

By the Committee on Commerce and Tourism; and Senators Bean and Bradley

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1                                   A bill to be entitled  
2       An act relating to the Department of Economic  
3       Opportunity; amending s. 20.60, F.S.; renaming the  
4       executive director of the Department of Economic  
5       Opportunity as the Secretary of Economic Opportunity;  
6       authorizing the secretary to appoint deputy and  
7       assistant secretaries for a specified purpose;  
8       establishing the Office of the Secretary and the  
9       Office of Economic Accountability and Transparency;  
10      providing duties for the Office of Economic  
11      Accountability and Transparency; authorizing the  
12      secretary to create offices within the Office of the  
13      Secretary and within the divisions; requiring the  
14      secretary to appoint division directors; providing  
15      duties for the division directors; conforming  
16      provisions to changes made by the act; amending s.  
17      288.901, F.S.; revising the membership of the board of  
18      directors of Enterprise Florida, Inc.; amending s.  
19      290.042, F.S.; revising the definition of the term  
20      "administrative costs" relating to the Florida Small  
21      Cities Community Development Block Grant Program Act;  
22      amending s. 290.044, F.S.; revising the application  
23      process and funding for the Florida Small Cities  
24      Community Development Block Grant Program Fund;  
25      amending s. 290.046, F.S.; revising the application  
26      process and funding for development grants awarded by  
27      the department to local governments; amending s.  
28      331.3081, F.S.; conforming a cross-reference; amending  
29      s. 435.02, F.S.; revising the definition of the term

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30 "specified agency" to include certain regional  
31 workforce boards for the purposes of labor laws;  
32 amending s. 443.091, F.S.; revising the reporting  
33 requirements for reemployment assistance benefit  
34 eligibility; defining the term "address"; amending s.  
35 443.101, F.S.; deleting a provision providing that  
36 individuals who voluntarily leave work as a direct  
37 result of circumstances relating to domestic violence  
38 are ineligible for benefits under certain  
39 circumstances; amending s. 443.1113, F.S.; requiring  
40 the department to maintain an effective and efficient  
41 system relating to the reemployment assistance  
42 program; revising the functions and objectives of the  
43 Reemployment Assistance Claims and Benefits  
44 Information System; requiring the department to  
45 perform an annual review of the system; requiring the  
46 department to seek input from certain state entities  
47 when performing such review; requiring the department  
48 to submit an annual report to the Governor and the  
49 Legislature beginning on a specified date; providing  
50 requirements for such report; deleting obsolete  
51 language; requiring the department take actions to  
52 modernize the system in the 2021-2022 fiscal year as  
53 directed in the General Appropriations Act; amending  
54 s. 443.151, F.S.; revising the timeline for employers'  
55 responses to notices of benefits claims sent by the  
56 department; authorizing claimants to request the  
57 department to reconsider a monetary determination;  
58 providing requirements for such request; providing

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59 that monetary determinations and redeterminations are  
60 final after a specified period of time; providing  
61 exceptions; deleting a requirement that appeals  
62 referees be attorneys in good standing with The  
63 Florida Bar or be admitted to The Florida Bar within 8  
64 months after the date of employment; prohibiting  
65 appeals from being filed after a specified time;  
66 amending s. 445.004, F.S.; revising the membership of  
67 the state board, which directs CareerSource Florida,  
68 Inc.; amending s. 553.79, F.S.; requiring specified  
69 building permit applications applied for by licensed  
70 contractors for property owners under certain programs  
71 administered by the department to be issued within a  
72 reduced timeframe; amending ss. 14.20195, 16.615,  
73 20.04, 213.053, 220.194, 288.005, 288.061, 288.0656,  
74 288.106, 288.1089, 288.1251, 288.8014, 288.955,  
75 288.9604, 288.987, 290.0065, 311.09, 311.105, 334.065,  
76 373.4149, 380.045, 403.0752, 420.0005, 420.0006,  
77 420.101, 420.503, 420.504, 420.506, 420.507, 420.511,  
78 420.602, 420.609, 420.622, 427.012, 443.1116, 446.53,  
79 450.261, 624.5105, and 1004.015, F.S.; conforming  
80 provisions to changes made by the act; providing an  
81 effective date.

82  
83 Be It Enacted by the Legislature of the State of Florida:

84  
85 Section 1. Subsections (2) and (3), paragraph (a) of  
86 subsection (5), paragraph (b) of subsection (6), and subsection  
87 (9) of section 20.60, Florida Statutes, are amended, and

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88 subsection (1) of that section is republished, to read:

89 20.60 Department of Economic Opportunity; creation; powers  
90 and duties.—

91 (1) There is created the Department of Economic  
92 Opportunity.

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

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

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

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

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

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

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

107 6. The Office of the Secretary.

108 7. The Office of Economic Accountability and Transparency,  
109 which shall:

110 a. Oversee the department's critical objectives as  
111 determined by the secretary and make sure that the department's  
112 key objectives are clearly communicated to the public.

113 b. Organize department resources, expertise, data, and  
114 research to focus on and solve the complex economic challenges  
115 facing the state.

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

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117 that require integration of policy, management, and critical  
118 objectives from multiple programs and organizations internal and  
119 external to the department; and organize and manage external  
120 communication on such priority issues.

121 d. Promote and facilitate key department initiatives to  
122 address priority economic issues and explore data and identify  
123 opportunities for innovative approaches to address such economic  
124 issues.

125 e. Promote strategic planning for the department.

126 (b) The secretary:

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

130 2. Shall appoint a director for each division, who shall  
131 directly administer his or her division and be responsible to  
132 the secretary.

133 (5) The divisions within the department have specific  
134 responsibilities to achieve the duties, responsibilities, and  
135 goals of the department. Specifically:

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

137 1. Analyze and evaluate business prospects identified by  
138 the Governor, the secretary ~~executive director of the~~  
139 ~~department~~, and Enterprise Florida, Inc.

140 2. Administer certain tax refund, tax credit, and grant  
141 programs created in law. Notwithstanding any other provision of  
142 law, the department may expend interest earned from the  
143 investment of program funds deposited in the Grants and  
144 Donations Trust Fund to contract for the administration of those  
145 programs, or portions of the programs, assigned to the

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146 department by law, by the appropriations process, or by the  
147 Governor. Such expenditures shall be subject to review under  
148 chapter 216.

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

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

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

169 b. The development of realistic policies and programs to  
170 further the economic diversity of the state, its regions, and  
171 their associated industrial clusters.

172 c. Specific provisions for the stimulation of economic  
173 development and job creation in rural areas and midsize cities  
174 and counties of the state, including strategies for rural

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175 marketing and the development of infrastructure in rural areas.

176 d. Provisions for the promotion of the successful long-term  
177 economic development of the state with increased emphasis in  
178 market research and information.

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

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

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

198 5. Update the strategic plan every 5 years.

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

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204 to assist with the strategic plan.

205 (6)

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

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

224 (a) Manage all activities and responsibilities of the  
225 department.

226 (b) Serve as the manager for the state with respect to  
227 contracts with Enterprise Florida, Inc., and all applicable  
228 direct-support organizations. To accomplish the provisions of  
229 this section and applicable provisions of chapter 288, and  
230 notwithstanding the provisions of part I of chapter 287, the  
231 secretary ~~director~~ shall enter into specific contracts with  
232 Enterprise Florida, Inc., and other appropriate direct-support



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233 organizations. Such contracts may be for multiyear terms and  
234 must include specific performance measures for each year. For  
235 purposes of this section, the Florida Tourism Industry Marketing  
236 Corporation and the Institute for Commercialization of Florida  
237 Technology are not appropriate direct-support organizations.

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

242 Section 2. Paragraph (a) of subsection (5) of section  
243 288.901, Florida Statutes, is amended to read:

244 288.901 Enterprise Florida, Inc.—

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

246 (a) In addition to the Governor or his or her designee, the  
247 board of directors shall consist of the following appointed  
248 members:

- 249 1. The Commissioner of Education or his or her designee.
- 250 2. The Chief Financial Officer or his or her designee.
- 251 3. The Attorney General or his or her designee.
- 252 4. The Commissioner of Agriculture or his or her designee.
- 253 5. The chairperson of the state board as defined in s.  
254 445.002.

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

256 7. The Secretary of Economic Opportunity or his or her  
257 designee.

258 8. Twelve members from the private sector, six of whom  
259 shall be appointed by the Governor, three of whom shall be  
260 appointed by the President of the Senate, and three of whom  
261 shall be appointed by the Speaker of the House of

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262 Representatives. Members appointed by the Governor are subject  
263 to Senate confirmation.

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

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

271 290.042 Definitions relating to Florida Small Cities  
272 Community Development Block Grant Program Act.—As used in ss.  
273 290.0401-290.048, the term:

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

285 Section 4. Subsections (3), (4), and (5) of section  
286 290.044, Florida Statutes, are amended to read:

287 290.044 Florida Small Cities Community Development Block  
288 Grant Program Fund; administration; distribution.—

289 (3) The department shall require applicants for grants to  
290 compete against each other in ~~the following grant program~~

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291 categories that may include one or more of the following:

292 (a) Housing rehabilitation.

293 (b) Economic development.

294 (c) Neighborhood revitalization.

295 (d) Commercial revitalization.

296 (e) Any other activity authorized by the Housing and  
297 Community Development Act of 1974, as amended, and applicable  
298 federal regulations.

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

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

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

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320 290.046 Applications for grants; procedures; requirements.-

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

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

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

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

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349 commercial revitalization community development block grant  
350 contract whose activities are on schedule in accordance with the  
351 expenditure rates and accomplishments described in the contract  
352 may apply for an economic development grant.

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

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

367 (3)

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

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

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

388 Section 6. Section 331.3081, Florida Statutes, is amended  
389 to read:

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

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

400 435.02 Definitions.—For the purposes of this chapter, the  
401 term:

402 (5) "Specified agency" means the Department of Health, the  
403 Department of Children and Families, the Division of Vocational  
404 Rehabilitation within the Department of Education, the Agency  
405 for Health Care Administration, the Department of Elderly  
406 Affairs, the Department of Juvenile Justice, the Agency for

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407 Persons with Disabilities, regional workforce boards providing  
408 services as defined in s. 445.002(3), and local licensing  
409 agencies approved pursuant to s. 402.307, when these agencies  
410 are conducting state and national criminal history background  
411 screening on persons who work with children or persons who are  
412 elderly or disabled.

413 Section 8. Paragraph (c) of subsection (1) of section  
414 443.091, Florida Statutes, is amended to read:

415 443.091 Benefit eligibility conditions.—

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

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

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

432 2. The department shall offer an online assessment aimed at  
433 identifying an individual's skills, abilities, and career  
434 aptitude. The skills assessment must be voluntary, and the  
435 department shall allow a claimant to choose whether to take the

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436 skills assessment. The online assessment shall be made available  
437 to any person seeking services from a local workforce  
438 development board or a one-stop career center.

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

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



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

467 443.101 Disqualification for benefits.—An individual shall  
468 be disqualified for benefits:

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

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

487 2. An individual is not disqualified under this subsection  
488 for:

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

493 b. Voluntarily leaving work to relocate as a result of his

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494 or her military-connected spouse's permanent change of station  
495 orders, activation orders, or unit deployment orders; or

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

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

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

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

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

521 4. Disqualification for being discharged for misconduct  
522 connected with his or her work continues for the full period of

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523 unemployment next ensuing after having been discharged and until  
524 the individual is reemployed and has earned income of at least  
525 17 times his or her weekly benefit amount and for not more than  
526 52 weeks immediately following that week, as determined by the  
527 department in each case according to the circumstances or the  
528 seriousness of the misconduct, under the department's rules for  
529 determining disqualification for benefits for misconduct.

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

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

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

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

561 Section 10. Section 443.1113, Florida Statutes, is amended  
562 to read:

563 443.1113 Reemployment Assistance Claims and Benefits  
564 Information System.—

565 (1) The Department of Economic Opportunity shall maintain a  
566 system for the efficient distribution of benefits and the  
567 effective operation and management of the reemployment  
568 assistance program. The ~~To the extent that funds are~~  
569 ~~appropriated for each phase of the Reemployment Assistance~~  
570 ~~Claims and Benefits Information system may be cited by the~~  
571 ~~Legislature, the Department of Economic Opportunity shall~~  
572 ~~replace and enhance the functionality provided in the following~~  
573 ~~systems with an integrated Internet-based system that is known~~  
574 as the "Reemployment Assistance Claims and Benefits Information  
575 System" and must:

576 (a) Be accessible through the Internet ~~Claims and benefit~~  
577 ~~mainframe system.~~

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

580 (c) Process reemployment assistance claims ~~Florida~~

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581 ~~continued claim Internet directory.~~

582 (d) Process benefit payments ~~Call center interactive voice~~  
583 ~~response system.~~

584 (e) Monitor for and manage the collection of overpayments  
585 ~~Benefit overpayment screening system.~~

586 (f) Perform adjudication functions ~~Internet and Intranet~~  
587 ~~appeals system.~~

588 (g) Process appeals and manage appeal hearings.

589 (h) Manage and process employer charging.

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

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

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

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

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

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

607 (3) The scope of the Reemployment Assistance Claims and  
608 Benefits Information System does not include any of the  
609 following functionalities:

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- 610 (a) Collection of reemployment assistance taxes.
- 611 (b) General ledger, financial management, or budgeting  
612 capabilities.
- 613 (c) Human resource planning or management capabilities.
- 614 (4) (a) The Department of Economic Opportunity shall perform  
615 an annual review of the system and identify enhancements or  
616 modernization efforts that improve the delivery of services to  
617 claimants and employers and reporting to state and federal  
618 entities.
- 619 (b) The department shall seek input on recommended  
620 enhancements from, at a minimum, the following entities:
- 621 1. The Florida Digital Service within the Department of  
622 Management Services.
- 623 2. The General Tax Administration Program Office within the  
624 Department of Revenue.
- 625 3. The Division of Accounting and Auditing within the  
626 Department of Financial Services.
- 627 (5) By October 1, 2023, and each year thereafter, the  
628 Department of Economic Opportunity shall submit a Reemployment  
629 Assistance Claims and Benefits Information System report to the  
630 Governor, the President of the Senate, and the Speaker of the  
631 House of Representatives. The report must, at a minimum,  
632 include:
- 633 (a) A summary of maintenance, enhancement, and  
634 modernization efforts over the last fiscal year.
- 635 (b) A 3-year outlook of recommended enhancements or  
636 modernization efforts that includes projected costs and  
637 timeframes for completion ~~The project to implement the~~  
638 ~~Reemployment Assistance Claims and Benefits Information System~~

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639 ~~is comprised of the following phases and corresponding~~  
640 ~~implementation timeframes:~~

641 ~~(a) No later than the end of fiscal year 2009-2010~~  
642 ~~completion of the business re-engineering analysis and~~  
643 ~~documentation of both the detailed system requirements and the~~  
644 ~~overall system architecture.~~

645 ~~(b) The Reemployment Assistance Claims and Benefits~~  
646 ~~Internet portal that replaces the Florida Unemployment Internet~~  
647 ~~Direct and the Florida Continued Claims Internet Directory~~  
648 ~~systems, the Call Center Interactive Voice Response System, the~~  
649 ~~Benefit Overpayment Screening System, the Internet and Intranet~~  
650 ~~Appeals System, and the Claims and Benefits Mainframe System~~  
651 ~~shall be deployed to full operational status no later than the~~  
652 ~~end of fiscal year 2013-2014.~~

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

656 ~~(a) The project sponsor for the Reemployment Assistance~~  
657 ~~Claims and Benefits Information System project is the~~  
658 ~~department.~~

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

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

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

664 ~~3. The director of the Division of Workforce Services~~  
665 ~~within the department.~~

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

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- 668 ~~5. The chief information officer of the department.~~
- 669 ~~(c) The executive steering committee has the overall~~
- 670 ~~responsibility for ensuring that the project meets its primary~~
- 671 ~~objectives and is specifically responsible for:~~
- 672 ~~1. Providing management direction and support to the~~
- 673 ~~project management team.~~
- 674 ~~2. Assessing the project's alignment with the strategic~~
- 675 ~~goals of the department for administering the reemployment~~
- 676 ~~assistance program.~~
- 677 ~~3. Reviewing and approving or disapproving any changes to~~
- 678 ~~the project's scope, schedule, and costs.~~
- 679 ~~4. Reviewing, approving or disapproving, and determining~~
- 680 ~~whether to proceed with any major project deliverables.~~
- 681 ~~5. Recommending suspension or termination of the project to~~
- 682 ~~the Governor, the President of the Senate, and the Speaker of~~
- 683 ~~the House of Representatives if it determines that the primary~~
- 684 ~~objectives cannot be achieved.~~
- 685 ~~(d) The project management team shall work under the~~
- 686 ~~direction of the executive steering committee and shall be~~
- 687 ~~minimally comprised of senior managers and stakeholders from the~~
- 688 ~~department and the Department of Revenue. The project management~~
- 689 ~~team is responsible for:~~
- 690 ~~1. Providing daily planning, management, and oversight of~~
- 691 ~~the project.~~
- 692 ~~2. Submitting an operational work plan and providing~~
- 693 ~~quarterly updates to that plan to the executive steering~~
- 694 ~~committee. The plan must specify project milestones,~~
- 695 ~~deliverables, and expenditures.~~
- 696 ~~3. Submitting written monthly project status reports to the~~



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697 ~~executive steering committee which include:~~  
698 ~~a. Planned versus actual project costs;~~  
699 ~~b. An assessment of the status of major milestones and~~  
700 ~~deliverables;~~  
701 ~~c. Identification of any issues requiring resolution, the~~  
702 ~~proposed resolution for these issues, and information regarding~~  
703 ~~the status of the resolution;~~  
704 ~~d. Identification of risks that must be managed; and~~  
705 ~~e. Identification of and recommendations regarding~~  
706 ~~necessary changes in the project's scope, schedule, or costs.~~  
707 ~~All recommendations must be reviewed by project stakeholders~~  
708 ~~before submission to the executive steering committee in order~~  
709 ~~to ensure that the recommendations meet required acceptance~~  
710 ~~criteria.~~

711 Section 11. For the 2021-2022 fiscal year, the Department  
712 of Economic Opportunity shall take actions to modernize the  
713 Reemployment Assistance Claims and Benefits Information System  
714 as provided in the General Appropriations Act.

715 Section 12. Paragraphs (a) and (b) of subsection (3) and  
716 paragraphs (a) and (b) of subsection (4) of section 443.151,  
717 Florida Statutes, are amended to read:

718 443.151 Procedure concerning claims.—

719 (3) DETERMINATION OF ELIGIBILITY.—

720 (a) *Notices of claim.*—The Department of Economic  
721 Opportunity shall promptly provide a notice of claim to the  
722 claimant's most recent employing unit and all employers whose  
723 employment records are liable for benefits under the monetary  
724 determination. The employer must respond to the notice of claim  
725 within 14 ~~20~~ days after the mailing date of the notice, or in

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726 lieu of mailing, within 14 ~~20~~ days after the delivery of the  
727 notice. If a contributing employer or its agent fails to timely  
728 or adequately respond to the notice of claim or request for  
729 information, the employer's account may not be relieved of  
730 benefit charges as provided in s. 443.131(3)(a), notwithstanding  
731 paragraph (5)(b). The department may adopt rules as necessary to  
732 implement the processes described in this paragraph relating to  
733 notices of claim.

734 (b) *Monetary determinations.*—In addition to the notice of  
735 claim, the department shall also promptly provide an initial  
736 monetary determination to the claimant and each base period  
737 employer whose account is subject to being charged for its  
738 respective share of benefits on the claim. The monetary  
739 determination must include a statement of whether and in what  
740 amount the claimant is entitled to benefits, and, in the event  
741 of a denial, must state the reasons for the denial. A monetary  
742 determination for the first week of a benefit year must also  
743 include a statement of whether the claimant was paid the wages  
744 required under s. 443.091(1)(g) and, if so, the first day of the  
745 benefit year, the claimant's weekly benefit amount, and the  
746 maximum total amount of benefits payable to the claimant for a  
747 benefit year. The claimant may file a request for the department  
748 to reconsider a monetary determination within 20 days after the  
749 department mails the notice to the claimant's last known address  
750 or, in lieu of mailing, within 20 days after the delivery of the  
751 notice. A monetary determination is final for a claimant if the  
752 claimant does not file a timely request for the department to  
753 reconsider the monetary determination. A monetary  
754 redetermination is final for a claimant unless within 20 days

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755 after the mailing of the notice of monetary redetermination to  
756 the claimant's last known address or, in lieu of mailing, within  
757 20 days after the delivery of the notice, the claimant files an  
758 appeal. The monetary determination or monetary redetermination  
759 is final for an employer or other party entitled to notice  
760 unless within 20 days after the mailing of the respective notice  
761 to the employer or party to its last known address or, in lieu  
762 of mailing, within 20 days after delivery of the notice, an  
763 appeal is filed by the employer or the party ~~The monetary~~  
764 ~~determination is final unless within 20 days after the mailing~~  
765 ~~of the notices to the parties' last known addresses, or in lieu~~  
766 ~~of mailing, within 20 days after the delivery of the notices, an~~  
767 ~~appeal or written request for reconsideration is filed by the~~  
768 ~~claimant or other party entitled to notice. The department may~~  
769 ~~adopt rules as necessary to implement the processes described in~~  
770 ~~this paragraph relating to notices of monetary determinations~~  
771 ~~and the appeals or reconsideration requests filed in response to~~  
772 ~~such notices.~~

773 (4) APPEALS.—

774 (a) *Appeals referees.*—

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

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

783 3. A person may not participate on behalf of the department

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784 as an appeals referee in any case in which she or he is an  
785 interested party.

786 ~~3.4.~~ The department may designate alternates to serve in  
787 the absence or disqualification of any appeals referee on a  
788 temporary basis. These alternates must have the same  
789 qualifications required of appeals referees.

790 ~~4.5.~~ The department shall provide the commission and the  
791 appeals referees with proper facilities and assistance for the  
792 execution of their functions.

793 (b) *Filing and hearing.*—

794 1. The claimant or any other party entitled to notice of a  
795 determination may appeal an adverse determination to an appeals  
796 referee within 20 days after the date of mailing of the notice  
797 to her or his last known address or, if the notice is not  
798 mailed, within 20 days after the date of delivering the notice.

799 2. Unless the appeal is untimely or withdrawn or review is  
800 initiated by the commission, the appeals referee, after mailing  
801 all parties and attorneys of record a notice of hearing at least  
802 10 days before the date of hearing, notwithstanding the 14-day  
803 notice requirement in s. 120.569(2)(b), may only affirm, modify,  
804 or reverse the determination. An appeal may not be withdrawn  
805 without the permission of the appeals referee.

806 3. ~~However,~~ If an appeal appears to have been filed after  
807 the permissible time limit, the Office of Appeals may issue an  
808 order to show cause to the appellant which requires the  
809 appellant to show why the appeal should not be dismissed as  
810 untimely. If, within 15 days after the mailing date of the order  
811 to show cause, the appellant does not provide written evidence  
812 of timely filing or good cause for failure to appeal timely, the

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813 appeal shall be dismissed. However, an appeal may not be filed  
814 more than 5 years after the date of the mailing of the  
815 determination or, if the determination is not mailed, more than  
816 5 years after the date of the delivery of the determination.

817 4. If an appeal involves a question of whether services  
818 were performed by a claimant in employment or for an employer,  
819 the referee must give special notice of the question and of the  
820 pendency of the appeal to the employing unit and to the  
821 department, both of which become parties to the proceeding.

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

825 b. Irrelevant, immaterial, or unduly repetitious evidence  
826 shall be excluded, but all other evidence of a type commonly  
827 relied upon by reasonably prudent persons in the conduct of  
828 their affairs is admissible, whether or not such evidence would  
829 be admissible in a trial in state court.

830 c. Hearsay evidence may be used for the purpose of  
831 supplementing or explaining other evidence, or to support a  
832 finding if it would be admissible over objection in civil  
833 actions. Notwithstanding s. 120.57(1)(c), hearsay evidence may  
834 support a finding of fact if:

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

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

841 6. The parties must be notified promptly of the referee's

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842 decision. The referee's decision is final unless further review  
843 is initiated under paragraph (c) within 20 days after the date  
844 of mailing notice of the decision to the party's last known  
845 address or, in lieu of mailing, within 20 days after the  
846 delivery of the notice.

847 Section 13. Paragraph (d) of subsection (3) of section  
848 445.004, Florida Statutes, is amended, and subsections (1) and  
849 (2) of that section are republished, to read:

850 445.004 CareerSource Florida, Inc., and the state board;  
851 creation; purpose; membership; duties and powers.—

852 (1) CareerSource Florida, Inc., is created as a not-for-  
853 profit corporation, which shall be registered, incorporated,  
854 organized, and operated in compliance with chapter 617 and shall  
855 operate at the direction of the state board. CareerSource  
856 Florida, Inc., is not a unit or entity of state government and  
857 is exempt from chapters 120 and 287. CareerSource Florida, Inc.,  
858 shall apply the procurement and expenditure procedures required  
859 by federal law for the expenditure of federal funds.

860 CareerSource Florida, Inc., shall be administratively housed  
861 within the department and shall operate under agreement with the  
862 department. The Legislature finds that public policy dictates  
863 that CareerSource Florida, Inc., operate in the most open and  
864 accessible manner consistent with its public purpose. To this  
865 end, the Legislature specifically declares that CareerSource  
866 Florida, Inc., its board, councils, and any advisory committees  
867 or similar groups created by CareerSource Florida, Inc., are  
868 subject to the provisions of chapter 119 relating to public  
869 records, and those provisions of chapter 286 relating to public  
870 meetings.

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871 (2) CareerSource Florida, Inc., provides administrative  
872 support for the state board, the principal workforce policy  
873 organization for the state. The purpose of the state board is to  
874 design and implement strategies that help Floridians enter,  
875 remain in, and advance in the workplace, so that they may become  
876 more highly skilled and successful, which benefits these  
877 Floridians, Florida businesses, and the entire state, and  
878 fosters the development of the state's business climate.  
879 CareerSource Florida, Inc., shall, consistent with its agreement  
880 with the department, implement the policy directives of the  
881 state board and administer state workforce development programs  
882 as authorized by law.

883 (3)

884 (d) The state board must include the Secretary of Economic  
885 Opportunity or his or her designee, the vice chairperson of the  
886 board of directors of Enterprise Florida, Inc., and one member  
887 representing each of the Workforce Innovation and Opportunity  
888 Act partners, including the Division of Career and Adult  
889 Education, and other entities representing programs identified  
890 in the Workforce Innovation and Opportunity Act, as determined  
891 necessary.

892 Section 14. Subsection (14) of section 553.79, Florida  
893 Statutes, is amended to read:

894 553.79 Permits; applications; issuance; inspections.—

895 (14) (a) Except as provided in paragraph (b), a building  
896 permit for a single-family residential dwelling must be issued  
897 within 30 working days after receipt of the application ~~therefor~~  
898 unless unusual circumstances require a longer time for  
899 processing the application or unless the permit application

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900 fails to satisfy the Florida Building Code or the enforcing  
901 agency's laws or ordinances.

902 (b) A building permit for a single-family residential  
903 dwelling applied for by a contractor licensed in this state on  
904 behalf of a property owner who participates in a Community  
905 Development Block Grant-Disaster Recovery program administered  
906 by the Department of Economic Opportunity must be issued within  
907 15 working days after receipt of the application unless the  
908 permit application fails to satisfy the Florida Building Code or  
909 the enforcing agency's laws or ordinances.

910 Section 15. Paragraph (b) of subsection (2) of section  
911 14.20195, Florida Statutes, is amended to read:

912 14.20195 Suicide Prevention Coordinating Council; creation;  
913 membership; duties.—There is created within the Statewide Office  
914 for Suicide Prevention a Suicide Prevention Coordinating  
915 Council. The council shall develop strategies for preventing  
916 suicide.

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

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

- 921 1. The Secretary of Elderly Affairs.
- 922 2. The State Surgeon General.
- 923 3. The Commissioner of Education.
- 924 4. The Secretary of Health Care Administration.
- 925 5. The Secretary of Juvenile Justice.
- 926 6. The Secretary of Corrections.
- 927 7. The executive director of the Department of Law  
928 Enforcement.



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929 8. The executive director of the Department of Veterans'  
930 Affairs.

931 9. The Secretary of Children and Families.

932 10. The Secretary ~~executive director of the Department~~ of  
933 Economic Opportunity.

934 Section 16. Paragraph (j) of subsection (1) of section  
935 16.615, Florida Statutes, is amended to read:

936 16.615 Council on the Social Status of Black Men and Boys.—

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

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

942 Section 17. Subsection (3) and paragraph (b) of subsection  
943 (7) of section 20.04, Florida Statutes, are amended to read:

944 20.04 Structure of executive branch.—The executive branch  
945 of state government is structured as follows:

946 (3) For their internal structure, all departments, except  
947 for the Department of Financial Services, the Department of  
948 Economic Opportunity, the Department of Children and Families,  
949 the Department of Corrections, the Department of Management  
950 Services, the Department of Revenue, and the Department of  
951 Transportation, must adhere to the following standard terms:

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

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

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

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

960 (7)

961 (b) Within the limitations of this subsection, the head of  
962 the department may recommend the establishment of additional  
963 divisions, bureaus, sections, and subsections of the department  
964 to promote efficient and effective operation of the department.  
965 However, additional divisions, or offices in the Department of  
966 Children and Families, the Department of Corrections, the  
967 Department of Economic Opportunity, and the Department of  
968 Transportation, may be established only by specific statutory  
969 enactment. New bureaus, sections, and subsections of departments  
970 may be initiated by a department and established as recommended  
971 by the Department of Management Services and approved by the  
972 Executive Office of the Governor, or may be established by  
973 specific statutory enactment.

974 Section 18. Paragraph (a) of subsection (7) of section  
975 213.053, Florida Statutes, is amended to read:

976 213.053 Confidentiality and information sharing.—

977 (7) (a) Any information received by the Department of  
978 Revenue in connection with the administration of taxes,  
979 including, but not limited to, information contained in returns,  
980 reports, accounts, or declarations filed by persons subject to  
981 tax, shall be made available to the following in performance of  
982 their official duties:

- 983 1. The Auditor General or his or her authorized agent;
- 984 2. The director of the Office of Program Policy Analysis  
985 and Government Accountability or his or her authorized agent;
- 986 3. The Chief Financial Officer or his or her authorized

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987 agent;

988 4. The Director of the Office of Insurance Regulation of  
989 the Financial Services Commission or his or her authorized  
990 agent;

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

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

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

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

1000 9. The coordinator of the Office of Economic and  
1001 Demographic Research or his or her authorized agent.

1002 Section 19. Paragraph (b) of subsection (5) of section  
1003 220.194, Florida Statutes, is amended to read:

1004 220.194 Corporate income tax credits for spaceflight  
1005 projects.—

1006 (5) APPLICATION AND CERTIFICATION.—

1007 (b) In order to take a tax credit under subparagraph (a)1.  
1008 or, if applicable, to transfer an approved credit under  
1009 subparagraph (a)2., a spaceflight business must submit an  
1010 application for certification to the Department of Economic  
1011 Opportunity along with a nonrefundable \$250 fee.

1012 1. The application must include:

1013 a. The name and physical in-state address of the taxpayer.

1014 b. Documentation demonstrating to the satisfaction of the  
1015 Department of Economic Opportunity that:

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1016 (I) The taxpayer is a spaceflight business.

1017 (II) The business has engaged in a qualifying spaceflight  
1018 project before taking or transferring a credit under this  
1019 section.

1020 c. In addition to any requirement specific to a credit,  
1021 documentation that the business has:

1022 (I) Created 35 new jobs in this state directly associated  
1023 with spaceflight projects during its immediately preceding 3  
1024 taxable years. The business shall be deemed to have created new  
1025 jobs if the number of full-time jobs located in this state at  
1026 the time of application for certification is greater than the  
1027 total number of full-time jobs located in this state at the time  
1028 of application for approval to earn credits; and

1029 (II) Invested a total of at least \$15 million in this state  
1030 on a spaceflight project during its immediately preceding 3  
1031 taxable years.

1032 d. The total amount and types of credits sought.

1033 e. An acknowledgment that a transfer of a tax credit is to  
1034 be accomplished pursuant to subsection (5).

1035 f. A copy of an audit or audits of the preceding 3 taxable  
1036 years, prepared by a certified public accountant licensed to  
1037 practice in this state, which identifies that portion of the  
1038 business's activities in this state related to spaceflight  
1039 projects in this state.

1040 g. An acknowledgment that the business must file an annual  
1041 report on the spaceflight project's progress with the Department  
1042 of Economic Opportunity.

1043 h. Any other information necessary to demonstrate that the  
1044 applicant meets the job creation, investment, and other

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1045 requirements of this section.

1046         2. Within 60 days after receipt of the application for  
1047 certification, the Department of Economic Opportunity shall  
1048 evaluate the application and recommend the business for  
1049 certification or denial. The Secretary ~~executive director of the~~  
1050 ~~Department~~ of Economic Opportunity must approve or deny the  
1051 application within 30 days after receiving the recommendation.  
1052 If approved, the Department of Economic Opportunity must provide  
1053 a letter of certification to the applicant consistent with any  
1054 restrictions imposed. If the Department of Economic Opportunity  
1055 denies any part of the requested credit, the Department of  
1056 Economic Opportunity must inform the applicant of the grounds  
1057 for the denial. A copy of the certification shall be submitted  
1058 to the department within 10 days after the secretary's ~~executive~~  
1059 ~~director's~~ approval.

1060         Section 20. Subsection (3) of section 288.005, Florida  
1061 Statutes, is amended to read:

1062         288.005 Definitions.—As used in this chapter, the term:  
1063         ~~(3) "Executive director" means the executive director of~~  
1064 ~~the Department of Economic Opportunity, unless otherwise stated.~~

1065         Section 21. Subsections (1) and (3), paragraph (a) of  
1066 subsection (5), and subsection (6) of section 288.061, Florida  
1067 Statutes, are amended to read:

1068         288.061 Economic development incentive application  
1069 process.—

1070         (1) Upon receiving a submitted economic development  
1071 incentive application, the Division of Strategic Business  
1072 Development of the Department of Economic Opportunity and  
1073 designated staff of Enterprise Florida, Inc., shall review the

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1074 application to ensure that the application is complete, whether  
1075 and what type of state and local permits may be necessary for  
1076 the applicant's project, whether it is possible to waive such  
1077 permits, and what state incentives and amounts of such  
1078 incentives may be available to the applicant. The department  
1079 shall recommend to the Secretary of Economic Opportunity  
1080 ~~executive director~~ to approve or disapprove an applicant  
1081 business. If review of the application demonstrates that the  
1082 application is incomplete, the secretary ~~executive director~~  
1083 shall notify the applicant business within the first 5 business  
1084 days after receiving the application.

1085 (3) Within 10 business days after the department receives  
1086 the submitted economic development incentive application, the  
1087 Secretary of Economic Opportunity ~~executive director~~ shall  
1088 approve or disapprove the application and issue a letter of  
1089 certification to the applicant which includes a justification of  
1090 that decision, unless the business requests an extension of that  
1091 time.

1092 (a) The contract or agreement with the applicant must  
1093 specify the total amount of the award, the performance  
1094 conditions that must be met to obtain the award, the schedule  
1095 for payment, and sanctions that would apply for failure to meet  
1096 performance conditions. The department may enter into one  
1097 agreement or contract covering all of the state incentives that  
1098 are being provided to the applicant. The contract must provide  
1099 that release of funds is contingent upon sufficient  
1100 appropriation of funds by the Legislature.

1101 (b) The release of funds for the incentive or incentives  
1102 awarded to the applicant depends upon the statutory requirements

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1103 of the particular incentive program.

1104 (5) (a) The Secretary of Economic Opportunity ~~executive~~  
1105 ~~director~~ may not approve an economic development incentive  
1106 application unless the application includes a signed written  
1107 declaration by the applicant which states that the applicant has  
1108 read the information in the application and that the information  
1109 is true, correct, and complete to the best of the applicant's  
1110 knowledge and belief.

1111 (6) Beginning July 1, 2020, the Secretary of Economic  
1112 Opportunity ~~executive director~~ may not approve an economic  
1113 development incentive application unless the application  
1114 includes proof to the department that the applicant business is  
1115 registered with and uses the E-Verify system, as defined in s.  
1116 448.095, to verify the work authorization status of all newly  
1117 hired employees. If the department determines that an awardee is  
1118 not complying with this subsection, the department must notify  
1119 the awardee by certified mail of the department's determination  
1120 of noncompliance and the awardee's right to appeal the  
1121 determination. Upon a final determination of noncompliance, the  
1122 awardee must repay all moneys received as an economic  
1123 development incentive to the department within 30 days after the  
1124 final determination.

1125 Section 22. Paragraph (a) of subsection (6) of section  
1126 288.0656, Florida Statutes, is amended to read:

1127 288.0656 Rural Economic Development Initiative.—

1128 (6) (a) By August 1 of each year, the head of each of the  
1129 following agencies and organizations shall designate a deputy  
1130 secretary or higher-level staff person from within the agency or  
1131 organization to serve as the REDI representative for the agency

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1132 or organization:

- 1133 1. The Department of Transportation.
- 1134 2. The Department of Environmental Protection.
- 1135 3. The Department of Agriculture and Consumer Services.
- 1136 4. The Department of State.
- 1137 5. The Department of Health.
- 1138 6. The Department of Children and Families.
- 1139 7. The Department of Corrections.
- 1140 8. The Department of Education.
- 1141 9. The Department of Juvenile Justice.
- 1142 10. The Fish and Wildlife Conservation Commission.
- 1143 11. Each water management district.
- 1144 12. Enterprise Florida, Inc.
- 1145 13. CareerSource Florida, Inc.
- 1146 14. VISIT Florida.
- 1147 15. The Florida Regional Planning Council Association.
- 1148 16. The Agency for Health Care Administration.
- 1149 17. The Institute of Food and Agricultural Sciences (IFAS).

1150  
 1151 An alternate for each designee shall also be chosen, and the  
 1152 names of the designees and alternates shall be sent to the  
 1153 Secretary of Economic Opportunity ~~executive director of the~~  
 1154 ~~department.~~

1155 Section 23. Paragraph (c) of subsection (5) and subsection  
 1156 (8) of section 288.106, Florida Statutes, are amended to read:

1157 288.106 Tax refund program for qualified target industry  
 1158 businesses.—

1159 (5) TAX REFUND AGREEMENT.—

1160 (c) The agreement must be signed by the Secretary of



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1161 Economic Opportunity ~~executive director~~ and by an authorized  
1162 officer of the qualified target industry business within 120  
1163 days after the issuance of the letter of certification under  
1164 subsection (4), but not before passage and receipt of the  
1165 resolution of local financial support. The department may grant  
1166 an extension of this period at the written request of the  
1167 qualified target industry business.

1168 (8) SPECIAL INCENTIVES.—If the department determines it is  
1169 in the best interest of the public for reasons of facilitating  
1170 economic development, growth, or new employment opportunities  
1171 within a Disproportionally Affected County, the department may,  
1172 between July 1, 2011, and June 30, 2014, waive any or all wage  
1173 or local financial support eligibility requirements and allow a  
1174 qualified target industry business from another state which  
1175 relocates all or a portion of its business to a  
1176 Disproportionally Affected County to receive a tax refund  
1177 payment of up to \$6,000 multiplied by the number of jobs  
1178 specified in the tax refund agreement under subparagraph  
1179 (5) (a)1. over the term of the agreement. Before ~~Prior to~~  
1180 granting such waiver, the Secretary of Economic Opportunity  
1181 ~~executive director of the department~~ shall file with the  
1182 Governor a written statement of the conditions and circumstances  
1183 constituting the reason for the waiver. Such business shall be  
1184 eligible for the additional tax refund payments specified in  
1185 subparagraph (3) (b)4. if it meets the criteria. As used in this  
1186 section, the term "Disproportionally Affected County" means Bay  
1187 County, Escambia County, Franklin County, Gulf County, Okaloosa  
1188 County, Santa Rosa County, Walton County, or Wakulla County.

1189 Section 24. Subsection (5) of section 288.1089, Florida

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1190 Statutes, is amended to read:

1191 288.1089 Innovation Incentive Program.—

1192 (5) The department shall review proposals pursuant to s.  
1193 288.061 for all three categories of innovation incentive awards.  
1194 Before making a recommendation to the Secretary of Economic  
1195 Opportunity ~~executive director~~, the department shall solicit  
1196 comments and recommendations from the Department of Agriculture  
1197 and Consumer Services. For each project, the evaluation and  
1198 recommendation to the department must include, but need not be  
1199 limited to:

1200 (a) A description of the project, its required facilities,  
1201 and the associated product, service, or research and development  
1202 associated with the project.

1203 (b) The percentage of match provided for the project.

1204 (c) The number of full-time equivalent jobs that will be  
1205 created by the project, the total estimated average annual wages  
1206 of such jobs, and the types of business activities and jobs  
1207 likely to be stimulated by the project.

1208 (d) The cumulative investment to be dedicated to the  
1209 project within 5 years and the total investment expected in the  
1210 project if more than 5 years.

1211 (e) The projected economic and fiscal impacts on the local  
1212 and state economies relative to investment.

1213 (f) A statement of any special impacts the project is  
1214 expected to stimulate in a particular business sector in the  
1215 state or regional economy or in the state's universities and  
1216 community colleges.

1217 (g) A statement of any anticipated or proposed  
1218 relationships with state universities.

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1219 (h) A statement of the role the incentive is expected to  
1220 play in the decision of the applicant to locate or expand in  
1221 this state.

1222 (i) A recommendation and explanation of the amount of the  
1223 award needed to cause the applicant to expand or locate in this  
1224 state.

1225 (j) A discussion of the efforts and commitments made by the  
1226 local community in which the project is to be located to induce  
1227 the applicant's location or expansion, taking into consideration  
1228 local resources and abilities.

1229 (k) A recommendation for specific performance criteria the  
1230 applicant would be expected to achieve in order to receive  
1231 payments from the fund and penalties or sanctions for failure to  
1232 meet or maintain performance conditions.

1233 (l) Additional evaluative criteria for a research and  
1234 development facility project, including:

1235 1. A description of the extent to which the project has the  
1236 potential to serve as catalyst for an emerging or evolving  
1237 cluster.

1238 2. A description of the extent to which the project has or  
1239 could have a long-term collaborative research and development  
1240 relationship with one or more universities or community colleges  
1241 in this state.

1242 3. A description of the existing or projected impact of the  
1243 project on established clusters or targeted industry sectors.

1244 4. A description of the project's contribution to the  
1245 diversity and resiliency of the innovation economy of this  
1246 state.

1247 5. A description of the project's impact on special needs

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1248 communities, including, but not limited to, rural areas,  
1249 distressed urban areas, and enterprise zones.

1250 (m) Additional evaluative criteria for alternative and  
1251 renewable energy proposals, including:

1252 1. The availability of matching funds or other in-kind  
1253 contributions applied to the total project from an applicant.  
1254 The Department of Agriculture and Consumer Services shall give  
1255 greater preference to projects that provide such matching funds  
1256 or other in-kind contributions.

1257 2. The degree to which the project stimulates in-state  
1258 capital investment and economic development in metropolitan and  
1259 rural areas, including the creation of jobs and the future  
1260 development of a commercial market for renewable energy  
1261 technologies.

1262 3. The extent to which the proposed project has been  
1263 demonstrated to be technically feasible based on pilot project  
1264 demonstrations, laboratory testing, scientific modeling, or  
1265 engineering or chemical theory that supports the proposal.

1266 4. The degree to which the project incorporates an  
1267 innovative new technology or an innovative application of an  
1268 existing technology.

1269 5. The degree to which a project generates thermal,  
1270 mechanical, or electrical energy by means of a renewable energy  
1271 resource that has substantial long-term production potential.

1272 6. The degree to which a project demonstrates efficient use  
1273 of energy and material resources.

1274 7. The degree to which the project fosters overall  
1275 understanding and appreciation of renewable energy technologies.

1276 8. The ability to administer a complete project.

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1277 9. Project duration and timeline for expenditures.

1278 10. The geographic area in which the project is to be  
1279 conducted in relation to other projects.

1280 11. The degree of public visibility and interaction.

1281 Section 25. Paragraph (b) of subsection (1) of section  
1282 288.1251, Florida Statutes, is amended to read:

1283 288.1251 Promotion and development of entertainment  
1284 industry; Office of Film and Entertainment; creation; purpose;  
1285 powers and duties.—

1286 (1) CREATION.—

1287 (b) The department shall conduct a national search for a  
1288 qualified person to fill the position of Commissioner of Film  
1289 and Entertainment when the position is vacant. The Secretary of  
1290 Economic Opportunity ~~executive director of the department~~ has  
1291 the responsibility to hire the film commissioner. Qualifications  
1292 for the film commissioner include, but are not limited to, the  
1293 following:

1294 1. A working knowledge of the equipment, personnel,  
1295 financial, and day-to-day production operations of the  
1296 industries to be served by the Office of Film and Entertainment;

1297 2. Marketing and promotion experience related to the film  
1298 and entertainment industries to be served;

1299 3. Experience working with a variety of individuals  
1300 representing large and small entertainment-related businesses,  
1301 industry associations, local community entertainment industry  
1302 liaisons, and labor organizations; and

1303 4. Experience working with a variety of state and local  
1304 governmental agencies.

1305 Section 26. Subsection (8) of section 288.8014, Florida

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1306 Statutes, is amended to read:

1307 288.8014 Triumph Gulf Coast, Inc.; organization; board of  
1308 directors.—

1309 (8) The Secretary ~~executive director of the Department~~ of  
1310 Economic Opportunity, or his or her designee, the secretary of  
1311 the Department of Environmental Protection, or his or her  
1312 designee, and the chair of the Committee of 8 Disproportionally  
1313 Affected Counties, or his or her designee, shall be available to  
1314 consult with the board of directors and may be requested to  
1315 attend meetings of the board of directors. These individuals  
1316 shall not be permitted to vote on any matter before the board.

1317 Section 27. Paragraph (a) of subsection (4) of section  
1318 288.955, Florida Statutes, is amended to read:

1319 288.955 Scripps Florida Funding Corporation.—

1320 (4) BOARD; MEMBERSHIP.—The corporation shall be governed by  
1321 a board of directors.

1322 (a) The board of directors shall consist of nine voting  
1323 members, of whom the Governor shall appoint three, the President  
1324 of the Senate shall appoint three, and the Speaker of the House  
1325 of Representatives shall appoint three. The Secretary of  
1326 Economic Opportunity ~~executive director of the department~~ or the  
1327 secretary's ~~director's~~ designee shall serve as an ex-officio,  
1328 nonvoting member of the board of directors.

1329 Section 28. Subsection (2) of section 288.9604, Florida  
1330 Statutes, is amended to read:

1331 288.9604 Creation of the corporation.—

1332 (2) The board of directors of the corporation shall consist  
1333 of seven directors. The Secretary of Economic Opportunity  
1334 ~~executive director of the department~~, or his or her designee,

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1335 shall serve as chair of the board of directors of the  
1336 corporation. The director of the Division of Bond Finance of the  
1337 State Board of Administration, or his or her designee, shall  
1338 serve as a director on the board of directors of the  
1339 corporation. The Governor, subject to confirmation by the  
1340 Senate, shall appoint the remaining five directors of the board  
1341 of directors of the corporation. The terms of office for the  
1342 appointed directors are for 4 years after the date of their  
1343 appointment. A vacancy occurring during a term of an appointed  
1344 director shall be filled for the unexpired term. An appointed  
1345 director is eligible for reappointment. At least three of the  
1346 appointed directors of the corporation must have experience in  
1347 finance, and one of the directors must have experience in  
1348 economic development.

1349 Section 29. Subsection (5) of section 288.987, Florida  
1350 Statutes, is amended to read:

1351 288.987 Florida Defense Support Task Force.—

1352 (5) The Secretary ~~executive director of the Department~~ of  
1353 Economic Opportunity, or his or her designee, shall serve as the  
1354 ex officio, nonvoting executive director of the task force.

1355 Section 30. Paragraph (a) of subsection (6) of section  
1356 290.0065, Florida Statutes, is amended to read:

1357 290.0065 State designation of enterprise zones.—

1358 (6) (a) The department may develop guidelines necessary for  
1359 the approval of areas under this section by the Secretary of  
1360 Economic Opportunity ~~executive director~~.

1361 Section 31. Subsection (1) of section 311.09, Florida  
1362 Statutes, is amended to read:

1363 311.09 Florida Seaport Transportation and Economic

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1364 Development Council.—

1365 (1) The Florida Seaport Transportation and Economic  
1366 Development Council is created within the Department of  
1367 Transportation. The council consists of the following 17  
1368 members: the port director, or the port director's designee, of  
1369 each of the ports of Jacksonville, Port Canaveral, Port Citrus,  
1370 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,  
1371 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key  
1372 West, and Fernandina; the secretary of the Department of  
1373 Transportation or his or her designee; and the secretary  
1374 ~~director~~ of the Department of Economic Opportunity or his or her  
1375 designee.

1376 Section 32. Paragraph (b) of subsection (1) of section  
1377 311.105, Florida Statutes, is amended to read:

1378 311.105 Florida Seaport Environmental Management Committee;  
1379 permitting; mitigation.—

1380 (1)

1381 (b) The committee shall consist of the following members:  
1382 the Secretary of Environmental Protection, or his or her  
1383 designee, as an ex officio, nonvoting member; a designee from  
1384 the United States Army Corps of Engineers, as an ex officio,  
1385 nonvoting member; a designee from the Florida Inland Navigation  
1386 District, as an ex officio, nonvoting member; the Secretary  
1387 ~~executive director of the Department~~ of Economic Opportunity, or  
1388 his or her designee, as an ex officio, nonvoting member; and  
1389 five or more port directors, as voting members, appointed to the  
1390 committee by the council chair, who shall also designate one  
1391 such member as committee chair.

1392 Section 33. Subsection (3) of section 334.065, Florida



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1393 Statutes, is amended to read:

1394 334.065 Center for Urban Transportation Research.—

1395 (3) An advisory board shall be created to periodically and  
1396 objectively review and advise the center concerning its research  
1397 program. Except for projects mandated by law, state-funded base  
1398 projects shall not be undertaken without approval of the  
1399 advisory board. The membership of the board shall consist of  
1400 nine experts in transportation-related areas, including the  
1401 secretaries of the Department ~~Florida Departments~~ of  
1402 Transportation, the Department of ~~and~~ Environmental Protection,  
1403 and ~~the executive director of~~ the Department of Economic  
1404 Opportunity, or their designees, and a member of the Florida  
1405 Transportation Commission. The nomination of the remaining  
1406 members of the board shall be made to the President of the  
1407 University of South Florida by the College of Engineering at the  
1408 University of South Florida, and the appointment of these  
1409 members must be reviewed and approved by the Florida  
1410 Transportation Commission and confirmed by the Board of  
1411 Governors.

1412 Section 34. Subsection (5) of section 373.4149, Florida  
1413 Statutes, is amended to read:

1414 373.4149 Miami-Dade County Lake Belt Plan.—

1415 (5) The secretary of the Department of Environmental  
1416 Protection, the secretary ~~executive director~~ of the Department  
1417 of Economic Opportunity, the secretary of the Department of  
1418 Transportation, the Commissioner of Agriculture, the executive  
1419 director of the Fish and Wildlife Conservation Commission, and  
1420 the executive director of the South Florida Water Management  
1421 District may enter into agreements with landowners, developers,

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1422 businesses, industries, individuals, and governmental agencies  
1423 as necessary to effectuate the Miami-Dade County Lake Belt Plan  
1424 and the provisions of this section.

1425 Section 35. Subsection (2) of section 380.045, Florida  
1426 Statutes, is amended to read:

1427 380.045 Resource planning and management committees;  
1428 objectives; procedures.-

1429 (2) The committee must ~~shall~~ include, but is ~~shall~~ not be  
1430 limited to, representation from each of the following: elected  
1431 officials from the local governments within the area under  
1432 study; the planning office of each of the local governments  
1433 within the area under study; the state land planning agency; any  
1434 other state agency under chapter 20 a representative of which  
1435 the Governor feels is relevant to the compilation of the  
1436 committee; and a water management district, if appropriate, and  
1437 regional planning council all or part of whose jurisdiction lies  
1438 within the area under study. After the appointment of the  
1439 members, the Governor shall select a chair and vice chair. A  
1440 staff member of the state land planning agency shall be  
1441 appointed by the secretary ~~director~~ of such agency to serve as  
1442 the secretary of the committee. The state land planning agency  
1443 shall, to the greatest extent possible, provide technical  
1444 assistance and administrative support to the committee. Meetings  
1445 will be called as needed by the chair or on the demand of three  
1446 or more members of the committee. The committee will act on a  
1447 simple majority of a quorum present and shall make a report  
1448 within 6 months to the head of the state land planning agency.  
1449 The committee must ~~shall~~, from the time of appointment, remain  
1450 in existence for no less than 6 months.

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1451 Section 36. Subsection (5) of section 403.0752, Florida  
1452 Statutes, is amended to read:

1453 403.0752 Ecosystem management agreements.—

1454 (5) The Secretary ~~Executive Director of the Department~~ of  
1455 Economic Opportunity, the Secretary of Transportation, the  
1456 Commissioner of Agriculture, the Executive Director of the Fish  
1457 and Wildlife Conservation Commission, and the executive  
1458 directors of the water management districts are authorized to  
1459 participate in the development of ecosystem management  
1460 agreements with regulated entities and other governmental  
1461 agencies as necessary to effectuate the provisions of this  
1462 section. Local governments are encouraged to participate in  
1463 ecosystem management agreements.

1464 Section 37. Subsection (1) of section 420.0005, Florida  
1465 Statutes, is amended to read:

1466 420.0005 State Housing Trust Fund; State Housing Fund.—

1467 (1) There is established in the State Treasury a separate  
1468 trust fund to be named the "State Housing Trust Fund." There  
1469 shall be deposited in the fund all moneys appropriated by the  
1470 Legislature, or moneys received from any other source, for the  
1471 purpose of this chapter, and all proceeds derived from the use  
1472 of such moneys. The fund shall be administered by the Florida  
1473 Housing Finance Corporation on behalf of the department, as  
1474 specified in this chapter. Money deposited to the fund and  
1475 appropriated by the Legislature must, notwithstanding the  
1476 provisions of chapter 216 or s. 420.504(3), be transferred  
1477 quarterly in advance, to the extent available, or, if not so  
1478 available, as soon as received into the State Housing Trust  
1479 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)

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1480 by the Chief Financial Officer to the corporation upon  
1481 certification by the Secretary ~~executive director of the~~  
1482 ~~Department~~ of Economic Opportunity that the corporation is in  
1483 compliance with the requirements of s. 420.0006. The  
1484 certification made by the secretary ~~executive director~~ shall  
1485 also include the split of funds among programs administered by  
1486 the corporation and the department as specified in chapter 92-  
1487 317, Laws of Florida, as amended. Moneys advanced by the Chief  
1488 Financial Officer must be deposited by the corporation into a  
1489 separate fund established with a qualified public depository  
1490 meeting the requirements of chapter 280 to be named the "State  
1491 Housing Fund" and used for the purposes of this chapter.  
1492 Administrative and personnel costs incurred in implementing this  
1493 chapter may be paid from the State Housing Fund, but such costs  
1494 may not exceed 5 percent of the moneys deposited into such fund.  
1495 To the State Housing Fund shall be credited all loan repayments,  
1496 penalties, and other fees and charges accruing to such fund  
1497 under this chapter. It is the intent of this chapter that all  
1498 loan repayments, penalties, and other fees and charges collected  
1499 be credited in full to the program account from which the loan  
1500 originated. Moneys in the State Housing Fund which are not  
1501 currently needed for the purposes of this chapter shall be  
1502 invested in such manner as is provided for by statute. The  
1503 interest received on any such investment shall be credited to  
1504 the State Housing Fund.

1505 Section 38. Section 420.0006, Florida Statutes, is amended  
1506 to read:

1507 420.0006 Authority to contract with corporation; contract  
1508 requirements; nonperformance.—The Secretary ~~executive director~~

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1509 of Economic Opportunity ~~the department~~ shall contract,  
1510 notwithstanding part I of chapter 287, with the Florida Housing  
1511 Finance Corporation on a multiyear basis to stimulate, provide,  
1512 and foster affordable housing in the state. The contract must  
1513 incorporate the performance measures required by s. 420.511 and  
1514 be consistent with the corporation's strategic business plan  
1515 prepared in accordance with s. 420.511. The contract must  
1516 provide that if the corporation fails to comply with a  
1517 performance measure required by s. 420.511, the secretary  
1518 ~~executive director~~ shall notify the Governor and refer the  
1519 nonperformance to the department's inspector general for review  
1520 and determination as to whether such failure is due to forces  
1521 beyond the corporation's control or whether such failure is due  
1522 to inadequate management of the corporation's resources.  
1523 Advances shall continue to be made pursuant to s. 420.0005  
1524 during the pendency of the review. If such failure is due to  
1525 outside forces, it may not be deemed a violation of the  
1526 contract. If such failure is due to inadequate management, the  
1527 department's inspector general shall provide recommendations  
1528 regarding solutions. The Governor may resolve differences of  
1529 opinion with respect to performance under the contract and may  
1530 request that advances continue in the event of a failure under  
1531 the contract due to inadequate management. The Chief Financial  
1532 Officer shall approve the request absent a finding by the Chief  
1533 Financial Officer that continuing such advances would adversely  
1534 impact the state; however, the Chief Financial Officer shall  
1535 provide advances sufficient to meet the debt service  
1536 requirements of the corporation and sufficient to fund contracts  
1537 committing funds from the State Housing Trust Fund if such

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1538 contracts are in accordance with the laws of this state.

1539 Section 39. Paragraph (d) of subsection (1) of section  
1540 420.101, Florida Statutes, is amended to read:

1541 420.101 Housing Development Corporation of Florida;  
1542 creation, membership, and purposes.—

1543 (1) Twenty-five or more persons, a majority of whom shall  
1544 be residents of this state, who may desire to create a housing  
1545 development corporation under the provisions of this part for  
1546 the purpose of promoting and developing housing and advancing  
1547 the prosperity and economic welfare of the state and, to that  
1548 end, to exercise the powers and privileges hereinafter provided,  
1549 may be incorporated by filing in the Department of State, as  
1550 hereinafter provided, articles of incorporation. The articles of  
1551 incorporation shall contain:

1552 (d) The names and post office addresses of the members of  
1553 the first board of directors. The first board of directors shall  
1554 be elected by and from the stockholders of the corporation and  
1555 shall consist of 21 members. However, five of such members shall  
1556 consist of the following persons, who shall be nonvoting  
1557 members: the Secretary ~~executive director of the Department of~~  
1558 Economic Opportunity or her or his designee; the head of the  
1559 Department of Financial Services or her or his designee with  
1560 expertise in banking matters; a designee of the head of the  
1561 Department of Financial Services with expertise in insurance  
1562 matters; one state senator appointed by the President of the  
1563 Senate; and one representative appointed by the Speaker of the  
1564 House of Representatives.

1565 Section 40. Subsection (8) of section 420.503, Florida  
1566 Statutes, is amended to read:

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1567 420.503 Definitions.—As used in this part, the term:  
1568 (8) "Contract" means the contract between the Secretary  
1569 ~~executive director~~ of Economic Opportunity ~~the department~~ and  
1570 the corporation for provision of housing services referenced in  
1571 s. 420.0006.

1572 Section 41. Subsections (1) and (3) of section 420.504,  
1573 Florida Statutes, are amended to read:

1574 420.504 Public corporation; creation, membership, terms,  
1575 expenses.—

1576 (1) A public corporation and a public body corporate and  
1577 politic, to be known as the "Florida Housing Finance  
1578 Corporation," is created within the Department of Economic  
1579 Opportunity. It is declared to be the intent of and  
1580 constitutional construction by the Legislature that the Florida  
1581 Housing Finance Corporation constitutes an entrepreneurial  
1582 public corporation organized to provide and promote the public  
1583 welfare by administering the governmental function of financing  
1584 or refinancing housing and related facilities in this state and  
1585 that the corporation is not a department of the executive branch  
1586 of state government within the scope and meaning of s. 6, Art.  
1587 IV of the State Constitution, but is functionally related to the  
1588 Department of Economic Opportunity in which it is placed. The  
1589 executive function of state government to be performed by the  
1590 Secretary ~~executive director of the Department~~ of Economic  
1591 Opportunity in the conduct of the business of the Florida  
1592 Housing Finance Corporation must be performed pursuant to a  
1593 contract to monitor and set performance standards for the  
1594 implementation of the business plan for the provision of housing  
1595 approved for the corporation as provided in s. 420.0006. This

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1596 contract must include performance standards for the provision of  
1597 affordable housing in this state established in the strategic  
1598 business plan described in s. 420.511.

1599 (3) The corporation is a separate budget entity and is not  
1600 subject to control, supervision, or direction by the Department  
1601 of Economic Opportunity in any manner, including, but not  
1602 limited to, personnel, purchasing, transactions involving real  
1603 or personal property, and budgetary matters. The corporation  
1604 shall consist of a board of directors composed of the Secretary  
1605 ~~executive director of the Department~~ of Economic Opportunity as  
1606 an ex officio and voting member, or a senior-level agency  
1607 employee designated by the secretary ~~director~~, and eight members  
1608 appointed by the Governor subject to confirmation by the Senate  
1609 from the following:

1610 (a) One citizen actively engaged in the residential home  
1611 building industry.

1612 (b) One citizen actively engaged in the banking or mortgage  
1613 banking industry.

1614 (c) One citizen who is a representative of those areas of  
1615 labor engaged in home building.

1616 (d) One citizen with experience in housing development who  
1617 is an advocate for low-income persons.

1618 (e) One citizen actively engaged in the commercial building  
1619 industry.

1620 (f) One citizen who is a former local government elected  
1621 official.

1622 (g) Two citizens of the state who are not principally  
1623 employed as members or representatives of any of the groups  
1624 specified in paragraphs (a)-(f).



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1625 Section 42. Subsection (1) of section 420.506, Florida  
1626 Statutes, is amended to read:

1627 420.506 Executive director; agents and employees; inspector  
1628 general.—

1629 (1) The appointment and removal of an executive director  
1630 shall be by the Secretary ~~executive director of the Department~~  
1631 of Economic Opportunity, with the advice and consent of the  
1632 corporation's board of directors. The executive director shall  
1633 employ legal and technical experts and such other agents and  
1634 employees, permanent and temporary, as the corporation may  
1635 require, and shall communicate with and provide information to  
1636 the Legislature with respect to the corporation's activities.  
1637 Notwithstanding s. 216.262, the board may develop and implement  
1638 rules regarding the employment of employees of the corporation  
1639 and service providers, including legal counsel. The board is  
1640 entitled to establish travel procedures and guidelines for  
1641 employees of the corporation, subject to s. 112.061(6) and (7).  
1642 The executive director's office and the corporation's files and  
1643 records must be located in Leon County.

1644 Section 43. Subsection (30) of section 420.507, Florida  
1645 Statutes, is amended to read:

1646 420.507 Powers of the corporation.—The corporation shall  
1647 have all the powers necessary or convenient to carry out and  
1648 effectuate the purposes and provisions of this part, including  
1649 the following powers which are in addition to all other powers  
1650 granted by other provisions of this part:

1651 (30) To prepare and submit to the Secretary ~~executive~~  
1652 ~~director~~ of Economic Opportunity ~~the department~~ a budget request  
1653 for purposes of the corporation, which request shall,

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1654 notwithstanding the provisions of chapter 216 and in accordance  
1655 with s. 216.351, contain a request for operational expenditures  
1656 and separate requests for other authorized corporation programs.  
1657 The request need not contain information on the number of  
1658 employees, salaries, or any classification thereof, and the  
1659 approved operating budget therefor need not comply with s.  
1660 216.181(8)-(10). The secretary ~~executive director~~ may include  
1661 within the department's budget request the corporation's budget  
1662 request in the form as authorized by this section.

1663 Section 44. Subsection (2) of section 420.511, Florida  
1664 Statutes, is amended to read:

1665 420.511 Strategic business plan; long-range program plan;  
1666 annual report; audited financial statements.—

1667 (2) The corporation, in coordination with the department,  
1668 shall annually develop a long-range program plan for the  
1669 provision of affordable housing in this state as required  
1670 pursuant to chapter 186. In part, the plan must include  
1671 provisions that maximize the abilities of the corporation to  
1672 implement the state housing strategy established under s.  
1673 420.0003, to respond to federal housing initiatives, and to  
1674 develop programs in a manner that is more responsive to the  
1675 needs of public and private partners. The plan shall be  
1676 developed on a schedule consistent with that established by s.  
1677 186.021. For purposes of this section, the Secretary of Economic  
1678 Opportunity ~~executive director~~ or his or her designee shall  
1679 serve as the corporation's representative to achieve a  
1680 coordinated and integrated planning relationship with the  
1681 department.

1682 Section 45. Subsection (7) of section 420.602, Florida

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1683 Statutes, is amended to read:

1684 420.602 Definitions.—As used in this part, the following  
1685 terms shall have the following meanings, unless the context  
1686 otherwise requires:

1687 ~~(7) "Director" means the executive director of the~~  
1688 ~~Department of Economic Opportunity.~~

1689 Section 46. Subsection (5) of section 420.609, Florida  
1690 Statutes, is amended to read:

1691 420.609 Affordable Housing Study Commission.—Because the  
1692 Legislature firmly supports affordable housing in Florida for  
1693 all economic classes:

1694 (5) The commission shall review, evaluate, and make  
1695 recommendations regarding existing and proposed housing programs  
1696 and initiatives. The commission shall provide these and any  
1697 other housing recommendations to the Secretary ~~director~~ of  
1698 Economic Opportunity ~~the department~~ and the executive director  
1699 of the corporation.

1700 Section 47. Subsection (2) of section 420.622, Florida  
1701 Statutes, is amended to read:

1702 420.622 State Office on Homelessness; Council on  
1703 Homelessness.—

1704 (2) The Council on Homelessness is created to consist of 19  
1705 representatives of public and private agencies who shall develop  
1706 policy and advise the State Office on Homelessness. The council  
1707 members shall be: the Secretary of Children and Families, or his  
1708 or her designee; the Secretary ~~executive director of the~~  
1709 ~~Department~~ of Economic Opportunity, or his or her designee, who  
1710 shall advise the council on issues related to rural development;  
1711 the State Surgeon General, or his or her designee; the Executive

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1712 Director of Veterans' Affairs, or his or her designee; the  
1713 Secretary of Corrections, or his or her designee; the Secretary  
1714 of Health Care Administration, or his or her designee; the  
1715 Commissioner of Education, or his or her designee; the Executive  
1716 Director of CareerSource Florida, Inc., or his or her designee;  
1717 one representative of the Florida Association of Counties; one  
1718 representative of the Florida League of Cities; one  
1719 representative of the Florida Supportive Housing Coalition; one  
1720 representative of the Florida Housing Coalition; the Executive  
1721 Director of the Florida Housing Finance Corporation, or his or  
1722 her designee; one representative of the Florida Coalition for  
1723 the Homeless; the secretary of the Department of Elder Affairs,  
1724 or his or her designee; and four members appointed by the  
1725 Governor. The council members shall be nonpaid volunteers and  
1726 shall be reimbursed only for travel expenses. The appointed  
1727 members of the council shall be appointed to staggered 2-year  
1728 terms and are encouraged to have experience in the  
1729 administration or provision of resources, services, or housing  
1730 that addresses the needs of persons experiencing homelessness.  
1731 The council shall meet at least four times per year. The  
1732 importance of minority, gender, and geographic representation  
1733 shall be considered in appointing members to the council.

1734 Section 48. Paragraph (g) of subsection (1) of section  
1735 427.012, Florida Statutes, is amended to read:

1736 427.012 The Commission for the Transportation  
1737 Disadvantaged.—There is created the Commission for the  
1738 Transportation Disadvantaged in the Department of  
1739 Transportation.

1740 (1) The commission shall consist of seven members, all of

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1741 whom shall be appointed by the Governor, in accordance with the  
1742 requirements of s. 20.052.

1743 (g) The Secretary of Transportation, the Secretary of  
1744 Children and Families, the Secretary ~~executive director of the~~  
1745 ~~Department~~ of Economic Opportunity, the executive director of  
1746 the Department of Veterans' Affairs, the Secretary of Elderly  
1747 Affairs, the Secretary of Health Care Administration, the  
1748 director of the Agency for Persons with Disabilities, and a  
1749 county manager or administrator who is appointed by the  
1750 Governor, or a senior management level representative of each,  
1751 shall serve as ex officio, nonvoting advisors to the commission.

1752 Section 49. Subsections (2), (3), and (4) of section  
1753 443.1116, Florida Statutes, are amended to read:

1754 443.1116 Short-time compensation.—

1755 (2) APPROVAL OF SHORT-TIME COMPENSATION PLANS.—An employer  
1756 wishing to participate in the short-time compensation program  
1757 must submit a signed, written, short-time plan to the Department  
1758 of Economic Opportunity for approval. The Secretary of Economic  
1759 Opportunity ~~director~~ or his or her designee shall approve the  
1760 plan if:

1761 (a) The plan applies to and identifies each specific  
1762 affected unit;

1763 (b) The individuals in the affected unit are identified by  
1764 name and social security number;

1765 (c) The normal weekly hours of work for individuals in the  
1766 affected unit are reduced by at least 10 percent and by not more  
1767 than 40 percent;

1768 (d) The plan includes a certified statement by the employer  
1769 that the aggregate reduction in work hours is in lieu of layoffs

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1770 that would affect at least 10 percent of the employees in the  
1771 affected unit and that would have resulted in an equivalent  
1772 reduction in work hours;

1773 (e) The plan applies to at least 10 percent of the  
1774 employees in the affected unit;

1775 (f) The plan is approved in writing by the collective  
1776 bargaining agent for each collective bargaining agreement  
1777 covering any individual in the affected unit;

1778 (g) The plan does not serve as a subsidy to seasonal  
1779 employers during the off-season or as a subsidy to employers who  
1780 traditionally use part-time employees;

1781 (h) The plan certifies that, if the employer provides  
1782 fringe benefits to any employee whose workweek is reduced under  
1783 the program, the fringe benefits will continue to be provided to  
1784 the employee participating in the short-time compensation  
1785 program under the same terms and conditions as though the  
1786 workweek of such employee had not been reduced or to the same  
1787 extent as other employees not participating in the short-time  
1788 compensation program. As used in this paragraph, the term  
1789 "fringe benefits" includes, but is not limited to, health  
1790 insurance, retirement benefits under defined benefit pension  
1791 plans as defined in subsection 35 of s. 1002 of the Employee  
1792 Retirement Income Security Act of 1974, 29 U.S.C., contributions  
1793 under a defined contribution plan as defined in s. 414(i) of the  
1794 Internal Revenue Code, paid vacation and holidays, and sick  
1795 leave;

1796 (i) The plan describes the manner in which the requirements  
1797 of this subsection will be implemented, including a plan for  
1798 giving notice, if feasible, to an employee whose workweek is to

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1799 be reduced, together with an estimate of the number of layoffs  
1800 that would have occurred absent the ability to participate in  
1801 short-time compensation; and

1802 (j) The terms of the employer's written plan and  
1803 implementation are consistent with employer obligations under  
1804 applicable federal laws and laws of this state.

1805 (3) APPROVAL OR DISAPPROVAL OF THE PLAN.—The Secretary of  
1806 Economic Opportunity ~~director~~ or his or her designee shall  
1807 approve or disapprove a short-time compensation plan in writing  
1808 within 15 days after its receipt. If the plan is denied, the  
1809 secretary ~~director~~ or his or her designee shall notify the  
1810 employer of the reasons for disapproval.

1811 (4) BEGINNING AND TERMINATION OF SHORT-TIME COMPENSATION  
1812 BENEFIT PERIOD.—A plan takes effect on the date of its approval  
1813 by the Secretary of Economic Opportunity ~~director~~ or his or her  
1814 designee and expires at the end of the 12th full calendar month  
1815 after its effective date.

1816 Section 50. Paragraph (d) of subsection (2) of section  
1817 446.53, Florida Statutes, is amended to read:

1818 446.53 Concrete masonry education.—

1819 (2)

1820 (d) In addition to the 13 voting members described in  
1821 paragraph (a), the Secretary ~~executive director~~ of the  
1822 ~~Department~~ of Economic Opportunity, or his or her designee,  
1823 shall serve ex officio as a nonvoting member of the board of  
1824 directors of the council.

1825 Section 51. Section 450.261, Florida Statutes, is amended  
1826 to read:

1827 450.261 Interstate Migrant Labor Commission; Florida

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1828 membership.—In selecting the Florida membership of the  
1829 Interstate Migrant Labor Commission, the Governor may designate  
1830 the Secretary ~~executive director of the~~ Department of Economic  
1831 Opportunity as his or her representative.

1832 Section 52. Paragraph (d) of subsection (1), paragraph (a)  
1833 of subsection (4), and paragraphs (b), (c), and (d) of  
1834 subsection (5) of section 624.5105, Florida Statutes, are  
1835 amended to read:

1836 624.5105 Community contribution tax credit; authorization;  
1837 limitations; eligibility and application requirements;  
1838 administration; definitions; expiration.—

1839 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

1840 (d) Each proposal for the granting of such tax credit  
1841 requires the prior approval of the Secretary of Economic  
1842 Opportunity ~~director~~.

1843 (4) ADMINISTRATION.—

1844 (a)1. The Department of Economic Opportunity may adopt  
1845 rules to administer this section, including rules for the  
1846 approval or disapproval of proposals by insurers.

1847 2. The decision of the Secretary of Economic Opportunity  
1848 ~~director~~ shall be in writing, and, if approved, the proposal  
1849 shall state the maximum credit allowable to the insurer. A copy  
1850 of the decision shall be transmitted to the executive director  
1851 of the Department of Revenue, who shall apply such credit to the  
1852 tax liability of the insurer.

1853 3. The Department of Economic Opportunity shall monitor all  
1854 projects periodically, in a manner consistent with available  
1855 resources to ensure that resources are utilized in accordance  
1856 with this section; however, each project shall be reviewed no



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1857 less frequently than once every 2 years.

1858 4. The Department of Economic Opportunity shall, in  
1859 consultation with the Florida Housing Finance Corporation and  
1860 the statewide and regional housing and financial intermediaries,  
1861 market the availability of the community contribution tax credit  
1862 program to community-based organizations.

1863 (5) DEFINITIONS.—As used in this section, the term:

1864 ~~(b) "Director" means the director of the Department of~~  
1865 ~~Economic Opportunity.~~

1866 (b)(e) "Local government" means any county or incorporated  
1867 municipality in the state.

1868 (c)(d) "Project" means an activity as defined in s.  
1869 220.03(1)(t).

1870 Section 53. Paragraph (f) of subsection (2) of section  
1871 1004.015, Florida Statutes, is amended to read:

1872 1004.015 Florida Talent Development Council.—

1873 (2) Members of the council shall include:

1874 (f) The Secretary ~~executive director of the Department of~~  
1875 ~~Economic Opportunity.~~

1876 Section 54. This act shall take effect upon becoming a law.