

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1
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

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

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. 443.036, F.S.; revising the definition of
33 the term "temporary layoff"; amending s. 443.091,
34 F.S.; revising the reporting requirements for
35 reemployment assistance benefit eligibility; defining
36 the term "address"; amending s. 443.101, F.S.;
37 deleting a provision providing that individuals who
38 voluntarily leave work as a direct result of
39 circumstances relating to domestic violence are
40 ineligible for benefits under certain circumstances;
41 amending s. 443.1113, F.S.; requiring the department
42 to implement an integrated, modular system hosted in a
43 cloud service, rather than an integrated Internet-
44 based system, for the reemployment assistance program;
45 revising the functions and objectives of the
46 Reemployment Assistance Claims and Benefits
47 Information System; requiring the department to
48 perform an annual review of the system; requiring the
49 department to seek input on recommended enhancements
50 from certain state entities; requiring the department

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

51 to submit an annual report to the Governor and the
52 Legislature beginning on a specified date; providing
53 requirements for such report; deleting obsolete
54 language; creating s. 443.1118, F.S.; defining terms;
55 authorizing employers to initiate employer-assisted
56 claims under certain circumstances; providing
57 requirements for employer-assisted claims relating to
58 mass separations; specifying the effective date of
59 such claims; providing that benefits paid to a
60 claimant pursuant to an employer-assisted claim count
61 toward maximum benefits for which the claimant is
62 eligible; requiring a claimant covered by an employer-
63 assisted claim to file continued biweekly claims;
64 providing construction; requiring and authorizing the
65 department to adopt specified rules; amending s.
66 443.151, F.S.; revising the timeline for employers'
67 responses to notices of benefits claims sent by the
68 department; authorizing claimants to request the
69 department to reconsider a monetary determination;
70 providing requirements for such request; providing
71 that monetary determinations and redeterminations are
72 final after a specified period of time; providing
73 exceptions; deleting a requirement that appeals
74 referees be attorneys in good standing with The
75 Florida Bar or be admitted to The Florida Bar within 8

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

76 months after the date of employment; prohibiting
 77 appeals from being filed after a specified time;
 78 amending s. 445.004, F.S.; revising the membership of
 79 the state board, which directs CareerSource Florida,
 80 Inc.; amending s. 553.79, F.S.; requiring specified
 81 building permit applications applied for by licensed
 82 contractors for property owners under certain programs
 83 administered by the department to be issued within a
 84 reduced timeframe; amending ss. 14.20195, 16.615,
 85 20.04, 213.053, 220.194, 288.005, 288.061, 288.0656,
 86 288.106, 288.1089, 288.1251, 288.8014, 288.955,
 87 288.9604, 288.987, 290.0065, 311.09, 311.105, 334.065,
 88 373.4149, 380.045, 403.0752, 420.0005, 420.0006,
 89 420.101, 420.503, 420.504, 420.506, 420.507, 420.511,
 90 420.602, 420.609, 420.622, 427.012, 443.1116, 446.53,
 91 450.261, 624.5105, and 1004.015, F.S.; conforming
 92 provisions to changes made by the act; requiring the
 93 department to take certain actions for a specified
 94 fiscal year; providing an effective date.

95
 96 Be It Enacted by the Legislature of the State of Florida:

97
 98 Section 1. Subsections (2) and (3), paragraph (a) of
 99 subsection (5), paragraph (b) of subsection (6), and subsection
 100 (9) of section 20.60, Florida Statutes, are amended, and

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

101 subsection (1) of that section is republished, to read:
 102 20.60 Department of Economic Opportunity; creation; powers
 103 and duties.—
 104 (1) There is created the Department of Economic
 105 Opportunity.
 106 (2) The head of the department is the Secretary of
 107 Economic Opportunity ~~executive director~~, who shall be appointed
 108 by the Governor, subject to confirmation by the Senate. The
 109 ~~secretary executive director~~ shall serve at the pleasure of and
 110 report to the Governor. The secretary may appoint deputy and
 111 assistant secretaries as necessary to aid the secretary in
 112 fulfilling his or her statutory obligations.
 113 (3) (a) The following divisions and offices of the
 114 Department of Economic Opportunity are established:
 115 1.(a) The Division of Strategic Business Development.
 116 2.(b) The Division of Community Development.
 117 3.(c) The Division of Workforce Services.
 118 4.(d) The Division of Finance and Administration.
 119 5.(e) The Division of Information Technology.
 120 6. The Office of the Secretary.
 121 7. The Office of Economic Accountability and Transparency,
 122 which shall:
 123 a. Oversee the department's critical objectives as
 124 determined by the secretary and make sure that the department's
 125 key objectives are clearly communicated to the public.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

126 b. Organize department resources, expertise, data, and
 127 research to focus on and solve the complex economic challenges
 128 facing the state.

129 c. Provide leadership for the department's priority issues
 130 that require integration of policy, management, and critical
 131 objectives from multiple programs and organizations internal and
 132 external to the department; and organize and manage external
 133 communication on such priority issues.

134 d. Promote and facilitate key department initiatives to
 135 address priority economic issues and explore data and identify
 136 opportunities for innovative approaches to address such economic
 137 issues.

138 e. Promote strategic planning for the department.

139 (b) The secretary:

140 1. May create offices within the Office of the Secretary
 141 and within the divisions established in paragraph (a) to promote
 142 efficient and effective operation of the department.

143 2. Shall appoint a director for each division, who shall
 144 directly administer his or her division and be responsible to
 145 the secretary.

146 (5) The divisions within the department have specific
 147 responsibilities to achieve the duties, responsibilities, and
 148 goals of the department. Specifically:

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

150 1. Analyze and evaluate business prospects identified by

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

151 the Governor, the secretary ~~executive director~~ of the
 152 department, and Enterprise Florida, Inc.

153 2. Administer certain tax refund, tax credit, and grant
 154 programs created in law. Notwithstanding any other provision of
 155 law, the department may expend interest earned from the
 156 investment of program funds deposited in the Grants and
 157 Donations Trust Fund to contract for the administration of those
 158 programs, or portions of the programs, assigned to the
 159 department by law, by the appropriations process, or by the
 160 Governor. Such expenditures shall be subject to review under
 161 chapter 216.

162 3. Develop measurement protocols for the state incentive
 163 programs and for the contracted entities which will be used to
 164 determine their performance and competitive value to the state.
 165 Performance measures, benchmarks, and sanctions must be
 166 developed in consultation with the legislative appropriations
 167 committees and the appropriate substantive committees, and are
 168 subject to the review and approval process provided in s.
 169 216.177. The approved performance measures, standards, and
 170 sanctions shall be included and made a part of the strategic
 171 plan for contracts entered into for delivery of programs
 172 authorized by this section.

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

175 a. Strategies for the promotion of business formation,

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

176 expansion, recruitment, and retention through aggressive
177 marketing, international development, and export assistance,
178 which lead to more and better jobs and higher wages for all
179 geographic regions, disadvantaged communities, and populations
180 of the state, including rural areas, minority businesses, and
181 urban core areas.

182 b. The development of realistic policies and programs to
183 further the economic diversity of the state, its regions, and
184 their associated industrial clusters.

185 c. Specific provisions for the stimulation of economic
186 development and job creation in rural areas and midsize cities
187 and counties of the state, including strategies for rural
188 marketing and the development of infrastructure in rural areas.

189 d. Provisions for the promotion of the successful long-
190 term economic development of the state with increased emphasis
191 in market research and information.

192 e. Plans for the generation of foreign investment in the
193 state which create jobs paying above-average wages and which
194 result in reverse investment in the state, including programs
195 that establish viable overseas markets, assist in meeting the
196 financing requirements of export-ready firms, broaden
197 opportunities for international joint venture relationships, use
198 the resources of academic and other institutions, coordinate
199 trade assistance and facilitation services, and facilitate
200 availability of and access to education and training programs

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

201 that assure requisite skills and competencies necessary to
 202 compete successfully in the global marketplace.

203 f. The identification of business sectors that are of
 204 current or future importance to the state's economy and to the
 205 state's global business image, and development of specific
 206 strategies to promote the development of such sectors.

207 g. Strategies for talent development necessary in the
 208 state to encourage economic development growth, taking into
 209 account factors such as the state's talent supply chain,
 210 education and training opportunities, and available workforce.

211 5. Update the strategic plan every 5 years.

212 6. Involve Enterprise Florida, Inc.; CareerSource Florida,
 213 Inc.; local governments; the general public; local and regional
 214 economic development organizations; other local, state, and
 215 federal economic, international, and workforce development
 216 entities; the business community; and educational institutions
 217 to assist with the strategic plan.

218 (6)

219 (b) The Department of Economic Opportunity shall serve as
 220 the designated agency for purposes of each federal workforce
 221 development grant assigned to it for administration. The
 222 department shall carry out the duties assigned to it by the
 223 Governor, under the terms and conditions of each grant. The
 224 department shall have the level of authority and autonomy
 225 necessary to be the designated recipient of each federal grant

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

226 assigned to it and shall disburse such grants pursuant to the
227 plans and policies of the state board as defined in s. 445.002.
228 The secretary ~~executive director~~ may, upon delegation from the
229 Governor and pursuant to agreement with the state board, sign
230 contracts, grants, and other instruments as necessary to execute
231 functions assigned to the department. Notwithstanding other
232 provisions of law, the department shall administer other
233 programs funded by federal or state appropriations, as
234 determined by the Legislature in the General Appropriations Act
235 or other law.

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

237 (a) Manage all activities and responsibilities of the
238 department.

239 (b) Serve as the manager for the state with respect to
240 contracts with Enterprise Florida, Inc., and all applicable
241 direct-support organizations. To accomplish the provisions of
242 this section and applicable provisions of chapter 288, and
243 notwithstanding the provisions of part I of chapter 287, the
244 secretary ~~director~~ shall enter into specific contracts with
245 Enterprise Florida, Inc., and other appropriate direct-support
246 organizations. Such contracts may be for multiyear terms and
247 must include specific performance measures for each year. For
248 purposes of this section, the Florida Tourism Industry Marketing
249 Corporation and the Institute for Commercialization of Florida
250 Technology are not appropriate direct-support organizations.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

251 (c) Serve as a member of the board of directors of the
 252 Florida Development Finance Corporation. The secretary ~~executive~~
 253 ~~director~~ may designate an employee of the department to serve in
 254 this capacity.

255 Section 2. Paragraph (a) of subsection (5) of section
 256 288.901, Florida Statutes, is amended to read:

257 288.901 Enterprise Florida, Inc.—

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

259 (a) In addition to the Governor or his or her designee,
 260 the board of directors shall consist of the following appointed
 261 members:

- 262 1. The Commissioner of Education or his or her designee.
- 263 2. The Chief Financial Officer or his or her designee.
- 264 3. The Attorney General or his or her designee.
- 265 4. The Commissioner of Agriculture or his or her designee.
- 266 5. The chairperson of the state board as defined in s.
 267 445.002.
- 268 6. The Secretary of State or his or her designee.
- 269 7. The Secretary of Economic Opportunity or his or her
 270 designee.

271 8. Twelve members from the private sector, six of whom
 272 shall be appointed by the Governor, three of whom shall be
 273 appointed by the President of the Senate, and three of whom
 274 shall be appointed by the Speaker of the House of
 275 Representatives. Members appointed by the Governor are subject

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

276 | to Senate confirmation.

277 |

278 | All board members shall serve without compensation, but are
 279 | entitled to receive reimbursement for per diem and travel
 280 | expenses pursuant to s. 112.061. Such expenses must be paid out
 281 | of funds of Enterprise Florida, Inc.

282 | Section 3. Subsection (2) of section 290.042, Florida
 283 | Statutes, is amended to read:

284 | 290.042 Definitions relating to Florida Small Cities
 285 | Community Development Block Grant Program Act.—As used in ss.
 286 | 290.0401-290.048, the term:

287 | (2) "Administrative costs" has the same meaning as defined
 288 | in the Housing and Community Development Act of 1974, as
 289 | amended, and applicable federal regulations ~~means the payment of~~
 290 | ~~all reasonable costs of management, coordination, monitoring,~~
 291 | ~~and evaluation, and similar costs and carrying charges, related~~
 292 | ~~to the planning and execution of community development~~
 293 | ~~activities which are funded in whole or in part under the~~
 294 | ~~Florida Small Cities Community Development Block Grant Program.~~
 295 | ~~Administrative costs shall include all costs of administration,~~
 296 | ~~including general administration, planning and urban design, and~~
 297 | ~~project administration costs.~~

298 | Section 4. Subsections (3), (4), and (5) of section
 299 | 290.044, Florida Statutes, are amended to read:

300 | 290.044 Florida Small Cities Community Development Block

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

301 Grant Program Fund; administration; distribution.—

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

- 305 (a) Housing rehabilitation.
- 306 (b) Economic development.
- 307 (c) Neighborhood revitalization.
- 308 (d) Commercial revitalization.
- 309 (e) Any other activity authorized by the Housing and
 310 Community Development Act of 1974, as amended, and applicable
 311 federal regulations.

312 (4) The department shall define broad community
 313 development objectives to be achieved by the activities in ~~each~~
 314 ~~of~~ the grant program categories with the use of funds from the
 315 Florida Small Cities Community Development Block Grant Program
 316 Fund. Such objectives shall be designed to meet at least one of
 317 the national objectives provided in the Housing and Community
 318 Development Act of 1974.

319 (5) The department may set aside an amount of up to 15 ~~5~~
 320 percent of the funds annually for use in any eligible local
 321 government jurisdiction for which an emergency or natural
 322 disaster has been declared by executive order. Such funds may
 323 only be provided to a local government to fund eligible
 324 emergency-related activities for which no other source of
 325 federal, state, or local disaster funds is available. The

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

326 department may provide for such set-aside by rule. In the last
327 quarter of the state fiscal year, any funds not allocated under
328 the emergency-related set-aside shall be distributed to unfunded
329 applications ~~from the most recent funding cycle.~~

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

333 290.046 Applications for grants; procedures;
334 requirements.—

335 ~~(2)(a) Except for applications for economic development~~
336 ~~grants as provided in subparagraph (b)1., an eligible local~~
337 ~~government may submit one application for a grant during each~~
338 ~~application cycle.~~

339 ~~(b)1. An eligible local government may apply up to three~~
340 ~~times in any one annual funding cycle for an economic~~
341 ~~development grant but may not receive more than one such grant~~
342 ~~per annual funding cycle. A local government may have more than~~
343 ~~one open economic development grant.~~

344 (2)(a)2. The department shall establish minimum criteria
345 pertaining to the number of jobs created for persons of low or
346 moderate income, the degree of private sector financial
347 commitment, and the economic feasibility of the proposed project
348 and shall establish any other criteria the department deems
349 appropriate. Assistance to a private, for-profit business may
350 not be provided from a grant award unless sufficient evidence

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

351 exists to demonstrate that without such public assistance the
352 creation or retention of such jobs would not occur.

353 (b)~~(e)~~¹. A local government with an open housing
354 rehabilitation, neighborhood revitalization, or commercial
355 revitalization contract is not eligible to apply for another
356 housing rehabilitation, neighborhood revitalization, or
357 commercial revitalization grant until administrative closeout of
358 its existing contract. The department shall notify a local
359 government of administrative closeout or of any outstanding
360 closeout issues within 45 days after receipt of a closeout
361 package from the local government. A local government with an
362 open housing rehabilitation, neighborhood revitalization, or
363 commercial revitalization community development block grant
364 contract whose activities are on schedule in accordance with the
365 expenditure rates and accomplishments described in the contract
366 may apply for an economic development grant.

367 (c)~~2~~. A local government with an open economic development
368 community development block grant contract whose activities are
369 on schedule in accordance with the expenditure rates and
370 accomplishments described in the contract may apply for a
371 housing rehabilitation, neighborhood revitalization, or
372 commercial revitalization community development block grant. A
373 local government with an open economic development contract
374 whose activities are on schedule in accordance with the
375 expenditure rates and accomplishments described in the contract

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

376 | may receive ~~no~~ more than one additional economic development
377 | grant in each fiscal year.

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

381 | (3)

382 | (b) Funds shall be distributed according to the rankings
383 | established in each application cycle. If economic development
384 | funds remain available after the application cycle closes, the
385 | remaining funds shall be awarded to eligible projects ~~on a~~
386 | ~~first come, first served basis until such funds are fully~~
387 | ~~obligated.~~

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

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

401 performance of the eligible applicant.

402 Section 6. Section 331.3081, Florida Statutes, is amended
403 to read:

404 331.3081 Board of directors.—Space Florida shall be
405 governed by a 13-member independent board of directors that
406 consists of the members appointed to the board of directors of
407 Enterprise Florida, Inc., by the Governor, the President of the
408 Senate, and the Speaker of the House of Representatives pursuant
409 to s. 288.901(5)(a)8. ~~s. 288.901(5)(a)7.~~ and the Governor, who
410 shall serve ex officio, or who may appoint a designee to serve,
411 as the chair and a voting member of the board.

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

414 435.02 Definitions.—For the purposes of this chapter, the
415 term:

416 (5) "Specified agency" means the Department of Health, the
417 Department of Children and Families, the Division of Vocational
418 Rehabilitation within the Department of Education, the Agency
419 for Health Care Administration, the Department of Elderly
420 Affairs, the Department of Juvenile Justice, the Agency for
421 Persons with Disabilities, regional workforce boards providing
422 services as defined in s. 445.002(3), and local licensing
423 agencies approved pursuant to s. 402.307, when these agencies
424 are conducting state and national criminal history background
425 screening on persons who work with children or persons who are

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

426 elderly or disabled.

427 Section 8. Subsection (43) of section 443.036, Florida
428 Statutes, is amended to read:

429 443.036 Definitions.—As used in this chapter, the term:

430 (43) "Temporary layoff" means:

431 (a) An individual's a job separation due to lack of work
432 which does not exceed 8 consecutive weeks and which has a fixed
433 or approximate return-to-work date; or

434 (b) An individual's employer-initiated furlough that
435 causes a mandatory complete stoppage of work if such furlough is
436 temporary and the individual remains job attached and is
437 expected to return to work with the employer.

438 Section 9. Paragraph (c) of subsection (1) of section
439 443.091, Florida Statutes, is amended to read:

440 443.091 Benefit eligibility conditions.—

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

444 (c) To make continued claims for benefits, she or he is
445 reporting to the department in accordance with this paragraph
446 and department rules. Department rules may not conflict with s.
447 443.111(1)(b), which requires that each claimant continue to
448 report regardless of any pending appeal relating to her or his
449 eligibility or disqualification for benefits.

450 1. For each week of unemployment claimed, each report

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

451 must, at a minimum, include the name and, ~~address, and telephone~~
452 ~~number~~ of each prospective employer contacted, or the date the
453 claimant reported to a one-stop career center, pursuant to
454 paragraph (d). For the purposes of this subparagraph, the term
455 "address" means a website address, a physical address, or an e-
456 mail address.

457 2. The department shall offer an online assessment aimed
458 at identifying an individual's skills, abilities, and career
459 aptitude. The skills assessment must be voluntary, and the
460 department shall allow a claimant to choose whether to take the
461 skills assessment. The online assessment shall be made available
462 to any person seeking services from a local workforce
463 development board or a one-stop career center.

464 a. If the claimant chooses to take the online assessment,
465 the outcome of the assessment shall be made available to the
466 claimant, local workforce development board, and one-stop career
467 center. The department, local workforce development board, or
468 one-stop career center shall use the assessment to develop a
469 plan for referring individuals to training and employment
470 opportunities. Aggregate data on assessment outcomes may be made
471 available to CareerSource Florida, Inc., and Enterprise Florida,
472 Inc., for use in the development of policies related to
473 education and training programs that will ensure that businesses
474 in this state have access to a skilled and competent workforce.

475 b. Individuals shall be informed of and offered services

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

476 through the one-stop delivery system, including career
477 counseling, the provision of skill match and job market
478 information, and skills upgrade and other training
479 opportunities, and shall be encouraged to participate in such
480 services at no cost to the individuals. The department shall
481 coordinate with CareerSource Florida, Inc., the local workforce
482 development boards, and the one-stop career centers to identify,
483 develop, and use best practices for improving the skills of
484 individuals who choose to participate in skills upgrade and
485 other training opportunities. The department may contract with
486 an entity to create the online assessment in accordance with the
487 competitive bidding requirements in s. 287.057. The online
488 assessment must work seamlessly with the Reemployment Assistance
489 Claims and Benefits Information System.

490 Section 10. Paragraph (a) of subsection (1) and subsection
491 (6) of section 443.101, Florida Statutes, are amended to read:

492 443.101 Disqualification for benefits.—An individual shall
493 be disqualified for benefits:

494 (1) (a) For the week in which he or she has voluntarily
495 left work without good cause attributable to his or her
496 employing unit or for the week in which he or she has been
497 discharged by the employing unit for misconduct connected with
498 his or her work, based on a finding by the Department of
499 Economic Opportunity. As used in this paragraph, the term "work"
500 means any work, whether full-time, part-time, or temporary.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

501 1. Disqualification for voluntarily quitting continues for
502 the full period of unemployment next ensuing after the
503 individual has left his or her full-time, part-time, or
504 temporary work voluntarily without good cause and until the
505 individual has earned income equal to or greater than 17 times
506 his or her weekly benefit amount. As used in this subsection,
507 the term "good cause" includes only that cause attributable to
508 the employing unit which would compel a reasonable employee to
509 cease working or attributable to the individual's illness or
510 disability requiring separation from his or her work. Any other
511 disqualification may not be imposed.

512 2. An individual is not disqualified under this subsection
513 for:

514 a. Voluntarily leaving temporary work to return
515 immediately when called to work by the permanent employing unit
516 that temporarily terminated his or her work within the previous
517 6 calendar months;

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

521 c. Voluntarily leaving work if he or she proves that his
522 or her discontinued employment is a direct result of
523 circumstances related to domestic violence as defined in s.
524 741.28. An individual who voluntarily leaves work under this
525 sub-subparagraph must:

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

526 (I) Make reasonable efforts to preserve employment, unless
 527 the individual establishes that such remedies are likely to be
 528 futile or to increase the risk of future incidents of domestic
 529 violence. Such efforts may include seeking a protective
 530 injunction, relocating to a secure place, or seeking reasonable
 531 accommodation from the employing unit, such as a transfer or
 532 change of assignment;

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

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

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

546 4. Disqualification for being discharged for misconduct
 547 connected with his or her work continues for the full period of
 548 unemployment next ensuing after having been discharged and until
 549 the individual is reemployed and has earned income of at least
 550 17 times his or her weekly benefit amount and for not more than

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

551 52 weeks immediately following that week, as determined by the
552 department in each case according to the circumstances or the
553 seriousness of the misconduct, under the department's rules for
554 determining disqualification for benefits for misconduct.

555 5. If an individual has provided notification to the
556 employing unit of his or her intent to voluntarily leave work
557 and the employing unit discharges the individual for reasons
558 other than misconduct before the date the voluntary quit was to
559 take effect, the individual, if otherwise entitled, shall
560 receive benefits from the date of the employer's discharge until
561 the effective date of his or her voluntary quit.

562 6. If an individual is notified by the employing unit of
563 the employer's intent to discharge the individual for reasons
564 other than misconduct and the individual quits without good
565 cause before the date the discharge was to take effect, the
566 claimant is ineligible for benefits pursuant to s. 443.091(1)(d)
567 for failing to be available for work for the week or weeks of
568 unemployment occurring before the effective date of the
569 discharge.

570 (6) For making any false or fraudulent representation for
571 the purpose of obtaining benefits contrary to this chapter,
572 constituting a violation under s. 443.071. The disqualification
573 imposed under this subsection shall begin with the week for ~~in~~
574 which the false or fraudulent representation was ~~is~~ made and
575 shall continue for a period not to exceed 1 year after the date

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

576 the Department of Economic Opportunity discovers the false or
 577 fraudulent representation and until any overpayment of benefits
 578 resulting from such representation has been repaid in full. This
 579 disqualification may be appealed in the same manner as any other
 580 disqualification imposed under this section. A conviction by any
 581 court of competent jurisdiction in this state of the offense
 582 prohibited or punished by s. 443.071 is conclusive upon the
 583 appeals referee and the commission of the making of the false or
 584 fraudulent representation for which disqualification is imposed
 585 under this section.

586 Section 11. Section 443.1113, Florida Statutes, is amended
 587 to read:

588 443.1113 Reemployment Assistance Claims and Benefits
 589 Information System.—

590 (1) The Department of Economic Opportunity shall implement
 591 an integrated, modular system hosted in a cloud computing
 592 service, as defined in s. 282.0041, that provides for rapid
 593 provisioning of additional data processing when necessary. The
 594 system must support the efficient distribution of benefits and
 595 the effective operation and management of the reemployment
 596 assistance program. ~~To The extent that funds are appropriated~~
 597 ~~for each phase of the Reemployment Assistance Claims and~~
 598 ~~Benefits Information system may be cited by the Legislature, the~~
 599 ~~Department of Economic Opportunity shall replace and enhance the~~
 600 ~~functionality provided in the following systems with an~~

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

601 ~~integrated Internet-based system that is known as the~~
 602 "Reemployment Assistance Claims and Benefits Information System"
 603 and must:

604 (a) Be accessible through the Internet on both mobile
 605 devices and personal computers ~~Claims and benefit mainframe~~
 606 ~~system.~~

607 (b) Process reemployment assistance claims ~~Florida~~
 608 ~~unemployment Internet direct.~~

609 (c) Process benefit payments ~~Florida continued claim~~
 610 ~~Internet directory.~~

611 (d) Process and manage overpayments ~~Call center~~
 612 ~~interactive voice response system.~~

613 (e) Perform adjudication functions ~~Benefit overpayment~~
 614 ~~screening system.~~

615 (f) Process appeals and manage appeal hearings ~~Internet~~
 616 ~~and Intranet appeals system.~~

617 (g) Manage and process employer charging.

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

621 (a) ~~Wherever cost-effective and operationally feasible,~~
 622 Eliminate or automate existing paper processes and enhance any
 623 existing automated workflows in order to expedite customer
 624 transactions and eliminate redundancy.

625 (b) Enable and enhance online, self-service capabilities

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

626 | ~~access~~ to claimant and employer information and federal and
 627 | state reporting.

628 | (c) Integrate benefit payment control with the
 629 | adjudication program and collection system in order to improve
 630 | the detection of fraud.

631 | (d) Comply with all requirements established in federal
 632 | and state law for reemployment assistance.

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

635 | (f) Maintain interoperability with other department
 636 | workforce systems.

637 | (g) Allow for employer-assisted claims.

638 | (3) The scope of the Reemployment Assistance Claims and
 639 | Benefits Information System does not include any of the
 640 | following functionalities:

641 | (a) Collection of reemployment assistance taxes.

642 | (b) General ledger, financial management, or budgeting
 643 | capabilities.

644 | (c) Human resource planning or management capabilities.

645 | (4) (a) The Department of Economic Opportunity shall
 646 | perform an annual review of the system and identify enhancements
 647 | or modernization efforts that improve the delivery of services
 648 | to claimants and employers and reporting to state and federal
 649 | entities. These improvements must include, but need not be
 650 | limited to:

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

651 1. Infrastructure upgrades through cloud services.
 652 2. Software improvements.
 653 3. Enhanced data analytics and reporting.
 654 4. Increased cybersecurity pursuant to s. 282.318.
 655 (b) The department shall seek input on recommended
 656 enhancements from, at a minimum, the following entities:
 657 1. The Florida Digital Service within the Department of
 658 Management Services.
 659 2. The General Tax Administration Program Office within
 660 the Department of Revenue.
 661 3. The Division of Accounting and Auditing within the
 662 Department of Financial Services.
 663 (5) By October 1, 2023, and each year thereafter, the
 664 Department of Economic Opportunity shall submit a Reemployment
 665 Assistance Claims and Benefits Information System report to the
 666 Governor, the President of the Senate, and the Speaker of the
 667 House of Representatives. The report must, at a minimum,
 668 include:
 669 (a) A summary of maintenance, enhancement, and
 670 modernization efforts over the last fiscal year.
 671 (b) A 3-year outlook of recommended enhancements or
 672 modernization efforts that includes projected costs and
 673 timeframes for completion ~~The project to implement the~~
 674 ~~Reemployment Assistance Claims and Benefits Information System~~
 675 ~~is comprised of the following phases and corresponding~~

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

676 ~~implementation timeframes:~~

677 ~~(a) No later than the end of fiscal year 2009-2010~~
 678 ~~completion of the business re-engineering analysis and~~
 679 ~~documentation of both the detailed system requirements and the~~
 680 ~~overall system architecture.~~

681 ~~(b) The Reemployment Assistance Claims and Benefits~~
 682 ~~Internet portal that replaces the Florida Unemployment Internet~~
 683 ~~Direct and the Florida Continued Claims Internet Directory~~
 684 ~~systems, the Call Center Interactive Voice Response System, the~~
 685 ~~Benefit Overpayment Screening System, the Internet and Intranet~~
 686 ~~Appeals System, and the Claims and Benefits Mainframe System~~
 687 ~~shall be deployed to full operational status no later than the~~
 688 ~~end of fiscal year 2013-2014.~~

689 ~~(5) The Department of Economic Opportunity shall implement~~
 690 ~~the following project governance structure until such time as~~
 691 ~~the project is completed, suspended, or terminated:~~

692 ~~(a) The project sponsor for the Reemployment Assistance~~
 693 ~~Claims and Benefits Information System project is the~~
 694 ~~department.~~

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

- 698 ~~1. The executive director of the department.~~
- 699 ~~2. The executive director of the Department of Revenue.~~
- 700 ~~3. The director of the Division of Workforce Services~~

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

701 ~~within the department.~~

702 ~~4. The program director of the General Tax Administration~~

703 ~~Program Office within the Department of Revenue.~~

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

705 ~~(c) The executive steering committee has the overall~~

706 ~~responsibility for ensuring that the project meets its primary~~

707 ~~objectives and is specifically responsible for:~~

708 ~~1. Providing management direction and support to the~~

709 ~~project management team.~~

710 ~~2. Assessing the project's alignment with the strategic~~

711 ~~goals of the department for administering the reemployment~~

712 ~~assistance program.~~

713 ~~3. Reviewing and approving or disapproving any changes to~~

714 ~~the project's scope, schedule, and costs.~~

715 ~~4. Reviewing, approving or disapproving, and determining~~

716 ~~whether to proceed with any major project deliverables.~~

717 ~~5. Recommending suspension or termination of the project~~

718 ~~to the Governor, the President of the Senate, and the Speaker of~~

719 ~~the House of Representatives if it determines that the primary~~

720 ~~objectives cannot be achieved.~~

721 ~~(d) The project management team shall work under the~~

722 ~~direction of the executive steering committee and shall be~~

723 ~~minimally comprised of senior managers and stakeholders from the~~

724 ~~department and the Department of Revenue. The project management~~

725 ~~team is responsible for:~~

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

726 ~~1. Providing daily planning, management, and oversight of~~
 727 ~~the project.~~

728 ~~2. Submitting an operational work plan and providing~~
 729 ~~quarterly updates to that plan to the executive steering~~
 730 ~~committee. The plan must specify project milestones,~~
 731 ~~deliverables, and expenditures.~~

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

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

735 ~~b. An assessment of the status of major milestones and~~
 736 ~~deliverables;~~

737 ~~c. Identification of any issues requiring resolution, the~~
 738 ~~proposed resolution for these issues, and information regarding~~
 739 ~~the status of the resolution;~~

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

741 ~~e. Identification of and recommendations regarding~~
 742 ~~necessary changes in the project's scope, schedule, or costs.~~

743 ~~All recommendations must be reviewed by project stakeholders~~
 744 ~~before submission to the executive steering committee in order~~
 745 ~~to ensure that the recommendations meet required acceptance~~
 746 ~~eriteria.~~

747 Section 12. Section 443.1118, Florida Statutes, is created
 748 to read:

749 443.1118 Employer-assisted claims.—

750 (1) DEFINITIONS.—For purposes of this section:

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

751 (a) "Department" means the Department of Economic
 752 Opportunity.

753 (b) "Employer-assisted claim" means an initial claim filed
 754 by an employer on behalf of its employees who are a part of a
 755 mass separation from the employer.

756 (c) "Mass separation" means a full, partial, permanent, or
 757 temporary separation, including a temporary layoff, of full-time
 758 employees from their employer if the separation occurs at or
 759 around the same time, the employees are separated for the same
 760 reason, and the separation is due to circumstances for which the
 761 employees are not at fault. At a minimum, a mass separation
 762 involves 1,000 or more employees.

763 (2) EMPLOYER-ASSISTED CLAIM PROCESS.-

764 (a) Initiation.-An employer that commences a mass
 765 separation may initiate an employer-assisted claim by submitting
 766 employee information to the department within 10 days after the
 767 date of the mass separation pursuant to rules adopted by the
 768 department.

769 (b) Form of submission.-Due to the sensitive nature of
 770 employee information, an employer shall submit employee
 771 information through secure means approved by department rule.

772 (c) Notice and affidavit.-For each employer-assisted
 773 claim, the employer shall give notice and instructions to the
 774 employees for which claims are filed and direct the employees to
 775 complete further steps as required by the department. The

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

776 employer shall provide an attestation to the department in a
 777 form and format required by the department.

778 (3) EFFECTIVE DATE OF CLAIM.—The effective date of an
 779 employer-assisted claim is the Sunday immediately preceding the
 780 date on which the employer-assisted claim is received by the
 781 department.

782 (4) PAYMENTS.—Weeks of benefits paid to a claimant
 783 pursuant to an employer-assisted claim count toward the maximum
 784 benefits for which the claimant is eligible.

785 (5) CLAIMANT FILING REQUIREMENTS.—A claimant covered by an
 786 employer-assisted claim must file continued biweekly claims
 787 pursuant to department rule.

788 (6) CONSTRUCTION.—This section does not limit, alter, or
 789 amend a claimant's rights under this chapter relating to a
 790 hearing if a claimant is denied a claim.

791 (7) RULEMAKING.—The department shall adopt rules
 792 establishing additional procedures for filing an employer-
 793 assisted claim and may adopt additional rules to administer this
 794 section.

795 Section 13. Paragraphs (a) and (b) of subsection (3) and
 796 paragraphs (a) and (b) of subsection (4) of section 443.151,
 797 Florida Statutes, are amended to read:

798 443.151 Procedure concerning claims.—

799 (3) DETERMINATION OF ELIGIBILITY.—

800 (a) Notices of claim.—The Department of Economic

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

801 Opportunity shall promptly provide a notice of claim to the
802 claimant's most recent employing unit and all employers whose
803 employment records are liable for benefits under the monetary
804 determination. The employer must respond to the notice of claim
805 within 14 ~~20~~ days after the mailing date of the notice, or in
806 lieu of mailing, within 14 ~~20~~ days after the delivery of the
807 notice. If a contributing employer or its agent fails to timely
808 or adequately respond to the notice of claim or request for
809 information, the employer's account may not be relieved of
810 benefit charges as provided in s. 443.131(3)(a), notwithstanding
811 paragraph (5)(b). The department may adopt rules as necessary to
812 implement the processes described in this paragraph relating to
813 notices of claim.

814 (b) Monetary determinations.—In addition to the notice of
815 claim, the department shall also promptly provide an initial
816 monetary determination to the claimant and each base period
817 employer whose account is subject to being charged for its
818 respective share of benefits on the claim. The monetary
819 determination must include a statement of whether and in what
820 amount the claimant is entitled to benefits, and, in the event
821 of a denial, must state the reasons for the denial. A monetary
822 determination for the first week of a benefit year must also
823 include a statement of whether the claimant was paid the wages
824 required under s. 443.091(1)(g) and, if so, the first day of the
825 benefit year, the claimant's weekly benefit amount, and the

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

826 maximum total amount of benefits payable to the claimant for a
827 benefit year. The claimant may file a request for the department
828 to reconsider a monetary determination within 20 days after the
829 department mails the notice to the claimant's last known address
830 or, in lieu of mailing, within 20 days after the delivery of the
831 notice. A monetary determination is final for a claimant if the
832 claimant does not file a timely request for the department to
833 reconsider the monetary determination. A monetary
834 redetermination is final for a claimant unless within 20 days
835 after the mailing of the notice of monetary redetermination to
836 the claimant's last known address or, in lieu of mailing, within
837 20 days after the delivery of the notice, the claimant files an
838 appeal. The monetary determination or monetary redetermination
839 is final for an employer or other party entitled to notice
840 unless within 20 days after the mailing of the respective notice
841 to the employer or party to its last known address or, in lieu
842 of mailing, within 20 days after delivery of the notice, an
843 appeal is filed by the employer or the party ~~The monetary~~
844 ~~determination is final unless within 20 days after the mailing~~
845 ~~of the notices to the parties' last known addresses, or in lieu~~
846 ~~of mailing, within 20 days after the delivery of the notices, an~~
847 ~~appeal or written request for reconsideration is filed by the~~
848 ~~claimant or other party entitled to notice. The department may~~
849 ~~adopt rules as necessary to implement the processes described in~~
850 ~~this paragraph relating to notices of monetary determinations~~

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

851 and the appeals or reconsideration requests filed in response to
852 such notices.

853 (4) APPEALS.—

854 (a) Appeals referees.—

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

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

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

866 3.4. The department may designate alternates to serve in
867 the absence or disqualification of any appeals referee on a
868 temporary basis. These alternates must have the same
869 qualifications required of appeals referees.

870 4.5. The department shall provide the commission and the
871 appeals referees with proper facilities and assistance for the
872 execution of their functions.

873 (b) Filing and hearing.—

874 1. The claimant or any other party entitled to notice of a
875 determination may appeal an adverse determination to an appeals

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

876 referee within 20 days after the date of mailing of the notice
877 to her or his last known address or, if the notice is not
878 mailed, within 20 days after the date of delivering the notice.

879 2. Unless the appeal is untimely or withdrawn or review is
880 initiated by the commission, the appeals referee, after mailing
881 all parties and attorneys of record a notice of hearing at least
882 10 days before the date of hearing, notwithstanding the 14-day
883 notice requirement in s. 120.569(2)(b), may only affirm, modify,
884 or reverse the determination. An appeal may not be withdrawn
885 without the permission of the appeals referee.

886 3. ~~However,~~ If an appeal appears to have been filed after
887 the permissible time limit, the Office of Appeals may issue an
888 order to show cause to the appellant which requires the
889 appellant to show why the appeal should not be dismissed as
890 untimely. If, within 15 days after the mailing date of the order
891 to show cause, the appellant does not provide written evidence
892 of timely filing or good cause for failure to appeal timely, the
893 appeal shall be dismissed. However, an appeal may not be filed
894 more than 5 years after the date of the mailing of the
895 determination or, if the determination is not mailed, more than
896 5 years after the date of the delivery of the determination.

897 4. If an appeal involves a question of whether services
898 were performed by a claimant in employment or for an employer,
899 the referee must give special notice of the question and of the
900 pendency of the appeal to the employing unit and to the

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

901 department, both of which become parties to the proceeding.

902 5.a. Any part of the evidence may be received in written
 903 form, and all testimony of parties and witnesses shall be made
 904 under oath.

905 b. Irrelevant, immaterial, or unduly repetitious evidence
 906 shall be excluded, but all other evidence of a type commonly
 907 relied upon by reasonably prudent persons in the conduct of
 908 their affairs is admissible, whether or not such evidence would
 909 be admissible in a trial in state court.

910 c. Hearsay evidence may be used for the purpose of
 911 supplementing or explaining other evidence, or to support a
 912 finding if it would be admissible over objection in civil
 913 actions. Notwithstanding s. 120.57(1)(c), hearsay evidence may
 914 support a finding of fact if:

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

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

921 6. The parties must be notified promptly of the referee's
 922 decision. The referee's decision is final unless further review
 923 is initiated under paragraph (c) within 20 days after the date
 924 of mailing notice of the decision to the party's last known
 925 address or, in lieu of mailing, within 20 days after the

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

926 | delivery of the notice.

927 | Section 14. Paragraph (d) of subsection (3) of section
928 | 445.004, Florida Statutes, is amended, and subsections (1) and
929 | (2) of that section are republished, to read:

930 | 445.004 CareerSource Florida, Inc., and the state board;
931 | creation; purpose; membership; duties and powers.—

932 | (1) CareerSource Florida, Inc., is created as a not-for-
933 | profit corporation, which shall be registered, incorporated,
934 | organized, and operated in compliance with chapter 617 and shall
935 | operate at the direction of the state board. CareerSource
936 | Florida, Inc., is not a unit or entity of state government and
937 | is exempt from chapters 120 and 287. CareerSource Florida, Inc.,
938 | shall apply the procurement and expenditure procedures required
939 | by federal law for the expenditure of federal funds.

940 | CareerSource Florida, Inc., shall be administratively housed
941 | within the department and shall operate under agreement with the
942 | department. The Legislature finds that public policy dictates
943 | that CareerSource Florida, Inc., operate in the most open and
944 | accessible manner consistent with its public purpose. To this
945 | end, the Legislature specifically declares that CareerSource
946 | Florida, Inc., its board, councils, and any advisory committees
947 | or similar groups created by CareerSource Florida, Inc., are
948 | subject to the provisions of chapter 119 relating to public
949 | records, and those provisions of chapter 286 relating to public
950 | meetings.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

951 (2) CareerSource Florida, Inc., provides administrative
 952 support for the state board, the principal workforce policy
 953 organization for the state. The purpose of the state board is to
 954 design and implement strategies that help Floridians enter,
 955 remain in, and advance in the workplace, so that they may become
 956 more highly skilled and successful, which benefits these
 957 Floridians, Florida businesses, and the entire state, and
 958 fosters the development of the state's business climate.
 959 CareerSource Florida, Inc., shall, consistent with its agreement
 960 with the department, implement the policy directives of the
 961 state board and administer state workforce development programs
 962 as authorized by law.

963 (3)

964 (d) The state board must include the Secretary of Economic
 965 Opportunity or his or her designee, the vice chairperson of the
 966 board of directors of Enterprise Florida, Inc., and one member
 967 representing each of the Workforce Innovation and Opportunity
 968 Act partners, including the Division of Career and Adult
 969 Education, and other entities representing programs identified
 970 in the Workforce Innovation and Opportunity Act, as determined
 971 necessary.

972 Section 15. Subsection (14) of section 553.79, Florida
 973 Statutes, is amended to read:

974 553.79 Permits; applications; issuance; inspections.—

975 (14) (a) Except as provided in paragraph (b), a building

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

976 | permit for a single-family residential dwelling must be issued
 977 | within 30 working days after receipt of the application ~~therefor~~
 978 | unless unusual circumstances require a longer time for
 979 | processing the application or unless the permit application
 980 | fails to satisfy the Florida Building Code or the enforcing
 981 | agency's laws or ordinances.

982 | (b) A building permit for a single-family residential
 983 | dwelling applied for by a contractor licensed in this state on
 984 | behalf of a property owner who participates in a Community
 985 | Development Block Grant-Disaster Recovery program administered
 986 | by the Department of Economic Opportunity must be issued within
 987 | 15 working days after receipt of the application unless the
 988 | permit application fails to satisfy the Florida Building Code or
 989 | the enforcing agency's laws or ordinances.

990 | Section 16. Paragraph (b) of subsection (2) of section
 991 | 14.20195, Florida Statutes, is amended to read:

992 | 14.20195 Suicide Prevention Coordinating Council;
 993 | creation; membership; duties.—There is created within the
 994 | Statewide Office for Suicide Prevention a Suicide Prevention
 995 | Coordinating Council. The council shall develop strategies for
 996 | preventing suicide.

997 | (2) MEMBERSHIP.—The Suicide Prevention Coordinating
 998 | Council shall consist of 31 voting members and 1 nonvoting
 999 | member.

1000 | (b) The following state officials or their designees shall

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1001 | serve on the coordinating council:

1002 | 1. The Secretary of Elderly Affairs.

1003 | 2. The State Surgeon General.

1004 | 3. The Commissioner of Education.

1005 | 4. The Secretary of Health Care Administration.

1006 | 5. The Secretary of Juvenile Justice.

1007 | 6. The Secretary of Corrections.

1008 | 7. The executive director of the Department of Law

1009 | Enforcement.

1010 | 8. The executive director of the Department of Veterans'

1011 | Affairs.

1012 | 9. The Secretary of Children and Families.

1013 | 10. The Secretary ~~executive director of the~~ Department of

1014 | Economic Opportunity.

1015 | Section 17. Paragraph (j) of subsection (1) of section

1016 | 16.615, Florida Statutes, is amended to read:

1017 | 16.615 Council on the Social Status of Black Men and

1018 | Boys.—

1019 | (1) The Council on the Social Status of Black Men and Boys

1020 | is established within the Department of Legal Affairs and shall

1021 | consist of 19 members appointed as follows:

1022 | (j) The Secretary ~~executive director of the~~ Department of

1023 | Economic Opportunity or his or her designee.

1024 | Section 18. Subsection (3) and paragraph (b) of subsection

1025 | (7) of section 20.04, Florida Statutes, are amended to read:

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1026 20.04 Structure of executive branch.—The executive branch
1027 of state government is structured as follows:

1028 (3) For their internal structure, all departments, except
1029 for the Department of Financial Services, the Department of
1030 Economic Opportunity, the Department of Children and Families,
1031 the Department of Corrections, the Department of Management
1032 Services, the Department of Revenue, and the Department of
1033 Transportation, must adhere to the following standard terms:

1034 (a) The principal unit of the department is the
1035 "division." Each division is headed by a "director."

1036 (b) The principal unit of the division is the "bureau."
1037 Each bureau is headed by a "chief."

1038 (c) The principal unit of the bureau is the "section."
1039 Each section is headed by an "administrator."

1040 (d) If further subdivision is necessary, sections may be
1041 divided into "subsections," which are headed by "supervisors."

1042 (7)

1043 (b) Within the limitations of this subsection, the head of
1044 the department may recommend the establishment of additional
1045 divisions, bureaus, sections, and subsections of the department
1046 to promote efficient and effective operation of the department.
1047 However, additional divisions, or offices in the Department of
1048 Children and Families, the Department of Corrections, the
1049 Department of Economic Opportunity, and the Department of
1050 Transportation, may be established only by specific statutory

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1051 enactment. New bureaus, sections, and subsections of departments
 1052 may be initiated by a department and established as recommended
 1053 by the Department of Management Services and approved by the
 1054 Executive Office of the Governor, or may be established by
 1055 specific statutory enactment.

1056 Section 19. Paragraph (a) of subsection (7) of section
 1057 213.053, Florida Statutes, is amended to read:

1058 213.053 Confidentiality and information sharing.—

1059 (7) (a) Any information received by the Department of
 1060 Revenue in connection with the administration of taxes,
 1061 including, but not limited to, information contained in returns,
 1062 reports, accounts, or declarations filed by persons subject to
 1063 tax, shall be made available to the following in performance of
 1064 their official duties:

1065 1. The Auditor General or his or her authorized agent;

1066 2. The director of the Office of Program Policy Analysis
 1067 and Government Accountability or his or her authorized agent;

1068 3. The Chief Financial Officer or his or her authorized
 1069 agent;

1070 4. The Director of the Office of Insurance Regulation of
 1071 the Financial Services Commission or his or her authorized
 1072 agent;

1073 5. A property appraiser or tax collector or their
 1074 authorized agents pursuant to s. 195.084(1);

1075 6. Designated employees of the Department of Education

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1076 solely for determination of each school district's price level
 1077 index pursuant to s. 1011.62(2);

1078 7. The Secretary ~~executive director of the Department~~ of
 1079 Economic Opportunity or his or her authorized agent;

1080 8. The taxpayers' rights advocate or his or her authorized
 1081 agent pursuant to s. 20.21(3); and

1082 9. The coordinator of the Office of Economic and
 1083 Demographic Research or his or her authorized agent.

1084 Section 20. Paragraph (b) of subsection (5) of section
 1085 220.194, Florida Statutes, is amended to read:

1086 220.194 Corporate income tax credits for spaceflight
 1087 projects.—

1088 (5) APPLICATION AND CERTIFICATION.—

1089 (b) In order to take a tax credit under subparagraph (a)1.
 1090 or, if applicable, to transfer an approved credit under
 1091 subparagraph (a)2., a spaceflight business must submit an
 1092 application for certification to the Department of Economic
 1093 Opportunity along with a nonrefundable \$250 fee.

1094 1. The application must include:

1095 a. The name and physical in-state address of the taxpayer.

1096 b. Documentation demonstrating to the satisfaction of the
 1097 Department of Economic Opportunity that:

1098 (I) The taxpayer is a spaceflight business.

1099 (II) The business has engaged in a qualifying spaceflight
 1100 project before taking or transferring a credit under this

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1101 section.

1102 c. In addition to any requirement specific to a credit,

1103 documentation that the business has:

1104 (I) Created 35 new jobs in this state directly associated

1105 with spaceflight projects during its immediately preceding 3

1106 taxable years. The business shall be deemed to have created new

1107 jobs if the number of full-time jobs located in this state at

1108 the time of application for certification is greater than the

1109 total number of full-time jobs located in this state at the time

1110 of application for approval to earn credits; and

1111 (II) Invested a total of at least \$15 million in this

1112 state on a spaceflight project during its immediately preceding

1113 3 taxable years.

1114 d. The total amount and types of credits sought.

1115 e. An acknowledgment that a transfer of a tax credit is to

1116 be accomplished pursuant to subsection (5).

1117 f. A copy of an audit or audits of the preceding 3 taxable

1118 years, prepared by a certified public accountant licensed to

1119 practice in this state, which identifies that portion of the

1120 business's activities in this state related to spaceflight

1121 projects in this state.

1122 g. An acknowledgment that the business must file an annual

1123 report on the spaceflight project's progress with the Department

1124 of Economic Opportunity.

1125 h. Any other information necessary to demonstrate that the

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1126 applicant meets the job creation, investment, and other
 1127 requirements of this section.

1128 2. Within 60 days after receipt of the application for
 1129 certification, the Department of Economic Opportunity shall
 1130 evaluate the application and recommend the business for
 1131 certification or denial. The Secretary ~~executive director of the~~
 1132 ~~Department~~ of Economic Opportunity must approve or deny the
 1133 application within 30 days after receiving the recommendation.
 1134 If approved, the Department of Economic Opportunity must provide
 1135 a letter of certification to the applicant consistent with any
 1136 restrictions imposed. If the Department of Economic Opportunity
 1137 denies any part of the requested credit, the Department of
 1138 Economic Opportunity must inform the applicant of the grounds
 1139 for the denial. A copy of the certification shall be submitted
 1140 to the department within 10 days after the secretary's ~~executive~~
 1141 ~~director's~~ approval.

1142 Section 21. Subsection (3) of section 288.005, Florida
 1143 Statutes, is amended to read:

1144 288.005 Definitions.—As used in this chapter, the term:
 1145 ~~(3) "Executive director" means the executive director of~~
 1146 ~~the Department of Economic Opportunity, unless otherwise stated.~~

1147 Section 22. Subsections (1) and (3), paragraph (a) of
 1148 subsection (5), and subsection (6) of section 288.061, Florida
 1149 Statutes, are amended to read:

1150 288.061 Economic development incentive application

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1151 process.—

1152 (1) Upon receiving a submitted economic development
 1153 incentive application, the Division of Strategic Business
 1154 Development of the Department of Economic Opportunity and
 1155 designated staff of Enterprise Florida, Inc., shall review the
 1156 application to ensure that the application is complete, whether
 1157 and what type of state and local permits may be necessary for
 1158 the applicant's project, whether it is possible to waive such
 1159 permits, and what state incentives and amounts of such
 1160 incentives may be available to the applicant. The department
 1161 shall recommend to the Secretary of Economic Opportunity
 1162 ~~executive director~~ to approve or disapprove an applicant
 1163 business. If review of the application demonstrates that the
 1164 application is incomplete, the secretary ~~executive director~~
 1165 shall notify the applicant business within the first 5 business
 1166 days after receiving the application.

1167 (3) Within 10 business days after the department receives
 1168 the submitted economic development incentive application, the
 1169 Secretary of Economic Opportunity ~~executive director~~ shall
 1170 approve or disapprove the application and issue a letter of
 1171 certification to the applicant which includes a justification of
 1172 that decision, unless the business requests an extension of that
 1173 time.

1174 (a) The contract or agreement with the applicant must
 1175 specify the total amount of the award, the performance

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1176 conditions that must be met to obtain the award, the schedule
 1177 for payment, and sanctions that would apply for failure to meet
 1178 performance conditions. The department may enter into one
 1179 agreement or contract covering all of the state incentives that
 1180 are being provided to the applicant. The contract must provide
 1181 that release of funds is contingent upon sufficient
 1182 appropriation of funds by the Legislature.

1183 (b) The release of funds for the incentive or incentives
 1184 awarded to the applicant depends upon the statutory requirements
 1185 of the particular incentive program.

1186 (5) (a) The Secretary of Economic Opportunity ~~executive~~
 1187 ~~director~~ may not approve an economic development incentive
 1188 application unless the application includes a signed written
 1189 declaration by the applicant which states that the applicant has
 1190 read the information in the application and that the information
 1191 is true, correct, and complete to the best of the applicant's
 1192 knowledge and belief.

1193 (6) Beginning July 1, 2020, the Secretary of Economic
 1194 Opportunity ~~executive director~~ may not approve an economic
 1195 development incentive application unless the application
 1196 includes proof to the department that the applicant business is
 1197 registered with and uses the E-Verify system, as defined in s.
 1198 448.095, to verify the work authorization status of all newly
 1199 hired employees. If the department determines that an awardee is
 1200 not complying with this subsection, the department must notify

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1201 the awardee by certified mail of the department's determination
 1202 of noncompliance and the awardee's right to appeal the
 1203 determination. Upon a final determination of noncompliance, the
 1204 awardee must repay all moneys received as an economic
 1205 development incentive to the department within 30 days after the
 1206 final determination.

1207 Section 23. Paragraph (a) of subsection (6) of section
 1208 288.0656, Florida Statutes, is amended to read:

1209 288.0656 Rural Economic Development Initiative.—

1210 (6) (a) By August 1 of each year, the head of each of the
 1211 following agencies and organizations shall designate a deputy
 1212 secretary or higher-level staff person from within the agency or
 1213 organization to serve as the REDI representative for the agency
 1214 or organization:

- 1215 1. The Department of Transportation.
- 1216 2. The Department of Environmental Protection.
- 1217 3. The Department of Agriculture and Consumer Services.
- 1218 4. The Department of State.
- 1219 5. The Department of Health.
- 1220 6. The Department of Children and Families.
- 1221 7. The Department of Corrections.
- 1222 8. The Department of Education.
- 1223 9. The Department of Juvenile Justice.
- 1224 10. The Fish and Wildlife Conservation Commission.
- 1225 11. Each water management district.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

- 1226 | 12. Enterprise Florida, Inc.
- 1227 | 13. CareerSource Florida, Inc.
- 1228 | 14. VISIT Florida.
- 1229 | 15. The Florida Regional Planning Council Association.
- 1230 | 16. The Agency for Health Care Administration.
- 1231 | 17. The Institute of Food and Agricultural Sciences
- 1232 | (IFAS).

1233

1234 | An alternate for each designee shall also be chosen, and the
 1235 | names of the designees and alternates shall be sent to the
 1236 | Secretary of Economic Opportunity ~~executive director of the~~
 1237 | ~~department.~~

1238 | Section 24. Paragraph (c) of subsection (5) and subsection
 1239 | (8) of section 288.106, Florida Statutes, are amended to read:

1240 | 288.106 Tax refund program for qualified target industry
 1241 | businesses.—

1242 | (5) TAX REFUND AGREEMENT.—

1243 | (c) The agreement must be signed by the Secretary of
 1244 | Economic Opportunity ~~executive director~~ and by an authorized
 1245 | officer of the qualified target industry business within 120
 1246 | days after the issuance of the letter of certification under
 1247 | subsection (4), but not before passage and receipt of the
 1248 | resolution of local financial support. The department may grant
 1249 | an extension of this period at the written request of the
 1250 | qualified target industry business.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1251 (8) SPECIAL INCENTIVES.—If the department determines it is
 1252 in the best interest of the public for reasons of facilitating
 1253 economic development, growth, or new employment opportunities
 1254 within a Disproportionally Affected County, the department may,
 1255 between July 1, 2011, and June 30, 2014, waive any or all wage
 1256 or local financial support eligibility requirements and allow a
 1257 qualified target industry business from another state which
 1258 relocates all or a portion of its business to a
 1259 Disproportionally Affected County to receive a tax refund
 1260 payment of up to \$6,000 multiplied by the number of jobs
 1261 specified in the tax refund agreement under subparagraph
 1262 (5) (a)1. over the term of the agreement. Before ~~Prior to~~
 1263 granting such waiver, the Secretary of Economic Opportunity
 1264 ~~executive director of the department~~ shall file with the
 1265 Governor a written statement of the conditions and circumstances
 1266 constituting the reason for the waiver. Such business shall be
 1267 eligible for the additional tax refund payments specified in
 1268 subparagraph (3) (b)4. if it meets the criteria. As used in this
 1269 section, the term "Disproportionally Affected County" means Bay
 1270 County, Escambia County, Franklin County, Gulf County, Okaloosa
 1271 County, Santa Rosa County, Walton County, or Wakulla County.
 1272 Section 25. Subsection (5) of section 288.1089, Florida
 1273 Statutes, is amended to read:
 1274 288.1089 Innovation Incentive Program.—
 1275 (5) The department shall review proposals pursuant to s.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1276 288.061 for all three categories of innovation incentive awards.
 1277 Before making a recommendation to the Secretary of Economic
 1278 Opportunity ~~executive director~~, the department shall solicit
 1279 comments and recommendations from the Department of Agriculture
 1280 and Consumer Services. For each project, the evaluation and
 1281 recommendation to the department must include, but need not be
 1282 limited to:

1283 (a) A description of the project, its required facilities,
 1284 and the associated product, service, or research and development
 1285 associated with the project.

1286 (b) The percentage of match provided for the project.

1287 (c) The number of full-time equivalent jobs that will be
 1288 created by the project, the total estimated average annual wages
 1289 of such jobs, and the types of business activities and jobs
 1290 likely to be stimulated by the project.

1291 (d) The cumulative investment to be dedicated to the
 1292 project within 5 years and the total investment expected in the
 1293 project if more than 5 years.

1294 (e) The projected economic and fiscal impacts on the local
 1295 and state economies relative to investment.

1296 (f) A statement of any special impacts the project is
 1297 expected to stimulate in a particular business sector in the
 1298 state or regional economy or in the state's universities and
 1299 community colleges.

1300 (g) A statement of any anticipated or proposed

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1301 relationships with state universities.

1302 (h) A statement of the role the incentive is expected to
 1303 play in the decision of the applicant to locate or expand in
 1304 this state.

1305 (i) A recommendation and explanation of the amount of the
 1306 award needed to cause the applicant to expand or locate in this
 1307 state.

1308 (j) A discussion of the efforts and commitments made by
 1309 the local community in which the project is to be located to
 1310 induce the applicant's location or expansion, taking into
 1311 consideration local resources and abilities.

1312 (k) A recommendation for specific performance criteria the
 1313 applicant would be expected to achieve in order to receive
 1314 payments from the fund and penalties or sanctions for failure to
 1315 meet or maintain performance conditions.

1316 (l) Additional evaluative criteria for a research and
 1317 development facility project, including:

1318 1. A description of the extent to which the project has
 1319 the potential to serve as catalyst for an emerging or evolving
 1320 cluster.

1321 2. A description of the extent to which the project has or
 1322 could have a long-term collaborative research and development
 1323 relationship with one or more universities or community colleges
 1324 in this state.

1325 3. A description of the existing or projected impact of

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1326 | the project on established clusters or targeted industry
 1327 | sectors.

1328 | 4. A description of the project's contribution to the
 1329 | diversity and resiliency of the innovation economy of this
 1330 | state.

1331 | 5. A description of the project's impact on special needs
 1332 | communities, including, but not limited to, rural areas,
 1333 | distressed urban areas, and enterprise zones.

1334 | (m) Additional evaluative criteria for alternative and
 1335 | renewable energy proposals, including:

1336 | 1. The availability of matching funds or other in-kind
 1337 | contributions applied to the total project from an applicant.
 1338 | The Department of Agriculture and Consumer Services shall give
 1339 | greater preference to projects that provide such matching funds
 1340 | or other in-kind contributions.

1341 | 2. The degree to which the project stimulates in-state
 1342 | capital investment and economic development in metropolitan and
 1343 | rural areas, including the creation of jobs and the future
 1344 | development of a commercial market for renewable energy
 1345 | technologies.

1346 | 3. The extent to which the proposed project has been
 1347 | demonstrated to be technically feasible based on pilot project
 1348 | demonstrations, laboratory testing, scientific modeling, or
 1349 | engineering or chemical theory that supports the proposal.

1350 | 4. The degree to which the project incorporates an

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1351 innovative new technology or an innovative application of an
 1352 existing technology.

1353 5. The degree to which a project generates thermal,
 1354 mechanical, or electrical energy by means of a renewable energy
 1355 resource that has substantial long-term production potential.

1356 6. The degree to which a project demonstrates efficient
 1357 use of energy and material resources.

1358 7. The degree to which the project fosters overall
 1359 understanding and appreciation of renewable energy technologies.

1360 8. The ability to administer a complete project.

1361 9. Project duration and timeline for expenditures.

1362 10. The geographic area in which the project is to be
 1363 conducted in relation to other projects.

1364 11. The degree of public visibility and interaction.

1365 Section 26. Paragraph (b) of subsection (1) of section
 1366 288.1251, Florida Statutes, is amended to read:

1367 288.1251 Promotion and development of entertainment
 1368 industry; Office of Film and Entertainment; creation; purpose;
 1369 powers and duties.—

1370 (1) CREATION.—

1371 (b) The department shall conduct a national search for a
 1372 qualified person to fill the position of Commissioner of Film
 1373 and Entertainment when the position is vacant. The Secretary of
 1374 Economic Opportunity ~~executive director of the department~~ has
 1375 the responsibility to hire the film commissioner. Qualifications

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1376 | for the film commissioner include, but are not limited to, the
 1377 | following:

1378 | 1. A working knowledge of the equipment, personnel,
 1379 | financial, and day-to-day production operations of the
 1380 | industries to be served by the Office of Film and Entertainment;

1381 | 2. Marketing and promotion experience related to the film
 1382 | and entertainment industries to be served;

1383 | 3. Experience working with a variety of individuals
 1384 | representing large and small entertainment-related businesses,
 1385 | industry associations, local community entertainment industry
 1386 | liaisons, and labor organizations; and

1387 | 4. Experience working with a variety of state and local
 1388 | governmental agencies.

1389 | Section 27. Subsection (8) of section 288.8014, Florida
 1390 | Statutes, is amended to read:

1391 | 288.8014 Triumph Gulf Coast, Inc.; organization; board of
 1392 | directors.—

1393 | (8) The Secretary ~~executive director of the~~ Department of
 1394 | Economic Opportunity, or his or her designee, the secretary of
 1395 | the Department of Environmental Protection, or his or her
 1396 | designee, and the chair of the Committee of 8 Disproportionally
 1397 | Affected Counties, or his or her designee, shall be available to
 1398 | consult with the board of directors and may be requested to
 1399 | attend meetings of the board of directors. These individuals
 1400 | shall not be permitted to vote on any matter before the board.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1401 Section 28. Paragraph (a) of subsection (4) of section
 1402 288.955, Florida Statutes, is amended to read:

1403 288.955 Scripps Florida Funding Corporation.—

1404 (4) BOARD; MEMBERSHIP.—The corporation shall be governed
 1405 by a board of directors.

1406 (a) The board of directors shall consist of nine voting
 1407 members, of whom the Governor shall appoint three, the President
 1408 of the Senate shall appoint three, and the Speaker of the House
 1409 of Representatives shall appoint three. The Secretary of
 1410 Economic Opportunity ~~executive director of the department~~ or the
 1411 secretary's ~~director's~~ designee shall serve as an ex-officio,
 1412 nonvoting member of the board of directors.

1413 Section 29. Subsection (2) of section 288.9604, Florida
 1414 Statutes, is amended to read:

1415 288.9604 Creation of the corporation.—

1416 (2) The board of directors of the corporation shall
 1417 consist of seven directors. The Secretary of Economic
 1418 Opportunity ~~executive director of the department~~, or his or her
 1419 designee, shall serve as chair of the board of directors of the
 1420 corporation. The director of the Division of Bond Finance of the
 1421 State Board of Administration, or his or her designee, shall
 1422 serve as a director on the board of directors of the
 1423 corporation. The Governor, subject to confirmation by the
 1424 Senate, shall appoint the remaining five directors of the board
 1425 of directors of the corporation. The terms of office for the

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1426 appointed directors are for 4 years after the date of their
 1427 appointment. A vacancy occurring during a term of an appointed
 1428 director shall be filled for the unexpired term. An appointed
 1429 director is eligible for reappointment. At least three of the
 1430 appointed directors of the corporation must have experience in
 1431 finance, and one of the directors must have experience in
 1432 economic development.

1433 Section 30. Subsection (5) of section 288.987, Florida
 1434 Statutes, is amended to read:

1435 288.987 Florida Defense Support Task Force.—

1436 (5) The Secretary ~~executive director of the Department~~ of
 1437 Economic Opportunity, or his or her designee, shall serve as the
 1438 ex officio, nonvoting executive director of the task force.

1439 Section 31. Paragraph (a) of subsection (6) of section
 1440 290.0065, Florida Statutes, is amended to read:

1441 290.0065 State designation of enterprise zones.—

1442 (6) (a) The department may develop guidelines necessary for
 1443 the approval of areas under this section by the Secretary of
 1444 Economic Opportunity ~~executive director~~.

1445 Section 32. Subsection (1) of section 311.09, Florida
 1446 Statutes, is amended to read:

1447 311.09 Florida Seaport Transportation and Economic
 1448 Development Council.—

1449 (1) The Florida Seaport Transportation and Economic
 1450 Development Council is created within the Department of

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1451 Transportation. The council consists of the following 17
 1452 members: the port director, or the port director's designee, of
 1453 each of the ports of Jacksonville, Port Canaveral, Port Citrus,
 1454 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,
 1455 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key
 1456 West, and Fernandina; the secretary of the Department of
 1457 Transportation or his or her designee; and the secretary
 1458 ~~director~~ of the Department of Economic Opportunity or his or her
 1459 designee.

1460 Section 33. Paragraph (b) of subsection (1) of section
 1461 311.105, Florida Statutes, is amended to read:

1462 311.105 Florida Seaport Environmental Management
 1463 Committee; permitting; mitigation.—

1464 (1)

1465 (b) The committee shall consist of the following members:
 1466 the Secretary of Environmental Protection, or his or her
 1467 designee, as an ex officio, nonvoting member; a designee from
 1468 the United States Army Corps of Engineers, as an ex officio,
 1469 nonvoting member; a designee from the Florida Inland Navigation
 1470 District, as an ex officio, nonvoting member; the Secretary
 1471 ~~executive director of the Department~~ of Economic Opportunity, or
 1472 his or her designee, as an ex officio, nonvoting member; and
 1473 five or more port directors, as voting members, appointed to the
 1474 committee by the council chair, who shall also designate one
 1475 such member as committee chair.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1476 Section 34. Subsection (3) of section 334.065, Florida
 1477 Statutes, is amended to read:

1478 334.065 Center for Urban Transportation Research.—

1479 (3) An advisory board shall be created to periodically and
 1480 objectively review and advise the center concerning its research
 1481 program. Except for projects mandated by law, state-funded base
 1482 projects shall not be undertaken without approval of the
 1483 advisory board. The membership of the board shall consist of
 1484 nine experts in transportation-related areas, including the
 1485 secretaries of the Department ~~Florida Departments~~ of
 1486 Transportation, the Department of ~~and~~ Environmental Protection,
 1487 and ~~the executive director of~~ the Department of Economic
 1488 Opportunity, or their designees, and a member of the Florida
 1489 Transportation Commission. The nomination of the remaining
 1490 members of the board shall be made to the President of the
 1491 University of South Florida by the College of Engineering at the
 1492 University of South Florida, and the appointment of these
 1493 members must be reviewed and approved by the Florida
 1494 Transportation Commission and confirmed by the Board of
 1495 Governors.

1496 Section 35. Subsection (5) of section 373.4149, Florida
 1497 Statutes, is amended to read:

1498 373.4149 Miami-Dade County Lake Belt Plan.—

1499 (5) The secretary of the Department of Environmental
 1500 Protection, the secretary ~~executive director~~ of the Department

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1501 of Economic Opportunity, the secretary of the Department of
 1502 Transportation, the Commissioner of Agriculture, the executive
 1503 director of the Fish and Wildlife Conservation Commission, and
 1504 the executive director of the South Florida Water Management
 1505 District may enter into agreements with landowners, developers,
 1506 businesses, industries, individuals, and governmental agencies
 1507 as necessary to effectuate the Miami-Dade County Lake Belt Plan
 1508 and the provisions of this section.

1509 Section 36. Subsection (2) of section 380.045, Florida
 1510 Statutes, is amended to read:

1511 380.045 Resource planning and management committees;
 1512 objectives; procedures.—

1513 (2) The committee must ~~shall~~ include, but is ~~shall~~ not be
 1514 limited to, representation from each of the following: elected
 1515 officials from the local governments within the area under
 1516 study; the planning office of each of the local governments
 1517 within the area under study; the state land planning agency; any
 1518 other state agency under chapter 20 a representative of which
 1519 the Governor feels is relevant to the compilation of the
 1520 committee; and a water management district, if appropriate, and
 1521 regional planning council all or part of whose jurisdiction lies
 1522 within the area under study. After the appointment of the
 1523 members, the Governor shall select a chair and vice chair. A
 1524 staff member of the state land planning agency shall be
 1525 appointed by the secretary ~~director~~ of such agency to serve as

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1526 | the secretary of the committee. The state land planning agency
 1527 | shall, to the greatest extent possible, provide technical
 1528 | assistance and administrative support to the committee. Meetings
 1529 | will be called as needed by the chair or on the demand of three
 1530 | or more members of the committee. The committee will act on a
 1531 | simple majority of a quorum present and shall make a report
 1532 | within 6 months to the head of the state land planning agency.
 1533 | The committee must ~~shall~~, from the time of appointment, remain
 1534 | in existence for no less than 6 months.

1535 | Section 37. Subsection (5) of section 403.0752, Florida
 1536 | Statutes, is amended to read:

1537 | 403.0752 Ecosystem management agreements.—

1538 | (5) The Secretary ~~Executive Director of the Department of~~
 1539 | Economic Opportunity, the Secretary of Transportation, the
 1540 | Commissioner of Agriculture, the Executive Director of the Fish
 1541 | and Wildlife Conservation Commission, and the executive
 1542 | directors of the water management districts are authorized to
 1543 | participate in the development of ecosystem management
 1544 | agreements with regulated entities and other governmental
 1545 | agencies as necessary to effectuate the provisions of this
 1546 | section. Local governments are encouraged to participate in
 1547 | ecosystem management agreements.

1548 | Section 38. Subsection (1) of section 420.0005, Florida
 1549 | Statutes, is amended to read:

1550 | 420.0005 State Housing Trust Fund; State Housing Fund.—

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1551 (1) There is established in the State Treasury a separate
 1552 trust fund to be named the "State Housing Trust Fund." There
 1553 shall be deposited in the fund all moneys appropriated by the
 1554 Legislature, or moneys received from any other source, for the
 1555 purpose of this chapter, and all proceeds derived from the use
 1556 of such moneys. The fund shall be administered by the Florida
 1557 Housing Finance Corporation on behalf of the department, as
 1558 specified in this chapter. Money deposited to the fund and
 1559 appropriated by the Legislature must, notwithstanding the
 1560 provisions of chapter 216 or s. 420.504(3), be transferred
 1561 quarterly in advance, to the extent available, or, if not so
 1562 available, as soon as received into the State Housing Trust
 1563 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)
 1564 by the Chief Financial Officer to the corporation upon
 1565 certification by the Secretary ~~executive director of the~~
 1566 ~~Department~~ of Economic Opportunity that the corporation is in
 1567 compliance with the requirements of s. 420.0006. The
 1568 certification made by the secretary ~~executive director~~ shall
 1569 also include the split of funds among programs administered by
 1570 the corporation and the department as specified in chapter 92-
 1571 317, Laws of Florida, as amended. Moneys advanced by the Chief
 1572 Financial Officer must be deposited by the corporation into a
 1573 separate fund established with a qualified public depository
 1574 meeting the requirements of chapter 280 to be named the "State
 1575 Housing Fund" and used for the purposes of this chapter.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1576 Administrative and personnel costs incurred in implementing this
 1577 chapter may be paid from the State Housing Fund, but such costs
 1578 may not exceed 5 percent of the moneys deposited into such fund.
 1579 To the State Housing Fund shall be credited all loan repayments,
 1580 penalties, and other fees and charges accruing to such fund
 1581 under this chapter. It is the intent of this chapter that all
 1582 loan repayments, penalties, and other fees and charges collected
 1583 be credited in full to the program account from which the loan
 1584 originated. Moneys in the State Housing Fund which are not
 1585 currently needed for the purposes of this chapter shall be
 1586 invested in such manner as is provided for by statute. The
 1587 interest received on any such investment shall be credited to
 1588 the State Housing Fund.

1589 Section 39. Section 420.0006, Florida Statutes, is amended
 1590 to read:

1591 420.0006 Authority to contract with corporation; contract
 1592 requirements; nonperformance.—The Secretary ~~executive director~~
 1593 of Economic Opportunity ~~the department~~ shall contract,
 1594 notwithstanding part I of chapter 287, with the Florida Housing
 1595 Finance Corporation on a multiyear basis to stimulate, provide,
 1596 and foster affordable housing in the state. The contract must
 1597 incorporate the performance measures required by s. 420.511 and
 1598 be consistent with the corporation's strategic business plan
 1599 prepared in accordance with s. 420.511. The contract must
 1600 provide that if the corporation fails to comply with a

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1601 performance measure required by s. 420.511, the secretary
1602 ~~executive director~~ shall notify the Governor and refer the
1603 nonperformance to the department's inspector general for review
1604 and determination as to whether such failure is due to forces
1605 beyond the corporation's control or whether such failure is due
1606 to inadequate management of the corporation's resources.
1607 Advances shall continue to be made pursuant to s. 420.0005
1608 during the pendency of the review. If such failure is due to
1609 outside forces, it may not be deemed a violation of the
1610 contract. If such failure is due to inadequate management, the
1611 department's inspector general shall provide recommendations
1612 regarding solutions. The Governor may resolve differences of
1613 opinion with respect to performance under the contract and may
1614 request that advances continue in the event of a failure under
1615 the contract due to inadequate management. The Chief Financial
1616 Officer shall approve the request absent a finding by the Chief
1617 Financial Officer that continuing such advances would adversely
1618 impact the state; however, the Chief Financial Officer shall
1619 provide advances sufficient to meet the debt service
1620 requirements of the corporation and sufficient to fund contracts
1621 committing funds from the State Housing Trust Fund if such
1622 contracts are in accordance with the laws of this state.

1623 Section 40. Paragraph (d) of subsection (1) of section
1624 420.101, Florida Statutes, is amended to read:

1625 420.101 Housing Development Corporation of Florida;

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1626 creation, membership, and purposes.—

1627 (1) Twenty-five or more persons, a majority of whom shall
 1628 be residents of this state, who may desire to create a housing
 1629 development corporation under the provisions of this part for
 1630 the purpose of promoting and developing housing and advancing
 1631 the prosperity and economic welfare of the state and, to that
 1632 end, to exercise the powers and privileges hereinafter provided,
 1633 may be incorporated by filing in the Department of State, as
 1634 hereinafter provided, articles of incorporation. The articles of
 1635 incorporation shall contain:

1636 (d) The names and post office addresses of the members of
 1637 the first board of directors. The first board of directors shall
 1638 be elected by and from the stockholders of the corporation and
 1639 shall consist of 21 members. However, five of such members shall
 1640 consist of the following persons, who shall be nonvoting
 1641 members: the Secretary ~~executive director of the Department of~~
 1642 Economic Opportunity or her or his designee; the head of the
 1643 Department of Financial Services or her or his designee with
 1644 expertise in banking matters; a designee of the head of the
 1645 Department of Financial Services with expertise in insurance
 1646 matters; one state senator appointed by the President of the
 1647 Senate; and one representative appointed by the Speaker of the
 1648 House of Representatives.

1649 Section 41. Subsection (8) of section 420.503, Florida
 1650 Statutes, is amended to read:

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1651 420.503 Definitions.—As used in this part, the term:
 1652 (8) "Contract" means the contract between the Secretary
 1653 ~~executive director~~ of Economic Opportunity ~~the department~~ and
 1654 the corporation for provision of housing services referenced in
 1655 s. 420.0006.

1656 Section 42. Subsections (1) and (3) of section 420.504,
 1657 Florida Statutes, are amended to read:

1658 420.504 Public corporation; creation, membership, terms,
 1659 expenses.—

1660 (1) A public corporation and a public body corporate and
 1661 politic, to be known as the "Florida Housing Finance
 1662 Corporation," is created within the Department of Economic
 1663 Opportunity. It is declared to be the intent of and
 1664 constitutional construction by the Legislature that the Florida
 1665 Housing Finance Corporation constitutes an entrepreneurial
 1666 public corporation organized to provide and promote the public
 1667 welfare by administering the governmental function of financing
 1668 or refinancing housing and related facilities in this state and
 1669 that the corporation is not a department of the executive branch
 1670 of state government within the scope and meaning of s. 6, Art.
 1671 IV of the State Constitution, but is functionally related to the
 1672 Department of Economic Opportunity in which it is placed. The
 1673 executive function of state government to be performed by the
 1674 Secretary ~~executive director of the Department~~ of Economic
 1675 Opportunity in the conduct of the business of the Florida

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1676 Housing Finance Corporation must be performed pursuant to a
 1677 contract to monitor and set performance standards for the
 1678 implementation of the business plan for the provision of housing
 1679 approved for the corporation as provided in s. 420.0006. This
 1680 contract must include performance standards for the provision of
 1681 affordable housing in this state established in the strategic
 1682 business plan described in s. 420.511.

1683 (3) The corporation is a separate budget entity and is not
 1684 subject to control, supervision, or direction by the Department
 1685 of Economic Opportunity in any manner, including, but not
 1686 limited to, personnel, purchasing, transactions involving real
 1687 or personal property, and budgetary matters. The corporation
 1688 shall consist of a board of directors composed of the Secretary
 1689 ~~executive director of the Department~~ of Economic Opportunity as
 1690 an ex officio and voting member, or a senior-level agency
 1691 employee designated by the secretary ~~director~~, and eight members
 1692 appointed by the Governor subject to confirmation by the Senate
 1693 from the following:

1694 (a) One citizen actively engaged in the residential home
 1695 building industry.

1696 (b) One citizen actively engaged in the banking or
 1697 mortgage banking industry.

1698 (c) One citizen who is a representative of those areas of
 1699 labor engaged in home building.

1700 (d) One citizen with experience in housing development who

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1701 is an advocate for low-income persons.

1702 (e) One citizen actively engaged in the commercial
1703 building industry.

1704 (f) One citizen who is a former local government elected
1705 official.

1706 (g) Two citizens of the state who are not principally
1707 employed as members or representatives of any of the groups
1708 specified in paragraphs (a)-(f).

1709 Section 43. Subsection (1) of section 420.506, Florida
1710 Statutes, is amended to read:

1711 420.506 Executive director; agents and employees;
1712 inspector general.—

1713 (1) The appointment and removal of an executive director
1714 shall be by the Secretary ~~executive director of the Department~~
1715 of Economic Opportunity, with the advice and consent of the
1716 corporation's board of directors. The executive director shall
1717 employ legal and technical experts and such other agents and
1718 employees, permanent and temporary, as the corporation may
1719 require, and shall communicate with and provide information to
1720 the Legislature with respect to the corporation's activities.
1721 Notwithstanding s. 216.262, the board may develop and implement
1722 rules regarding the employment of employees of the corporation
1723 and service providers, including legal counsel. The board is
1724 entitled to establish travel procedures and guidelines for
1725 employees of the corporation, subject to s. 112.061(6) and (7).

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1726 The executive director's office and the corporation's files and
 1727 records must be located in Leon County.

1728 Section 44. Subsection (30) of section 420.507, Florida
 1729 Statutes, is amended to read:

1730 420.507 Powers of the corporation.—The corporation shall
 1731 have all the powers necessary or convenient to carry out and
 1732 effectuate the purposes and provisions of this part, including
 1733 the following powers which are in addition to all other powers
 1734 granted by other provisions of this part:

1735 (30) To prepare and submit to the Secretary ~~executive~~
 1736 ~~director~~ of Economic Opportunity ~~the department~~ a budget request
 1737 for purposes of the corporation, which request shall,
 1738 notwithstanding the provisions of chapter 216 and in accordance
 1739 with s. 216.351, contain a request for operational expenditures
 1740 and separate requests for other authorized corporation programs.
 1741 The request need not contain information on the number of
 1742 employees, salaries, or any classification thereof, and the
 1743 approved operating budget therefor need not comply with s.
 1744 216.181(8)-(10). The secretary ~~executive director~~ may include
 1745 within the department's budget request the corporation's budget
 1746 request in the form as authorized by this section.

1747 Section 45. Subsection (2) of section 420.511, Florida
 1748 Statutes, is amended to read:

1749 420.511 Strategic business plan; long-range program plan;
 1750 annual report; audited financial statements.—

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1751 (2) The corporation, in coordination with the department,
 1752 shall annually develop a long-range program plan for the
 1753 provision of affordable housing in this state as required
 1754 pursuant to chapter 186. In part, the plan must include
 1755 provisions that maximize the abilities of the corporation to
 1756 implement the state housing strategy established under s.
 1757 420.0003, to respond to federal housing initiatives, and to
 1758 develop programs in a manner that is more responsive to the
 1759 needs of public and private partners. The plan shall be
 1760 developed on a schedule consistent with that established by s.
 1761 186.021. For purposes of this section, the Secretary of Economic
 1762 Opportunity ~~executive director~~ or his or her designee shall
 1763 serve as the corporation's representative to achieve a
 1764 coordinated and integrated planning relationship with the
 1765 department.

1766 Section 46. Subsection (7) of section 420.602, Florida
 1767 Statutes, is amended to read:

1768 420.602 Definitions.—As used in this part, the following
 1769 terms shall have the following meanings, unless the context
 1770 otherwise requires:

1771 ~~(7) "Director" means the executive director of the~~
 1772 ~~Department of Economic Opportunity.~~

1773 Section 47. Subsection (5) of section 420.609, Florida
 1774 Statutes, is amended to read:

1775 420.609 Affordable Housing Study Commission.—Because the

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1776 Legislature firmly supports affordable housing in Florida for
 1777 all economic classes:

1778 (5) The commission shall review, evaluate, and make
 1779 recommendations regarding existing and proposed housing programs
 1780 and initiatives. The commission shall provide these and any
 1781 other housing recommendations to the Secretary ~~director~~ of
 1782 Economic Opportunity ~~the department~~ and the executive director
 1783 of the corporation.

1784 Section 48. Subsection (2) of section 420.622, Florida
 1785 Statutes, is amended to read:

1786 420.622 State Office on Homelessness; Council on
 1787 Homelessness.—

1788 (2) The Council on Homelessness is created to consist of
 1789 19 representatives of public and private agencies who shall
 1790 develop policy and advise the State Office on Homelessness. The
 1791 council members shall be: the Secretary of Children and
 1792 Families, or his or her designee; the Secretary ~~executive~~
 1793 ~~director of the Department~~ of Economic Opportunity, or his or
 1794 her designee, who shall advise the council on issues related to
 1795 rural development; the State Surgeon General, or his or her
 1796 designee; the Executive Director of Veterans' Affairs, or his or
 1797 her designee; the Secretary of Corrections, or his or her
 1798 designee; the Secretary of Health Care Administration, or his or
 1799 her designee; the Commissioner of Education, or his or her
 1800 designee; the Executive Director of CareerSource Florida, Inc.,

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1801 or his or her designee; one representative of the Florida
1802 Association of Counties; one representative of the Florida
1803 League of Cities; one representative of the Florida Supportive
1804 Housing Coalition; one representative of the Florida Housing
1805 Coalition; the Executive Director of the Florida Housing Finance
1806 Corporation, or his or her designee; one representative of the
1807 Florida Coalition for the Homeless; the secretary of the
1808 Department of Elder Affairs, or his or her designee; and four
1809 members appointed by the Governor. The council members shall be
1810 nonpaid volunteers and shall be reimbursed only for travel
1811 expenses. The appointed members of the council shall be
1812 appointed to staggered 2-year terms and are encouraged to have
1813 experience in the administration or provision of resources,
1814 services, or housing that addresses the needs of persons
1815 experiencing homelessness. The council shall meet at least four
1816 times per year. The importance of minority, gender, and
1817 geographic representation shall be considered in appointing
1818 members to the council.

1819 Section 49. Paragraph (g) of subsection (1) of section
1820 427.012, Florida Statutes, is amended to read:

1821 427.012 The Commission for the Transportation
1822 Disadvantaged.—There is created the Commission for the
1823 Transportation Disadvantaged in the Department of
1824 Transportation.

1825 (1) The commission shall consist of seven members, all of

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1826 | whom shall be appointed by the Governor, in accordance with the
 1827 | requirements of s. 20.052.

1828 | (g) The Secretary of Transportation, the Secretary of
 1829 | Children and Families, the Secretary ~~executive director of the~~
 1830 | ~~Department~~ of Economic Opportunity, the executive director of
 1831 | the Department of Veterans' Affairs, the Secretary of Elderly
 1832 | Affairs, the Secretary of Health Care Administration, the
 1833 | director of the Agency for Persons with Disabilities, and a
 1834 | county manager or administrator who is appointed by the
 1835 | Governor, or a senior management level representative of each,
 1836 | shall serve as ex officio, nonvoting advisors to the commission.

1837 | Section 50. Subsections (2), (3), and (4) of section
 1838 | 443.1116, Florida Statutes, are amended to read:

1839 | 443.1116 Short-time compensation.—

1840 | (2) APPROVAL OF SHORT-TIME COMPENSATION PLANS.—An employer
 1841 | wishing to participate in the short-time compensation program
 1842 | must submit a signed, written, short-time plan to the Department
 1843 | of Economic Opportunity for approval. The Secretary of Economic
 1844 | Opportunity ~~director~~ or his or her designee shall approve the
 1845 | plan if:

1846 | (a) The plan applies to and identifies each specific
 1847 | affected unit;

1848 | (b) The individuals in the affected unit are identified by
 1849 | name and social security number;

1850 | (c) The normal weekly hours of work for individuals in the

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1851 affected unit are reduced by at least 10 percent and by not more
 1852 than 40 percent;

1853 (d) The plan includes a certified statement by the
 1854 employer that the aggregate reduction in work hours is in lieu
 1855 of layoffs that would affect at least 10 percent of the
 1856 employees in the affected unit and that would have resulted in
 1857 an equivalent reduction in work hours;

1858 (e) The plan applies to at least 10 percent of the
 1859 employees in the affected unit;

1860 (f) The plan is approved in writing by the collective
 1861 bargaining agent for each collective bargaining agreement
 1862 covering any individual in the affected unit;

1863 (g) The plan does not serve as a subsidy to seasonal
 1864 employers during the off-season or as a subsidy to employers who
 1865 traditionally use part-time employees;

1866 (h) The plan certifies that, if the employer provides
 1867 fringe benefits to any employee whose workweek is reduced under
 1868 the program, the fringe benefits will continue to be provided to
 1869 the employee participating in the short-time compensation
 1870 program under the same terms and conditions as though the
 1871 workweek of such employee had not been reduced or to the same
 1872 extent as other employees not participating in the short-time
 1873 compensation program. As used in this paragraph, the term
 1874 "fringe benefits" includes, but is not limited to, health
 1875 insurance, retirement benefits under defined benefit pension

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1876 plans as defined in subsection 35 of s. 1002 of the Employee
 1877 Retirement Income Security Act of 1974, 29 U.S.C., contributions
 1878 under a defined contribution plan as defined in s. 414(i) of the
 1879 Internal Revenue Code, paid vacation and holidays, and sick
 1880 leave;

1881 (i) The plan describes the manner in which the
 1882 requirements of this subsection will be implemented, including a
 1883 plan for giving notice, if feasible, to an employee whose
 1884 workweek is to be reduced, together with an estimate of the
 1885 number of layoffs that would have occurred absent the ability to
 1886 participate in short-time compensation; and

1887 (j) The terms of the employer's written plan and
 1888 implementation are consistent with employer obligations under
 1889 applicable federal laws and laws of this state.

1890 (3) APPROVAL OR DISAPPROVAL OF THE PLAN.—The Secretary of
 1891 Economic Opportunity ~~director~~ or his or her designee shall
 1892 approve or disapprove a short-time compensation plan in writing
 1893 within 15 days after its receipt. If the plan is denied, the
 1894 secretary ~~director~~ or his or her designee shall notify the
 1895 employer of the reasons for disapproval.

1896 (4) BEGINNING AND TERMINATION OF SHORT-TIME COMPENSATION
 1897 BENEFIT PERIOD.—A plan takes effect on the date of its approval
 1898 by the Secretary of Economic Opportunity ~~director~~ or his or her
 1899 designee and expires at the end of the 12th full calendar month
 1900 after its effective date.

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1901 Section 51. Paragraph (d) of subsection (2) of section
 1902 446.53, Florida Statutes, is amended to read:

1903 446.53 Concrete masonry education.—

1904 (2)

1905 (d) In addition to the 13 voting members described in
 1906 paragraph (a), the Secretary ~~executive director of the~~
 1907 ~~Department~~ of Economic Opportunity, or his or her designee,
 1908 shall serve ex officio as a nonvoting member of the board of
 1909 directors of the council.

1910 Section 52. Section 450.261, Florida Statutes, is amended
 1911 to read:

1912 450.261 Interstate Migrant Labor Commission; Florida
 1913 membership.—In selecting the Florida membership of the
 1914 Interstate Migrant Labor Commission, the Governor may designate
 1915 the Secretary ~~executive director of the~~ Department of Economic
 1916 Opportunity as his or her representative.

1917 Section 53. Paragraph (d) of subsection (1), paragraph (a)
 1918 of subsection (4), and paragraphs (b), (c), and (d) of
 1919 subsection (5) of section 624.5105, Florida Statutes, are
 1920 amended to read:

1921 624.5105 Community contribution tax credit; authorization;
 1922 limitations; eligibility and application requirements;
 1923 administration; definitions; expiration.—

1924 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

1925 (d) Each proposal for the granting of such tax credit

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1926 requires the prior approval of the Secretary of Economic
 1927 Opportunity ~~director~~.

1928 (4) ADMINISTRATION.—

1929 (a)1. The Department of Economic Opportunity may adopt
 1930 rules to administer this section, including rules for the
 1931 approval or disapproval of proposals by insurers.

1932 2. The decision of the Secretary of Economic Opportunity
 1933 ~~director~~ shall be in writing, and, if approved, the proposal
 1934 shall state the maximum credit allowable to the insurer. A copy
 1935 of the decision shall be transmitted to the executive director
 1936 of the Department of Revenue, who shall apply such credit to the
 1937 tax liability of the insurer.

1938 3. The Department of Economic Opportunity shall monitor
 1939 all projects periodically, in a manner consistent with available
 1940 resources to ensure that resources are utilized in accordance
 1941 with this section; however, each project shall be reviewed no
 1942 less frequently than once every 2 years.

1943 4. The Department of Economic Opportunity shall, in
 1944 consultation with the Florida Housing Finance Corporation and
 1945 the statewide and regional housing and financial intermediaries,
 1946 market the availability of the community contribution tax credit
 1947 program to community-based organizations.

1948 (5) DEFINITIONS.—As used in this section, the term:

1949 ~~(b) "Director" means the director of the Department of~~
 1950 ~~Economic Opportunity.~~

ENROLLED

CS/CS/HB 1463, Engrossed 1

2021 Legislature

1951 (b)~~(e)~~ "Local government" means any county or incorporated
 1952 municipality in the state.

1953 (c)~~(d)~~ "Project" means an activity as defined in s.
 1954 220.03(1)(t).

1955 Section 54. Paragraph (f) of subsection (2) of section
 1956 1004.015, Florida Statutes, is amended to read:

1957 1004.015 Florida Talent Development Council.—

1958 (2) Members of the council shall include:

1959 (f) The Secretary ~~executive director of the Department~~ of
 1960 Economic Opportunity.

1961 Section 55. For the 2021-2022 fiscal year, the Department
 1962 of Economic Opportunity shall take actions to modernize the
 1963 Reemployment Assistance Claims and Benefits Information System
 1964 as provided in the General Appropriations Act.

1965 Section 56. This act shall take effect upon becoming a
 1966 law.