of this
 1268 state.

1269 5. A description of the project's impact on special needs
 1270 communities, including, but not limited to, rural areas,
 1271 distressed urban areas, and enterprise zones.

1272 (m) Additional evaluative criteria for alternative and
 1273 renewable energy proposals, including:

1274 1. The availability of matching funds or other in-kind
 1275 contributions applied to the total project from an applicant.

1276 The Department of Agriculture and Consumer Services shall give
1277 greater preference to projects that provide such matching funds
1278 or other in-kind contributions.

1279 2. The degree to which the project stimulates in-state
1280 capital investment and economic development in metropolitan and
1281 rural areas, including the creation of jobs and the future
1282 development of a commercial market for renewable energy
1283 technologies.

1284 3. The extent to which the proposed project has been
1285 demonstrated to be technically feasible based on pilot project
1286 demonstrations, laboratory testing, scientific modeling, or
1287 engineering or chemical theory that supports the proposal.

1288 4. The degree to which the project incorporates an
1289 innovative new technology or an innovative application of an
1290 existing technology.

1291 5. The degree to which a project generates thermal,
1292 mechanical, or electrical energy by means of a renewable energy
1293 resource that has substantial long-term production potential.

1294 6. The degree to which a project demonstrates efficient
1295 use of energy and material resources.

1296 7. The degree to which the project fosters overall
1297 understanding and appreciation of renewable energy technologies.

1298 8. The ability to administer a complete project.

1299 9. Project duration and timeline for expenditures.

1300 10. The geographic area in which the project is to be

1301 conducted in relation to other projects.

1302 11. The degree of public visibility and interaction.

1303 Section 24. Paragraph (b) of subsection (1) of section
1304 288.1251, Florida Statutes, is amended to read:

1305 288.1251 Promotion and development of entertainment
1306 industry; Office of Film and Entertainment; creation; purpose;
1307 powers and duties.—

1308 (1) CREATION.—

1309 (b) The department shall conduct a national search for a
1310 qualified person to fill the position of Commissioner of Film
1311 and Entertainment when the position is vacant. The Secretary of
1312 Economic Opportunity ~~executive director of the department~~ has
1313 the responsibility to hire the film commissioner. Qualifications
1314 for the film commissioner include, but are not limited to, the
1315 following:

1316 1. A working knowledge of the equipment, personnel,
1317 financial, and day-to-day production operations of the
1318 industries to be served by the Office of Film and Entertainment;

1319 2. Marketing and promotion experience related to the film
1320 and entertainment industries to be served;

1321 3. Experience working with a variety of individuals
1322 representing large and small entertainment-related businesses,
1323 industry associations, local community entertainment industry
1324 liaisons, and labor organizations; and

1325 4. Experience working with a variety of state and local

1326 governmental agencies.

1327 Section 25. Subsection (8) of section 288.8014, Florida
 1328 Statutes, is amended to read:

1329 288.8014 Triumph Gulf Coast, Inc.; organization; board of
 1330 directors.—

1331 (8) The Secretary ~~executive director of the Department of~~
 1332 Economic Opportunity, or his or her designee, the secretary of
 1333 the Department of Environmental Protection, or his or her
 1334 designee, and the chair of the Committee of 8 Disproportionally
 1335 Affected Counties, or his or her designee, shall be available to
 1336 consult with the board of directors and may be requested to
 1337 attend meetings of the board of directors. These individuals
 1338 shall not be permitted to vote on any matter before the board.

1339 Section 26. Paragraph (a) of subsection (4) of section
 1340 288.955, Florida Statutes, is amended to read:

1341 288.955 Scripps Florida Funding Corporation.—

1342 (4) BOARD; MEMBERSHIP.—The corporation shall be governed
 1343 by a board of directors.

1344 (a) The board of directors shall consist of nine voting
 1345 members, of whom the Governor shall appoint three, the President
 1346 of the Senate shall appoint three, and the Speaker of the House
 1347 of Representatives shall appoint three. The Secretary of
 1348 Economic Opportunity ~~executive director of the department~~ or the
 1349 secretary's ~~director's~~ designee shall serve as an ex-officio,
 1350 nonvoting member of the board of directors.

1351 Section 27. Subsection (2) of section 288.9604, Florida
1352 Statutes, is amended to read:

1353 288.9604 Creation of the corporation.—

1354 (2) The board of directors of the corporation shall
1355 consist of seven directors. The Secretary of Economic
1356 Opportunity ~~executive director of the department~~, or his or her
1357 designee, shall serve as chair of the board of directors of the
1358 corporation. The director of the Division of Bond Finance of the
1359 State Board of Administration, or his or her designee, shall
1360 serve as a director on the board of directors of the
1361 corporation. The Governor, subject to confirmation by the
1362 Senate, shall appoint the remaining five directors of the board
1363 of directors of the corporation. The terms of office for the
1364 appointed directors are for 4 years after the date of their
1365 appointment. A vacancy occurring during a term of an appointed
1366 director shall be filled for the unexpired term. An appointed
1367 director is eligible for reappointment. At least three of the
1368 appointed directors of the corporation must have experience in
1369 finance, and one of the directors must have experience in
1370 economic development.

1371 Section 28. Subsection (5) of section 288.987, Florida
1372 Statutes, is amended to read:

1373 288.987 Florida Defense Support Task Force.—

1374 (5) The Secretary ~~executive director of the Department~~ of
1375 Economic Opportunity, or his or her designee, shall serve as the

1376 ex officio, nonvoting executive director of the task force.

1377 Section 29. Paragraph (a) of subsection (6) of section
1378 290.0065, Florida Statutes, is amended to read:

1379 290.0065 State designation of enterprise zones.—

1380 (6) (a) The department may develop guidelines necessary for
1381 the approval of areas under this section by the Secretary of
1382 Economic Opportunity ~~executive director~~.

1383 Section 30. Subsection (1) of section 311.09, Florida
1384 Statutes, is amended to read:

1385 311.09 Florida Seaport Transportation and Economic
1386 Development Council.—

1387 (1) The Florida Seaport Transportation and Economic
1388 Development Council is created within the Department of
1389 Transportation. The council consists of the following 17
1390 members: the port director, or the port director's designee, of
1391 each of the ports of Jacksonville, Port Canaveral, Port Citrus,
1392 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,
1393 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key
1394 West, and Fernandina; the secretary of the Department of
1395 Transportation or his or her designee; and the secretary
1396 ~~director~~ of the Department of Economic Opportunity or his or her
1397 designee.

1398 Section 31. Paragraph (b) of subsection (1) of section
1399 311.105, Florida Statutes, is amended to read:

1400 311.105 Florida Seaport Environmental Management

1401 Committee; permitting; mitigation.—

1402 (1)

1403 (b) The committee shall consist of the following members:
 1404 the Secretary of Environmental Protection, or his or her
 1405 designee, as an ex officio, nonvoting member; a designee from
 1406 the United States Army Corps of Engineers, as an ex officio,
 1407 nonvoting member; a designee from the Florida Inland Navigation
 1408 District, as an ex officio, nonvoting member; the Secretary
 1409 ~~executive director of the Department~~ of Economic Opportunity, or
 1410 his or her designee, as an ex officio, nonvoting member; and
 1411 five or more port directors, as voting members, appointed to the
 1412 committee by the council chair, who shall also designate one
 1413 such member as committee chair.

1414 Section 32. Subsection (3) of section 334.065, Florida
 1415 Statutes, is amended to read:

1416 334.065 Center for Urban Transportation Research.—

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

1426 Opportunity, or their designees, and a member of the Florida
 1427 Transportation Commission. The nomination of the remaining
 1428 members of the board shall be made to the President of the
 1429 University of South Florida by the College of Engineering at the
 1430 University of South Florida, and the appointment of these
 1431 members must be reviewed and approved by the Florida
 1432 Transportation Commission and confirmed by the Board of
 1433 Governors.

1434 Section 33. Subsection (5) of section 373.4149, Florida
 1435 Statutes, is amended to read:

1436 373.4149 Miami-Dade County Lake Belt Plan.—

1437 (5) The secretary of the Department of Environmental
 1438 Protection, the secretary ~~executive director~~ of the Department
 1439 of Economic Opportunity, the secretary of the Department of
 1440 Transportation, the Commissioner of Agriculture, the executive
 1441 director of the Fish and Wildlife Conservation Commission, and
 1442 the executive director of the South Florida Water Management
 1443 District may enter into agreements with landowners, developers,
 1444 businesses, industries, individuals, and governmental agencies
 1445 as necessary to effectuate the Miami-Dade County Lake Belt Plan
 1446 and the provisions of this section.

1447 Section 34. Subsection (2) of section 380.045, Florida
 1448 Statutes, is amended to read:

1449 380.045 Resource planning and management committees;
 1450 objectives; procedures.—

1451 (2) The committee must ~~shall~~ include, but is ~~shall~~ not be
1452 limited to, representation from each of the following: elected
1453 officials from the local governments within the area under
1454 study; the planning office of each of the local governments
1455 within the area under study; the state land planning agency; any
1456 other state agency under chapter 20 a representative of which
1457 the Governor feels is relevant to the compilation of the
1458 committee; and a water management district, if appropriate, and
1459 regional planning council all or part of whose jurisdiction lies
1460 within the area under study. After the appointment of the
1461 members, the Governor shall select a chair and vice chair. A
1462 staff member of the state land planning agency shall be
1463 appointed by the secretary ~~director~~ of such agency to serve as
1464 the secretary of the committee. The state land planning agency
1465 shall, to the greatest extent possible, provide technical
1466 assistance and administrative support to the committee. Meetings
1467 will be called as needed by the chair or on the demand of three
1468 or more members of the committee. The committee will act on a
1469 simple majority of a quorum present and shall make a report
1470 within 6 months to the head of the state land planning agency.
1471 The committee must ~~shall~~, from the time of appointment, remain
1472 in existence for no less than 6 months.

1473 Section 35. Subsection (5) of section 403.0752, Florida
1474 Statutes, is amended to read:

1475 403.0752 Ecosystem management agreements.—

1476 (5) The Secretary ~~Executive Director of the Department~~ of
 1477 Economic Opportunity, the Secretary of Transportation, the
 1478 Commissioner of Agriculture, the Executive Director of the Fish
 1479 and Wildlife Conservation Commission, and the executive
 1480 directors of the water management districts are authorized to
 1481 participate in the development of ecosystem management
 1482 agreements with regulated entities and other governmental
 1483 agencies as necessary to effectuate the provisions of this
 1484 section. Local governments are encouraged to participate in
 1485 ecosystem management agreements.

1486 Section 36. Subsection (1) of section 420.0005, Florida
 1487 Statutes, is amended to read:

1488 420.0005 State Housing Trust Fund; State Housing Fund.—

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

1501 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)
1502 by the Chief Financial Officer to the corporation upon
1503 certification by the Secretary ~~executive director of the~~
1504 ~~Department~~ of Economic Opportunity that the corporation is in
1505 compliance with the requirements of s. 420.0006. The
1506 certification made by the secretary ~~executive director~~ shall
1507 also include the split of funds among programs administered by
1508 the corporation and the department as specified in chapter 92-
1509 317, Laws of Florida, as amended. Moneys advanced by the Chief
1510 Financial Officer must be deposited by the corporation into a
1511 separate fund established with a qualified public depository
1512 meeting the requirements of chapter 280 to be named the "State
1513 Housing Fund" and used for the purposes of this chapter.
1514 Administrative and personnel costs incurred in implementing this
1515 chapter may be paid from the State Housing Fund, but such costs
1516 may not exceed 5 percent of the moneys deposited into such fund.
1517 To the State Housing Fund shall be credited all loan repayments,
1518 penalties, and other fees and charges accruing to such fund
1519 under this chapter. It is the intent of this chapter that all
1520 loan repayments, penalties, and other fees and charges collected
1521 be credited in full to the program account from which the loan
1522 originated. Moneys in the State Housing Fund which are not
1523 currently needed for the purposes of this chapter shall be
1524 invested in such manner as is provided for by statute. The
1525 interest received on any such investment shall be credited to

1526 | the State Housing Fund.

1527 | Section 37. Section 420.0006, Florida Statutes, is amended
1528 | to read:

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

1551 opinion with respect to performance under the contract and may
1552 request that advances continue in the event of a failure under
1553 the contract due to inadequate management. The Chief Financial
1554 Officer shall approve the request absent a finding by the Chief
1555 Financial Officer that continuing such advances would adversely
1556 impact the state; however, the Chief Financial Officer shall
1557 provide advances sufficient to meet the debt service
1558 requirements of the corporation and sufficient to fund contracts
1559 committing funds from the State Housing Trust Fund if such
1560 contracts are in accordance with the laws of this state.

1561 Section 38. Paragraph (d) of subsection (1) of section
1562 420.101, Florida Statutes, is amended to read:

1563 420.101 Housing Development Corporation of Florida;
1564 creation, membership, and purposes.—

1565 (1) Twenty-five or more persons, a majority of whom shall
1566 be residents of this state, who may desire to create a housing
1567 development corporation under the provisions of this part for
1568 the purpose of promoting and developing housing and advancing
1569 the prosperity and economic welfare of the state and, to that
1570 end, to exercise the powers and privileges hereinafter provided,
1571 may be incorporated by filing in the Department of State, as
1572 hereinafter provided, articles of incorporation. The articles of
1573 incorporation shall contain:

1574 (d) The names and post office addresses of the members of
1575 the first board of directors. The first board of directors shall

1576 | be elected by and from the stockholders of the corporation and
 1577 | shall consist of 21 members. However, five of such members shall
 1578 | consist of the following persons, who shall be nonvoting
 1579 | members: the Secretary ~~executive director of the Department~~ of
 1580 | Economic Opportunity or her or his designee; the head of the
 1581 | Department of Financial Services or her or his designee with
 1582 | expertise in banking matters; a designee of the head of the
 1583 | Department of Financial Services with expertise in insurance
 1584 | matters; one state senator appointed by the President of the
 1585 | Senate; and one representative appointed by the Speaker of the
 1586 | House of Representatives.

1587 | Section 39. Subsection (8) of section 420.503, Florida
 1588 | Statutes, is amended to read:

1589 | 420.503 Definitions.—As used in this part, the term:

1590 | (8) "Contract" means the contract between the Secretary
 1591 | ~~executive director~~ of Economic Opportunity ~~the department~~ and
 1592 | the corporation for provision of housing services referenced in
 1593 | s. 420.0006.

1594 | Section 40. Subsections (1) and (3) of section 420.504,
 1595 | Florida Statutes, are amended to read:

1596 | 420.504 Public corporation; creation, membership, terms,
 1597 | expenses.—

1598 | (1) A public corporation and a public body corporate and
 1599 | politic, to be known as the "Florida Housing Finance
 1600 | Corporation," is created within the Department of Economic

1601 Opportunity. It is declared to be the intent of and
1602 constitutional construction by the Legislature that the Florida
1603 Housing Finance Corporation constitutes an entrepreneurial
1604 public corporation organized to provide and promote the public
1605 welfare by administering the governmental function of financing
1606 or refinancing housing and related facilities in this state and
1607 that the corporation is not a department of the executive branch
1608 of state government within the scope and meaning of s. 6, Art.
1609 IV of the State Constitution, but is functionally related to the
1610 Department of Economic Opportunity in which it is placed. The
1611 executive function of state government to be performed by the
1612 Secretary ~~executive director of the Department~~ of Economic
1613 Opportunity in the conduct of the business of the Florida
1614 Housing Finance Corporation must be performed pursuant to a
1615 contract to monitor and set performance standards for the
1616 implementation of the business plan for the provision of housing
1617 approved for the corporation as provided in s. 420.0006. This
1618 contract must include performance standards for the provision of
1619 affordable housing in this state established in the strategic
1620 business plan described in s. 420.511.

1621 (3) The corporation is a separate budget entity and is not
1622 subject to control, supervision, or direction by the Department
1623 of Economic Opportunity in any manner, including, but not
1624 limited to, personnel, purchasing, transactions involving real
1625 or personal property, and budgetary matters. The corporation

1626 shall consist of a board of directors composed of the Secretary
 1627 ~~executive director of the Department~~ of Economic Opportunity as
 1628 an ex officio and voting member, or a senior-level agency
 1629 employee designated by the secretary ~~director~~, and eight members
 1630 appointed by the Governor subject to confirmation by the Senate
 1631 from the following:

1632 (a) One citizen actively engaged in the residential home
 1633 building industry.

1634 (b) One citizen actively engaged in the banking or
 1635 mortgage banking industry.

1636 (c) One citizen who is a representative of those areas of
 1637 labor engaged in home building.

1638 (d) One citizen with experience in housing development who
 1639 is an advocate for low-income persons.

1640 (e) One citizen actively engaged in the commercial
 1641 building industry.

1642 (f) One citizen who is a former local government elected
 1643 official.

1644 (g) Two citizens of the state who are not principally
 1645 employed as members or representatives of any of the groups
 1646 specified in paragraphs (a)-(f).

1647 Section 41. Subsection (1) of section 420.506, Florida
 1648 Statutes, is amended to read:

1649 420.506 Executive director; agents and employees;
 1650 inspector general.-

1651 (1) The appointment and removal of an executive director
1652 shall be by the Secretary ~~executive director of the Department~~
1653 of Economic Opportunity, with the advice and consent of the
1654 corporation's board of directors. The executive director shall
1655 employ legal and technical experts and such other agents and
1656 employees, permanent and temporary, as the corporation may
1657 require, and shall communicate with and provide information to
1658 the Legislature with respect to the corporation's activities.
1659 Notwithstanding s. 216.262, the board may develop and implement
1660 rules regarding the employment of employees of the corporation
1661 and service providers, including legal counsel. The board is
1662 entitled to establish travel procedures and guidelines for
1663 employees of the corporation, subject to s. 112.061(6) and (7).
1664 The executive director's office and the corporation's files and
1665 records must be located in Leon County.

1666 Section 42. Subsection (30) of section 420.507, Florida
1667 Statutes, is amended to read:

1668 420.507 Powers of the corporation.—The corporation shall
1669 have all the powers necessary or convenient to carry out and
1670 effectuate the purposes and provisions of this part, including
1671 the following powers which are in addition to all other powers
1672 granted by other provisions of this part:

1673 (30) To prepare and submit to the Secretary ~~executive~~
1674 ~~director~~ of Economic Opportunity ~~the department~~ a budget request
1675 for purposes of the corporation, which request shall,

1676 notwithstanding the provisions of chapter 216 and in accordance
1677 with s. 216.351, contain a request for operational expenditures
1678 and separate requests for other authorized corporation programs.
1679 The request need not contain information on the number of
1680 employees, salaries, or any classification thereof, and the
1681 approved operating budget therefor need not comply with s.
1682 216.181(8)-(10). The secretary ~~executive director~~ may include
1683 within the department's budget request the corporation's budget
1684 request in the form as authorized by this section.

1685 Section 43. Subsection (2) of section 420.511, Florida
1686 Statutes, is amended to read:

1687 420.511 Strategic business plan; long-range program plan;
1688 annual report; audited financial statements.—

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

1701 | serve as the corporation's representative to achieve a
 1702 | coordinated and integrated planning relationship with the
 1703 | department.

1704 | Section 44. Subsection (7) of section 420.602, Florida
 1705 | Statutes, is amended to read:

1706 | 420.602 Definitions.—As used in this part, the following
 1707 | terms shall have the following meanings, unless the context
 1708 | otherwise requires:

1709 | ~~(7) "Director" means the executive director of the~~
 1710 | ~~Department of Economic Opportunity.~~

1711 | Section 45. Subsection (5) of section 420.609, Florida
 1712 | Statutes, is amended to read:

1713 | 420.609 Affordable Housing Study Commission.—Because the
 1714 | Legislature firmly supports affordable housing in Florida for
 1715 | all economic classes:

1716 | (5) The commission shall review, evaluate, and make
 1717 | recommendations regarding existing and proposed housing programs
 1718 | and initiatives. The commission shall provide these and any
 1719 | other housing recommendations to the Secretary ~~director~~ of
 1720 | Economic Opportunity ~~the department~~ and the executive director
 1721 | of the corporation.

1722 | Section 46. Subsection (2) of section 420.622, Florida
 1723 | Statutes, is amended to read:

1724 | 420.622 State Office on Homelessness; Council on
 1725 | Homelessness.—

1726 (2) The Council on Homelessness is created to consist of
 1727 19 representatives of public and private agencies who shall
 1728 develop policy and advise the State Office on Homelessness. The
 1729 council members shall be: the Secretary of Children and
 1730 Families, or his or her designee; the Secretary ~~executive~~
 1731 ~~director of the Department~~ of Economic Opportunity, or his or
 1732 her designee, who shall advise the council on issues related to
 1733 rural development; the State Surgeon General, or his or her
 1734 designee; the Executive Director of Veterans' Affairs, or his or
 1735 her designee; the Secretary of Corrections, or his or her
 1736 designee; the Secretary of Health Care Administration, or his or
 1737 her designee; the Commissioner of Education, or his or her
 1738 designee; the Executive Director of CareerSource Florida, Inc.,
 1739 or his or her designee; one representative of the Florida
 1740 Association of Counties; one representative of the Florida
 1741 League of Cities; one representative of the Florida Supportive
 1742 Housing Coalition; one representative of the Florida Housing
 1743 Coalition; the Executive Director of the Florida Housing Finance
 1744 Corporation, or his or her designee; one representative of the
 1745 Florida Coalition for the Homeless; the secretary of the
 1746 Department of Elder Affairs, or his or her designee; and four
 1747 members appointed by the Governor. The council members shall be
 1748 nonpaid volunteers and shall be reimbursed only for travel
 1749 expenses. The appointed members of the council shall be
 1750 appointed to staggered 2-year terms and are encouraged to have

1751 | experience in the administration or provision of resources,
 1752 | services, or housing that addresses the needs of persons
 1753 | experiencing homelessness. The council shall meet at least four
 1754 | times per year. The importance of minority, gender, and
 1755 | geographic representation shall be considered in appointing
 1756 | members to the council.

1757 | Section 47. Paragraph (g) of subsection (1) of section
 1758 | 427.012, Florida Statutes, is amended to read:

1759 | 427.012 The Commission for the Transportation
 1760 | Disadvantaged.—There is created the Commission for the
 1761 | Transportation Disadvantaged in the Department of
 1762 | Transportation.

1763 | (1) The commission shall consist of seven members, all of
 1764 | whom shall be appointed by the Governor, in accordance with the
 1765 | requirements of s. 20.052.

1766 | (g) The Secretary of Transportation, the Secretary of
 1767 | Children and Families, the Secretary ~~executive director of the~~
 1768 | ~~Department~~ of Economic Opportunity, the executive director of
 1769 | the Department of Veterans' Affairs, the Secretary of Elderly
 1770 | Affairs, the Secretary of Health Care Administration, the
 1771 | director of the Agency for Persons with Disabilities, and a
 1772 | county manager or administrator who is appointed by the
 1773 | Governor, or a senior management level representative of each,
 1774 | shall serve as ex officio, nonvoting advisors to the commission.

1775 | Section 48. Subsections (2), (3), and (4) of section

1776 443.1116, Florida Statutes, are amended to read:

1777 443.1116 Short-time compensation.—

1778 (2) APPROVAL OF SHORT-TIME COMPENSATION PLANS.—An employer
1779 wishing to participate in the short-time compensation program
1780 must submit a signed, written, short-time plan to the Department
1781 of Economic Opportunity for approval. The Secretary of Economic
1782 Opportunity ~~director~~ or his or her designee shall approve the
1783 plan if:

1784 (a) The plan applies to and identifies each specific
1785 affected unit;

1786 (b) The individuals in the affected unit are identified by
1787 name and social security number;

1788 (c) The normal weekly hours of work for individuals in the
1789 affected unit are reduced by at least 10 percent and by not more
1790 than 40 percent;

1791 (d) The plan includes a certified statement by the
1792 employer that the aggregate reduction in work hours is in lieu
1793 of layoffs that would affect at least 10 percent of the
1794 employees in the affected unit and that would have resulted in
1795 an equivalent reduction in work hours;

1796 (e) The plan applies to at least 10 percent of the
1797 employees in the affected unit;

1798 (f) The plan is approved in writing by the collective
1799 bargaining agent for each collective bargaining agreement
1800 covering any individual in the affected unit;

1801 (g) The plan does not serve as a subsidy to seasonal
1802 employers during the off-season or as a subsidy to employers who
1803 traditionally use part-time employees;

1804 (h) The plan certifies that, if the employer provides
1805 fringe benefits to any employee whose workweek is reduced under
1806 the program, the fringe benefits will continue to be provided to
1807 the employee participating in the short-time compensation
1808 program under the same terms and conditions as though the
1809 workweek of such employee had not been reduced or to the same
1810 extent as other employees not participating in the short-time
1811 compensation program. As used in this paragraph, the term
1812 "fringe benefits" includes, but is not limited to, health
1813 insurance, retirement benefits under defined benefit pension
1814 plans as defined in subsection 35 of s. 1002 of the Employee
1815 Retirement Income Security Act of 1974, 29 U.S.C., contributions
1816 under a defined contribution plan as defined in s. 414(i) of the
1817 Internal Revenue Code, paid vacation and holidays, and sick
1818 leave;

1819 (i) The plan describes the manner in which the
1820 requirements of this subsection will be implemented, including a
1821 plan for giving notice, if feasible, to an employee whose
1822 workweek is to be reduced, together with an estimate of the
1823 number of layoffs that would have occurred absent the ability to
1824 participate in short-time compensation; and

1825 (j) The terms of the employer's written plan and

1826 implementation are consistent with employer obligations under
1827 applicable federal laws and laws of this state.

1828 (3) APPROVAL OR DISAPPROVAL OF THE PLAN.—The Secretary of
1829 Economic Opportunity ~~director~~ or his or her designee shall
1830 approve or disapprove a short-time compensation plan in writing
1831 within 15 days after its receipt. If the plan is denied, the
1832 secretary ~~director~~ or his or her designee shall notify the
1833 employer of the reasons for disapproval.

1834 (4) BEGINNING AND TERMINATION OF SHORT-TIME COMPENSATION
1835 BENEFIT PERIOD.—A plan takes effect on the date of its approval
1836 by the Secretary of Economic Opportunity ~~director~~ or his or her
1837 designee and expires at the end of the 12th full calendar month
1838 after its effective date.

1839 Section 49. Paragraph (d) of subsection (2) of section
1840 446.53, Florida Statutes, is amended to read:

1841 446.53 Concrete masonry education.—

1842 (2)

1843 (d) In addition to the 13 voting members described in
1844 paragraph (a), the Secretary ~~executive director~~ of the
1845 ~~Department~~ of Economic Opportunity, or his or her designee,
1846 shall serve ex officio as a nonvoting member of the board of
1847 directors of the council.

1848 Section 50. Section 450.261, Florida Statutes, is amended
1849 to read:

1850 450.261 Interstate Migrant Labor Commission; Florida

1851 membership.—In selecting the Florida membership of the
1852 Interstate Migrant Labor Commission, the Governor may designate
1853 the Secretary ~~executive director of the Department~~ of Economic
1854 Opportunity as his or her representative.

1855 Section 51. Paragraph (d) of subsection (1), paragraph (a)
1856 of subsection (4), and paragraphs (b), (c), and (d) of
1857 subsection (5) of section 624.5105, Florida Statutes, are
1858 amended to read:

1859 624.5105 Community contribution tax credit; authorization;
1860 limitations; eligibility and application requirements;
1861 administration; definitions; expiration.—

1862 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

1863 (d) Each proposal for the granting of such tax credit
1864 requires the prior approval of the Secretary of Economic
1865 Opportunity ~~director~~.

1866 (4) ADMINISTRATION.—

1867 (a)1. The Department of Economic Opportunity may adopt
1868 rules to administer this section, including rules for the
1869 approval or disapproval of proposals by insurers.

1870 2. The decision of the Secretary of Economic Opportunity
1871 ~~director~~ shall be in writing, and, if approved, the proposal
1872 shall state the maximum credit allowable to the insurer. A copy
1873 of the decision shall be transmitted to the executive director
1874 of the Department of Revenue, who shall apply such credit to the
1875 tax liability of the insurer.

1876 3. The Department of Economic Opportunity shall monitor
 1877 all projects periodically, in a manner consistent with available
 1878 resources to ensure that resources are utilized in accordance
 1879 with this section; however, each project shall be reviewed no
 1880 less frequently than once every 2 years.

1881 4. The Department of Economic Opportunity shall, in
 1882 consultation with the Florida Housing Finance Corporation and
 1883 the statewide and regional housing and financial intermediaries,
 1884 market the availability of the community contribution tax credit
 1885 program to community-based organizations.

1886 (5) DEFINITIONS.—As used in this section, the term:

1887 ~~(b) "Director" means the director of the Department of~~
 1888 ~~Economic Opportunity.~~

1889 (b)~~(e)~~ "Local government" means any county or incorporated
 1890 municipality in the state.

1891 (c)~~(d)~~ "Project" means an activity as defined in s.
 1892 220.03(1)(t).

1893 Section 52. Paragraph (f) of subsection (2) of section
 1894 1004.015, Florida Statutes, is amended to read:

1895 1004.015 Florida Talent Development Council.—

1896 (2) Members of the council shall include:

1897 (f) The Secretary ~~executive director of the Department of~~
 1898 ~~Economic Opportunity.~~

1899 Section 53. For the 2021-2022 fiscal year, the Department
 1900 of Economic Opportunity shall take actions to modernize the

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1901 | Reemployment Assistance Claims and Benefits Information System
1902 | as provided in the General Appropriations Act.
1903 | Section 54. This act shall take effect upon becoming a
1904 | law.