

By the Committees on Appropriations; and Commerce and Tourism;
and Senators Bean, Bradley, Pizzo, and Bracy

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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. 443.036, F.S.; revising the definition of
33 the term "temporary layoff"; amending s. 443.091,
34 F.S.; revising the reporting requirements for
35 reemployment assistance benefit eligibility; defining
36 the term "address"; amending s. 443.101, F.S.;

37 deleting a provision providing that individuals who
38 voluntarily leave work as a direct result of
39 circumstances relating to domestic violence are
40 ineligible for benefits under certain circumstances;
41 amending s. 443.1113, F.S.; requiring the department
42 to implement an integrated, modular system hosted in a
43 cloud service, rather than an integrated Internet-
44 based system, for the reemployment assistance program;
45 revising the functions and objectives of the
46 Reemployment Assistance Claims and Benefits
47 Information System; requiring the department to
48 perform an annual review of the system; requiring the
49 department to seek input from certain state entities
50 when performing such review; requiring the department
51 to submit an annual report to the Governor and the
52 Legislature beginning on a specified date; providing
53 requirements for such report; deleting obsolete
54 language; requiring the department to take actions to
55 modernize the system in the 2021-2022 fiscal year as
56 directed in the General Appropriations Act; creating
57 s. 443.1118, F.S.; defining terms; providing
58 requirements for employer-assisted claims relating to

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59 mass separations; specifying the effective date of
60 such claims; providing that benefits paid to a
61 claimant pursuant to an employer-assisted claim count
62 toward maximum benefits for which the claimant is
63 eligible; requiring a claimant covered by an employer-
64 assisted claim to file continued biweekly claims;
65 providing construction; requiring and authorizing the
66 department to adopt specified rules; amending s.
67 443.151, F.S.; revising the timeline for employers'
68 responses to notices of benefits claims sent by the
69 department; authorizing claimants to request the
70 department to reconsider a monetary determination;
71 providing requirements for such request; providing
72 that monetary determinations and redeterminations are
73 final after a specified period of time; providing
74 exceptions; deleting a requirement that appeals
75 referees be attorneys in good standing with The
76 Florida Bar or be admitted to The Florida Bar within 8
77 months after the date of employment; prohibiting
78 appeals from being filed after a specified time;
79 amending s. 445.004, F.S.; revising the membership of
80 the state board, which directs CareerSource Florida,
81 Inc.; amending s. 553.79, F.S.; requiring specified
82 building permit applications applied for by licensed
83 contractors for property owners under certain programs
84 administered by the department to be issued within a
85 reduced timeframe; amending ss. 14.20195, 16.615,
86 20.04, 213.053, 220.194, 288.005, 288.061, 288.0656,
87 288.106, 288.1089, 288.1251, 288.8014, 288.955,

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88 288.9604, 288.987, 290.0065, 311.09, 311.105, 334.065,
 89 373.4149, 380.045, 403.0752, 420.0005, 420.0006,
 90 420.101, 420.503, 420.504, 420.506, 420.507, 420.511,
 91 420.602, 420.609, 420.622, 427.012, 443.1116, 446.53,
 92 450.261, 624.5105, and 1004.015, F.S.; conforming
 93 provisions to changes made by the act; providing an
 94 effective date.

95

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

97

98 Section 1. Subsections (2) and (3), paragraph (a) of
 99 subsection (5), paragraph (b) of subsection (6), and subsection
 100 (9) of section 20.60, Florida Statutes, are amended, and
 101 subsection (1) of that section is republished, to read:

102 20.60 Department of Economic Opportunity; creation; powers
 103 and duties.—

104 (1) There is created the Department of Economic
 105 Opportunity.

106 (2) The head of the department is the Secretary of Economic
 107 Opportunity ~~executive director~~, who shall be appointed by the
 108 Governor, subject to confirmation by the Senate. The secretary
 109 ~~executive director~~ shall serve at the pleasure of and report to
 110 the Governor. The secretary may appoint deputy and assistant
 111 secretaries as necessary to aid the secretary in fulfilling his
 112 or her statutory obligations.

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

115 1.(a) The Division of Strategic Business Development.

116 2.(b) The Division of Community Development.

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

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

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

120 6. The Office of the Secretary.

121 7. The Office of Economic Accountability and Transparency,

122 which shall:

123 a. Oversee the department's critical objectives as
124 determined by the secretary and make sure that the department's
125 key objectives are clearly communicated to the public.

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

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

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

138 e. Promote strategic planning for the department.

139 (b) The secretary:

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

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

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

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

150 1. Analyze and evaluate business prospects identified by
151 the Governor, the secretary ~~executive director of the~~
152 ~~department~~, and Enterprise Florida, Inc.

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

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

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

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

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

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

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

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

203 f. The identification of business sectors that are of

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

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

211 5. Update the strategic plan every 5 years.

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

218 (6)

219 (b) The Department of Economic Opportunity shall serve as
220 the designated agency for purposes of each federal workforce
221 development grant assigned to it for administration. The
222 department shall carry out the duties assigned to it by the
223 Governor, under the terms and conditions of each grant. The
224 department shall have the level of authority and autonomy
225 necessary to be the designated recipient of each federal grant
226 assigned to it and shall disburse such grants pursuant to the
227 plans and policies of the state board as defined in s. 445.002.
228 The secretary ~~executive director~~ may, upon delegation from the
229 Governor and pursuant to agreement with the state board, sign
230 contracts, grants, and other instruments as necessary to execute
231 functions assigned to the department. Notwithstanding other
232 provisions of law, the department shall administer other

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233 programs funded by federal or state appropriations, as
234 determined by the Legislature in the General Appropriations Act
235 or other law.

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

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

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

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

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

257 288.901 Enterprise Florida, Inc.—

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

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

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- 262 1. The Commissioner of Education or his or her designee.
263 2. The Chief Financial Officer or his or her designee.
264 3. The Attorney General or his or her designee.
265 4. The Commissioner of Agriculture or his or her designee.
266 5. The chairperson of the state board as defined in s.
267 445.002.
268 6. The Secretary of State or his or her designee.
269 7. The Secretary of Economic Opportunity or his or her
270 designee.
271 8. Twelve members from the private sector, six of whom
272 shall be appointed by the Governor, three of whom shall be
273 appointed by the President of the Senate, and three of whom
274 shall be appointed by the Speaker of the House of
275 Representatives. Members appointed by the Governor are subject
276 to Senate confirmation.

277
278 All board members shall serve without compensation, but are
279 entitled to receive reimbursement for per diem and travel
280 expenses pursuant to s. 112.061. Such expenses must be paid out
281 of funds of Enterprise Florida, Inc.

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

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

287 (2) "Administrative costs" has the same meaning as defined
288 in the Housing and Community Development Act of 1974, as
289 amended, and applicable federal regulations ~~means the payment of~~
290 ~~all reasonable costs of management, coordination, monitoring,~~

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291 ~~and evaluation, and similar costs and carrying charges, related~~
292 ~~to the planning and execution of community development~~
293 ~~activities which are funded in whole or in part under the~~
294 ~~Florida Small Cities Community Development Block Grant Program.~~
295 ~~Administrative costs shall include all costs of administration,~~
296 ~~including general administration, planning and urban design, and~~
297 ~~project administration costs.~~

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

300 290.044 Florida Small Cities Community Development Block
301 Grant Program Fund; administration; distribution.—

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

- 305 (a) Housing rehabilitation.
306 (b) Economic development.
307 (c) Neighborhood revitalization.
308 (d) Commercial revitalization.

309 (e) Any other activity authorized by the Housing and
310 Community Development Act of 1974, as amended, and applicable
311 federal regulations.

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

319 (5) The department may set aside an amount of up to 15 ~~5~~

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320 percent of the funds annually for use in any eligible local
321 government jurisdiction for which an emergency or natural
322 disaster has been declared by executive order. Such funds may
323 only be provided to a local government to fund eligible
324 emergency-related activities for which no other source of
325 federal, state, or local disaster funds is available. The
326 department may provide for such set-aside by rule. In the last
327 quarter of the state fiscal year, any funds not allocated under
328 the emergency-related set-aside shall be distributed to unfunded
329 applications ~~from the most recent funding cycle.~~

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

333 290.046 Applications for grants; procedures; requirements.-

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

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

343 (2)(a)2. The department shall establish minimum criteria
344 pertaining to the number of jobs created for persons of low or
345 moderate income, the degree of private sector financial
346 commitment, and the economic feasibility of the proposed project
347 and shall establish any other criteria the department deems
348 appropriate. Assistance to a private, for-profit business may

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349 not be provided from a grant award unless sufficient evidence
350 exists to demonstrate that without such public assistance the
351 creation or retention of such jobs would not occur.

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

366 (c)². A local government with an open economic development
367 community development block grant contract whose activities are
368 on schedule in accordance with the expenditure rates and
369 accomplishments described in the contract may apply for a
370 housing rehabilitation, neighborhood revitalization, or
371 commercial revitalization community development block grant. A
372 local government with an open economic development contract
373 whose activities are on schedule in accordance with the
374 expenditure rates and accomplishments described in the contract
375 may receive ~~no~~ more than one additional economic development
376 grant in each fiscal year.

377 (d) The department may not award a grant until it has

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378 conducted a site visit to verify the information contained in
379 the local government's application.

380 (3)

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

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

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

403 331.3081 Board of directors.—Space Florida shall be
404 governed by a 13-member independent board of directors that
405 consists of the members appointed to the board of directors of
406 Enterprise Florida, Inc., by the Governor, the President of the

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407 Senate, and the Speaker of the House of Representatives pursuant
408 to s. 288.901(5)(a)8. ~~s. 288.901(5)(a)7.~~ and the Governor, who
409 shall serve ex officio, or who may appoint a designee to serve,
410 as the chair and a voting member of the board.

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

413 435.02 Definitions.—For the purposes of this chapter, the
414 term:

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

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

428 443.036 Definitions.—As used in this chapter, the term:

429 (43) "Temporary layoff" means an individual's a job
430 separation due to lack of work which does not exceed 8
431 consecutive weeks and which has a fixed or approximate return-
432 to-work date; or an individual's employer-initiated furlough
433 that causes a mandatory complete stoppage of work if such
434 furlough is temporary and the individual remains job attached
435 and is expected to return to work with the employer.

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436 Section 9. Paragraph (c) of subsection (1) of section
437 443.091, Florida Statutes, is amended to read:

438 443.091 Benefit eligibility conditions.—

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

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

448 1. For each week of unemployment claimed, each report must,
449 at a minimum, include the name and, ~~address, and telephone~~
450 ~~number~~ of each prospective employer contacted, or the date the
451 claimant reported to a one-stop career center, pursuant to
452 paragraph (d). For the purposes of this subparagraph, the term
453 “address” means a website address, a physical address, or an e-
454 mail address.

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

462 a. If the claimant chooses to take the online assessment,
463 the outcome of the assessment shall be made available to the
464 claimant, local workforce development board, and one-stop career

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

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

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

490 443.101 Disqualification for benefits.—An individual shall
491 be disqualified for benefits:

492 (1) (a) For the week in which he or she has voluntarily left
493 work without good cause attributable to his or her employing

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494 unit or for the week in which he or she has been discharged by
495 the employing unit for misconduct connected with his or her
496 work, based on a finding by the Department of Economic
497 Opportunity. As used in this paragraph, the term "work" means
498 any work, whether full-time, part-time, or temporary.

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

510 2. An individual is not disqualified under this subsection
511 for:

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

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

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

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523 subparagraph must:

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

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

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

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

544 4. Disqualification for being discharged for misconduct
545 connected with his or her work continues for the full period of
546 unemployment next ensuing after having been discharged and until
547 the individual is reemployed and has earned income of at least
548 17 times his or her weekly benefit amount and for not more than
549 52 weeks immediately following that week, as determined by the
550 department in each case according to the circumstances or the
551 seriousness of the misconduct, under the department's rules for

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552 determining disqualification for benefits for misconduct.

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

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

568 (6) For making any false or fraudulent representation for
569 the purpose of obtaining benefits contrary to this chapter,
570 constituting a violation under s. 443.071. The disqualification
571 imposed under this subsection shall begin with the week for ~~in~~
572 which the false or fraudulent representation was ~~is~~ made and
573 shall continue for a period not to exceed 1 year after the date
574 the Department of Economic Opportunity discovers the false or
575 fraudulent representation and until any overpayment of benefits
576 resulting from such representation has been repaid in full. This
577 disqualification may be appealed in the same manner as any other
578 disqualification imposed under this section. A conviction by any
579 court of competent jurisdiction in this state of the offense
580 prohibited or punished by s. 443.071 is conclusive upon the

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581 appeals referee and the commission of the making of the false or
582 fraudulent representation for which disqualification is imposed
583 under this section.

584 Section 11. Section 443.1113, Florida Statutes, is amended
585 to read:

586 443.1113 Reemployment Assistance Claims and Benefits
587 Information System.—

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

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

605 (b) Process reemployment assistance claims ~~Florida~~
606 ~~unemployment Internet direct.~~

607 (c) Process benefit payments ~~Florida continued claim~~
608 ~~Internet directory.~~

609 (d) Process and manage overpayments ~~Call center interactive~~

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610 ~~voice response system.~~

611 (e) Perform adjudication functions ~~Benefit overpayment~~
612 ~~screening system.~~

613 (f) Process appeals and manage appeal hearings ~~Internet and~~
614 ~~Intranet appeals system.~~

615 (g) Manage and process employer charging.

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

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

623 (b) Enable and enhance online, self-service capabilities
624 ~~access~~ to claimant and employer information and federal and
625 state reporting.

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

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

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

633 (f) Maintain interoperability with other department
634 workforce systems.

635 (g) Allow for employer-assisted claims.

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

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- 639 (a) Collection of reemployment assistance taxes.
- 640 (b) General ledger, financial management, or budgeting
641 capabilities.
- 642 (c) Human resource planning or management capabilities.
- 643 (4) (a) The Department of Economic Opportunity shall perform
644 an annual review of the system and identify enhancements or
645 modernization efforts that improve the delivery of services to
646 claimants and employers and reporting to state and federal
647 entities. These improvements must include, but need not be
648 limited to:
- 649 1. Infrastructure upgrades through cloud services.
 - 650 2. Software improvements.
 - 651 3. Enhanced data analytics and reporting.
 - 652 4. Increased cybersecurity pursuant to s. 282.318.
- 653 (b) The department shall seek input on recommended
654 enhancements from, at a minimum, the following entities:
- 655 1. The Florida Digital Service within the Department of
656 Management Services.
 - 657 2. The General Tax Administration Program Office within the
658 Department of Revenue.
 - 659 3. The Division of Accounting and Auditing within the
660 Department of Financial Services.
- 661 (5) By October 1, 2023, and each year thereafter, the
662 Department of Economic Opportunity shall submit a Reemployment
663 Assistance Claims and Benefits Information System report to the
664 Governor, the President of the Senate, and the Speaker of the
665 House of Representatives. The report must, at a minimum,
666 include:
- 667 (a) A summary of maintenance, enhancement, and

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668 modernization efforts over the last fiscal year.

669 (b) A 3-year outlook of recommended enhancements or
670 modernization efforts that includes projected costs and
671 timeframes for completion ~~The project to implement the~~
672 ~~Reemployment Assistance Claims and Benefits Information System~~
673 ~~is comprised of the following phases and corresponding~~
674 ~~implementation timeframes:~~

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

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

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

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

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

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

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- 697 ~~2. The executive director of the Department of Revenue.~~
- 698 ~~3. The director of the Division of Workforce Services~~
699 ~~within the department.~~
- 700 ~~4. The program director of the General Tax Administration~~
701 ~~Program Office within the Department of Revenue.~~
- 702 ~~5. The chief information officer of the department.~~
- 703 ~~(c) The executive steering committee has the overall~~
704 ~~responsibility for ensuring that the project meets its primary~~
705 ~~objectives and is specifically responsible for:~~
- 706 ~~1. Providing management direction and support to the~~
707 ~~project management team.~~
- 708 ~~2. Assessing the project's alignment with the strategic~~
709 ~~goals of the department for administering the reemployment~~
710 ~~assistance program.~~
- 711 ~~3. Reviewing and approving or disapproving any changes to~~
712 ~~the project's scope, schedule, and costs.~~
- 713 ~~4. Reviewing, approving or disapproving, and determining~~
714 ~~whether to proceed with any major project deliverables.~~
- 715 ~~5. Recommending suspension or termination of the project to~~
716 ~~the Governor, the President of the Senate, and the Speaker of~~
717 ~~the House of Representatives if it determines that the primary~~
718 ~~objectives cannot be achieved.~~
- 719 ~~(d) The project management team shall work under the~~
720 ~~direction of the executive steering committee and shall be~~
721 ~~minimally comprised of senior managers and stakeholders from the~~
722 ~~department and the Department of Revenue. The project management~~
723 ~~team is responsible for:~~
- 724 ~~1. Providing daily planning, management, and oversight of~~
725 ~~the project.~~

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

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

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

733 ~~b. An assessment of the status of major milestones and~~
734 ~~deliverables;~~

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

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

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

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

745 Section 12. For the 2021-2022 fiscal year, the Department
746 of Economic Opportunity shall take actions to modernize the
747 Reemployment Assistance Claims and Benefits Information System
748 as provided in the General Appropriations Act.

749 Section 13. Section 443.1118, Florida Statutes, is created
750 to read:

751 443.1118 Employer-assisted claims.—

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

753 (a) "Employer-assisted claim" means an initial claim filed
754 by an employer on behalf of its employees who are a part of a

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755 mass separation from the employer.

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

763 (2) EMPLOYER-ASSISTED CLAIM PROCESS.—

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

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

772 (c) Notice and Affidavit.—For each employer-assisted claim,
773 the employer shall give notice and instructions to the employees
774 for which claims are filed and direct the employees to complete
775 further steps as required by the department. The employer shall
776 provide an attestation to the department in a form and format
777 required by the department.

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

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

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784 for which the claimant is eligible.

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

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

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

795 Section 14. Paragraphs (a) and (b) of subsection (3) and
796 paragraphs (a) and (b) of subsection (4) of section 443.151,
797 Florida Statutes, are amended to read:

798 443.151 Procedure concerning claims.—

799 (3) DETERMINATION OF ELIGIBILITY.—

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

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813 notices of claim.

814 (b) *Monetary determinations.*—In addition to the notice of
815 claim, the department shall also promptly provide an initial
816 monetary determination to the claimant and each base period
817 employer whose account is subject to being charged for its
818 respective share of benefits on the claim. The monetary
819 determination must include a statement of whether and in what
820 amount the claimant is entitled to benefits, and, in the event
821 of a denial, must state the reasons for the denial. A monetary
822 determination for the first week of a benefit year must also
823 include a statement of whether the claimant was paid the wages
824 required under s. 443.091(1)(g) and, if so, the first day of the
825 benefit year, the claimant's weekly benefit amount, and the
826 maximum total amount of benefits payable to the claimant for a
827 benefit year. The claimant may file a request for the department
828 to reconsider a monetary determination within 20 days after the
829 department mails the notice to the claimant's last known address
830 or, in lieu of mailing, within 20 days after the delivery of the
831 notice. A monetary determination is final for a claimant if the
832 claimant does not file a timely request for the department to
833 reconsider the monetary determination. A monetary
834 redetermination is final for a claimant unless within 20 days
835 after the mailing of the notice of monetary redetermination to
836 the claimant's last known address or, in lieu of mailing, within
837 20 days after the delivery of the notice, the claimant files an
838 appeal. The monetary determination or monetary redetermination
839 is final for an employer or other party entitled to notice
840 unless within 20 days after the mailing of the respective notice
841 to the employer or party to its last known address or, in lieu

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842 of mailing, within 20 days after delivery of the notice, an
843 appeal is filed by the employer or the party ~~The monetary~~
844 ~~determination is final unless within 20 days after the mailing~~
845 ~~of the notices to the parties' last known addresses, or in lieu~~
846 ~~of mailing, within 20 days after the delivery of the notices, an~~
847 ~~appeal or written request for reconsideration is filed by the~~
848 ~~claimant or other party entitled to notice. The department may~~
849 ~~adopt rules as necessary to implement the processes described in~~
850 ~~this paragraph relating to notices of monetary determinations~~
851 ~~and the appeals or reconsideration requests filed in response to~~
852 ~~such notices.~~

853 (4) APPEALS.—

854 (a) *Appeals referees.*—

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

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

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

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

870 ~~4.5.~~ The department shall provide the commission and the

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871 appeals referees with proper facilities and assistance for the
872 execution of their functions.

873 (b) *Filing and hearing.*—

874 1. The claimant or any other party entitled to notice of a
875 determination may appeal an adverse determination to an appeals
876 referee within 20 days after the date of mailing of the notice
877 to her or his last known address or, if the notice is not
878 mailed, within 20 days after the date of delivering the notice.

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

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

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

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900 pendency of the appeal to the employing unit and to the
901 department, both of which become parties to the proceeding.

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

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

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

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

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

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

927 Section 15. Paragraph (d) of subsection (3) of section
928 445.004, Florida Statutes, is amended, and subsections (1) and

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929 (2) of that section are republished, to read:

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

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

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

951 (2) CareerSource Florida, Inc., provides administrative
952 support for the state board, the principal workforce policy
953 organization for the state. The purpose of the state board is to
954 design and implement strategies that help Floridians enter,
955 remain in, and advance in the workplace, so that they may become
956 more highly skilled and successful, which benefits these
957 Floridians, Florida businesses, and the entire state, and

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958 fosters the development of the state's business climate.
959 CareerSource Florida, Inc., shall, consistent with its agreement
960 with the department, implement the policy directives of the
961 state board and administer state workforce development programs
962 as authorized by law.

963 (3)

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

972 Section 16. Subsection (14) of section 553.79, Florida
973 Statutes, is amended to read:

974 553.79 Permits; applications; issuance; inspections.—

975 (14) (a) Except as provided in paragraph (b), a building
976 permit for a single-family residential dwelling must be issued
977 within 30 working days after receipt of the application ~~therefor~~
978 unless unusual circumstances require a longer time for
979 processing the application or unless the permit application
980 fails to satisfy the Florida Building Code or the enforcing
981 agency's laws or ordinances.

982 (b) A building permit for a single-family residential
983 dwelling applied for by a contractor licensed in this state on
984 behalf of a property owner who participates in a Community
985 Development Block Grant-Disaster Recovery program administered
986 by the Department of Economic Opportunity must be issued within

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987 15 working days after receipt of the application unless the
988 permit application fails to satisfy the Florida Building Code or
989 the enforcing agency's laws or ordinances.

990 Section 17. Paragraph (b) of subsection (2) of section
991 14.20195, Florida Statutes, is amended to read:

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

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

999 (b) The following state officials or their designees shall
1000 serve on the coordinating council:

- 1001 1. The Secretary of Elderly Affairs.
- 1002 2. The State Surgeon General.
- 1003 3. The Commissioner of Education.
- 1004 4. The Secretary of Health Care Administration.
- 1005 5. The Secretary of Juvenile Justice.
- 1006 6. The Secretary of Corrections.
- 1007 7. The executive director of the Department of Law
1008 Enforcement.
- 1009 8. The executive director of the Department of Veterans'
1010 Affairs.
- 1011 9. The Secretary of Children and Families.
- 1012 10. The Secretary ~~executive director of the Department of~~
1013 ~~Economic Opportunity.~~

1014 Section 18. Paragraph (j) of subsection (1) of section
1015 16.615, Florida Statutes, is amended to read:

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1016 16.615 Council on the Social Status of Black Men and Boys.—

1017 (1) The Council on the Social Status of Black Men and Boys
1018 is established within the Department of Legal Affairs and shall
1019 consist of 19 members appointed as follows:

1020 (j) The Secretary ~~executive director of the Department~~ of
1021 Economic Opportunity or his or her designee.

1022 Section 19. Subsection (3) and paragraph (b) of subsection
1023 (7) of section 20.04, Florida Statutes, are amended to read:

1024 20.04 Structure of executive branch.—The executive branch
1025 of state government is structured as follows:

1026 (3) For their internal structure, all departments, except
1027 for the Department of Financial Services, the Department of
1028 Economic Opportunity, the Department of Children and Families,
1029 the Department of Corrections, the Department of Management
1030 Services, the Department of Revenue, and the Department of
1031 Transportation, must adhere to the following standard terms:

1032 (a) The principal unit of the department is the "division."
1033 Each division is headed by a "director."

1034 (b) The principal unit of the division is the "bureau."
1035 Each bureau is headed by a "chief."

1036 (c) The principal unit of the bureau is the "section." Each
1037 section is headed by an "administrator."

1038 (d) If further subdivision is necessary, sections may be
1039 divided into "subsections," which are headed by "supervisors."

1040 (7)

1041 (b) Within the limitations of this subsection, the head of
1042 the department may recommend the establishment of additional
1043 divisions, bureaus, sections, and subsections of the department
1044 to promote efficient and effective operation of the department.

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1045 However, additional divisions, or offices in the Department of
1046 Children and Families, the Department of Corrections, the
1047 Department of Economic Opportunity, and the Department of
1048 Transportation, may be established only by specific statutory
1049 enactment. New bureaus, sections, and subsections of departments
1050 may be initiated by a department and established as recommended
1051 by the Department of Management Services and approved by the
1052 Executive Office of the Governor, or may be established by
1053 specific statutory enactment.

1054 Section 20. Paragraph (a) of subsection (7) of section
1055 213.053, Florida Statutes, is amended to read:

1056 213.053 Confidentiality and information sharing.—

1057 (7) (a) Any information received by the Department of
1058 Revenue in connection with the administration of taxes,
1059 including, but not limited to, information contained in returns,
1060 reports, accounts, or declarations filed by persons subject to
1061 tax, shall be made available to the following in performance of
1062 their official duties:

1063 1. The Auditor General or his or her authorized agent;

1064 2. The director of the Office of Program Policy Analysis
1065 and Government Accountability or his or her authorized agent;

1066 3. The Chief Financial Officer or his or her authorized
1067 agent;

1068 4. The Director of the Office of Insurance Regulation of
1069 the Financial Services Commission or his or her authorized
1070 agent;

1071 5. A property appraiser or tax collector or their
1072 authorized agents pursuant to s. 195.084(1);

1073 6. Designated employees of the Department of Education

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1074 solely for determination of each school district's price level
1075 index pursuant to s. 1011.62(2);

1076 7. The Secretary ~~executive director of the Department~~ of
1077 Economic Opportunity or his or her authorized agent;

1078 8. The taxpayers' rights advocate or his or her authorized
1079 agent pursuant to s. 20.21(3); and

1080 9. The coordinator of the Office of Economic and
1081 Demographic Research or his or her authorized agent.

1082 Section 21. Paragraph (b) of subsection (5) of section
1083 220.194, Florida Statutes, is amended to read:

1084 220.194 Corporate income tax credits for spaceflight
1085 projects.—

1086 (5) APPLICATION AND CERTIFICATION.—

1087 (b) In order to take a tax credit under subparagraph (a)1.
1088 or, if applicable, to transfer an approved credit under
1089 subparagraph (a)2., a spaceflight business must submit an
1090 application for certification to the Department of Economic
1091 Opportunity along with a nonrefundable \$250 fee.

1092 1. The application must include:

1093 a. The name and physical in-state address of the taxpayer.

1094 b. Documentation demonstrating to the satisfaction of the
1095 Department of Economic Opportunity that:

1096 (I) The taxpayer is a spaceflight business.

1097 (II) The business has engaged in a qualifying spaceflight
1098 project before taking or transferring a credit under this
1099 section.

1100 c. In addition to any requirement specific to a credit,
1101 documentation that the business has:

1102 (I) Created 35 new jobs in this state directly associated

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1103 with spaceflight projects during its immediately preceding 3
1104 taxable years. The business shall be deemed to have created new
1105 jobs if the number of full-time jobs located in this state at
1106 the time of application for certification is greater than the
1107 total number of full-time jobs located in this state at the time
1108 of application for approval to earn credits; and

1109 (II) Invested a total of at least \$15 million in this state
1110 on a spaceflight project during its immediately preceding 3
1111 taxable years.

1112 d. The total amount and types of credits sought.

1113 e. An acknowledgment that a transfer of a tax credit is to
1114 be accomplished pursuant to subsection (5).

1115 f. A copy of an audit or audits of the preceding 3 taxable
1116 years, prepared by a certified public accountant licensed to
1117 practice in this state, which identifies that portion of the
1118 business's activities in this state related to spaceflight
1119 projects in this state.

1120 g. An acknowledgment that the business must file an annual
1121 report on the spaceflight project's progress with the Department
1122 of Economic Opportunity.

1123 h. Any other information necessary to demonstrate that the
1124 applicant meets the job creation, investment, and other
1125 requirements of this section.

1126 2. Within 60 days after receipt of the application for
1127 certification, the Department of Economic Opportunity shall
1128 evaluate the application and recommend the business for
1129 certification or denial. The Secretary ~~executive director of the~~
1130 ~~Department~~ of Economic Opportunity must approve or deny the
1131 application within 30 days after receiving the recommendation.

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1132 If approved, the Department of Economic Opportunity must provide
1133 a letter of certification to the applicant consistent with any
1134 restrictions imposed. If the Department of Economic Opportunity
1135 denies any part of the requested credit, the Department of
1136 Economic Opportunity must inform the applicant of the grounds
1137 for the denial. A copy of the certification shall be submitted
1138 to the department within 10 days after the secretary's ~~executive~~
1139 ~~director's~~ approval.

1140 Section 22. Subsection (3) of section 288.005, Florida
1141 Statutes, is amended to read:

1142 288.005 Definitions.—As used in this chapter, the term:
1143 ~~(3) "Executive director" means the executive director of~~
1144 ~~the Department of Economic Opportunity, unless otherwise stated.~~

1145 Section 23. Subsections (1) and (3), paragraph (a) of
1146 subsection (5), and subsection (6) of section 288.061, Florida
1147 Statutes, are amended to read:

1148 288.061 Economic development incentive application
1149 process.—

1150 (1) Upon receiving a submitted economic development
1151 incentive application, the Division of Strategic Business
1152 Development of the Department of Economic Opportunity and
1153 designated staff of Enterprise Florida, Inc., shall review the
1154 application to ensure that the application is complete, whether
1155 and what type of state and local permits may be necessary for
1156 the applicant's project, whether it is possible to waive such
1157 permits, and what state incentives and amounts of such
1158 incentives may be available to the applicant. The department
1159 shall recommend to the Secretary of Economic Opportunity
1160 ~~executive director~~ to approve or disapprove an applicant

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1161 business. If review of the application demonstrates that the
1162 application is incomplete, the secretary ~~executive director~~
1163 shall notify the applicant business within the first 5 business
1164 days after receiving the application.

1165 (3) Within 10 business days after the department receives
1166 the submitted economic development incentive application, the
1167 Secretary of Economic Opportunity ~~executive director~~ shall
1168 approve or disapprove the application and issue a letter of
1169 certification to the applicant which includes a justification of
1170 that decision, unless the business requests an extension of that
1171 time.

1172 (a) The contract or agreement with the applicant must
1173 specify the total amount of the award, the performance
1174 conditions that must be met to obtain the award, the schedule
1175 for payment, and sanctions that would apply for failure to meet
1176 performance conditions. The department may enter into one
1177 agreement or contract covering all of the state incentives that
1178 are being provided to the applicant. The contract must provide
1179 that release of funds is contingent upon sufficient
1180 appropriation of funds by the Legislature.

1181 (b) The release of funds for the incentive or incentives
1182 awarded to the applicant depends upon the statutory requirements
1183 of the particular incentive program.

1184 (5) (a) The Secretary of Economic Opportunity ~~executive~~
1185 ~~director~~ may not approve an economic development incentive
1186 application unless the application includes a signed written
1187 declaration by the applicant which states that the applicant has
1188 read the information in the application and that the information
1189 is true, correct, and complete to the best of the applicant's

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1190 knowledge and belief.

1191 (6) Beginning July 1, 2020, the Secretary of Economic
1192 Opportunity ~~executive director~~ may not approve an economic
1193 development incentive application unless the application
1194 includes proof to the department that the applicant business is
1195 registered with and uses the E-Verify system, as defined in s.
1196 448.095, to verify the work authorization status of all newly
1197 hired employees. If the department determines that an awardee is
1198 not complying with this subsection, the department must notify
1199 the awardee by certified mail of the department's determination
1200 of noncompliance and the awardee's right to appeal the
1201 determination. Upon a final determination of noncompliance, the
1202 awardee must repay all moneys received as an economic
1203 development incentive to the department within 30 days after the
1204 final determination.

1205 Section 24. Paragraph (a) of subsection (6) of section
1206 288.0656, Florida Statutes, is amended to read:

1207 288.0656 Rural Economic Development Initiative.—

1208 (6) (a) By August 1 of each year, the head of each of the
1209 following agencies and organizations shall designate a deputy
1210 secretary or higher-level staff person from within the agency or
1211 organization to serve as the REDI representative for the agency
1212 or organization:

- 1213 1. The Department of Transportation.
- 1214 2. The Department of Environmental Protection.
- 1215 3. The Department of Agriculture and Consumer Services.
- 1216 4. The Department of State.
- 1217 5. The Department of Health.
- 1218 6. The Department of Children and Families.

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- 1219 7. The Department of Corrections.
 1220 8. The Department of Education.
 1221 9. The Department of Juvenile Justice.
 1222 10. The Fish and Wildlife Conservation Commission.
 1223 11. Each water management district.
 1224 12. Enterprise Florida, Inc.
 1225 13. CareerSource Florida, Inc.
 1226 14. VISIT Florida.
 1227 15. The Florida Regional Planning Council Association.
 1228 16. The Agency for Health Care Administration.
 1229 17. The Institute of Food and Agricultural Sciences (IFAS).

1230

1231 An alternate for each designee shall also be chosen, and the
 1232 names of the designees and alternates shall be sent to the
 1233 Secretary of Economic Opportunity ~~executive director of the~~
 1234 ~~department.~~

1235 Section 25. Paragraph (c) of subsection (5) and subsection
 1236 (8) of section 288.106, Florida Statutes, are amended to read:

1237 288.106 Tax refund program for qualified target industry
 1238 businesses.—

1239 (5) TAX REFUND AGREEMENT.—

1240 (c) The agreement must be signed by the Secretary of
 1241 Economic Opportunity ~~executive director~~ and by an authorized
 1242 officer of the qualified target industry business within 120
 1243 days after the issuance of the letter of certification under
 1244 subsection (4), but not before passage and receipt of the
 1245 resolution of local financial support. The department may grant
 1246 an extension of this period at the written request of the
 1247 qualified target industry business.

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1248 (8) SPECIAL INCENTIVES.—If the department determines it is
1249 in the best interest of the public for reasons of facilitating
1250 economic development, growth, or new employment opportunities
1251 within a Disproportionally Affected County, the department may,
1252 between July 1, 2011, and June 30, 2014, waive any or all wage
1253 or local financial support eligibility requirements and allow a
1254 qualified target industry business from another state which
1255 relocates all or a portion of its business to a
1256 Disproportionally Affected County to receive a tax refund
1257 payment of up to \$6,000 multiplied by the number of jobs
1258 specified in the tax refund agreement under subparagraph
1259 (5) (a)1. over the term of the agreement. Before ~~Prior to~~
1260 granting such waiver, the Secretary of Economic Opportunity
1261 ~~executive director of the department~~ shall file with the
1262 Governor a written statement of the conditions and circumstances
1263 constituting the reason for the waiver. Such business shall be
1264 eligible for the additional tax refund payments specified in
1265 subparagraph (3) (b)4. if it meets the criteria. As used in this
1266 section, the term "Disproportionally Affected County" means Bay
1267 County, Escambia County, Franklin County, Gulf County, Okaloosa
1268 County, Santa Rosa County, Walton County, or Wakulla County.

1269 Section 26. Subsection (5) of section 288.1089, Florida
1270 Statutes, is amended to read:

1271 288.1089 Innovation Incentive Program.—

1272 (5) The department shall review proposals pursuant to s.
1273 288.061 for all three categories of innovation incentive awards.
1274 Before making a recommendation to the Secretary of Economic
1275 Opportunity ~~executive director~~, the department shall solicit
1276 comments and recommendations from the Department of Agriculture

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1277 and Consumer Services. For each project, the evaluation and
1278 recommendation to the department must include, but need not be
1279 limited to:

1280 (a) A description of the project, its required facilities,
1281 and the associated product, service, or research and development
1282 associated with the project.

1283 (b) The percentage of match provided for the project.

1284 (c) The number of full-time equivalent jobs that will be
1285 created by the project, the total estimated average annual wages
1286 of such jobs, and the types of business activities and jobs
1287 likely to be stimulated by the project.

1288 (d) The cumulative investment to be dedicated to the
1289 project within 5 years and the total investment expected in the
1290 project if more than 5 years.

1291 (e) The projected economic and fiscal impacts on the local
1292 and state economies relative to investment.

1293 (f) A statement of any special impacts the project is
1294 expected to stimulate in a particular business sector in the
1295 state or regional economy or in the state's universities and
1296 community colleges.

1297 (g) A statement of any anticipated or proposed
1298 relationships with state universities.

1299 (h) A statement of the role the incentive is expected to
1300 play in the decision of the applicant to locate or expand in
1301 this state.

1302 (i) A recommendation and explanation of the amount of the
1303 award needed to cause the applicant to expand or locate in this
1304 state.

1305 (j) A discussion of the efforts and commitments made by the

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1306 local community in which the project is to be located to induce
1307 the applicant's location or expansion, taking into consideration
1308 local resources and abilities.

1309 (k) A recommendation for specific performance criteria the
1310 applicant would be expected to achieve in order to receive
1311 payments from the fund and penalties or sanctions for failure to
1312 meet or maintain performance conditions.

1313 (l) Additional evaluative criteria for a research and
1314 development facility project, including:

1315 1. A description of the extent to which the project has the
1316 potential to serve as catalyst for an emerging or evolving
1317 cluster.

1318 2. A description of the extent to which the project has or
1319 could have a long-term collaborative research and development
1320 relationship with one or more universities or community colleges
1321 in this state.

1322 3. A description of the existing or projected impact of the
1323 project on established clusters or targeted industry sectors.

1324 4. A description of the project's contribution to the
1325 diversity and resiliency of the innovation economy of this
1326 state.

1327 5. A description of the project's impact on special needs
1328 communities, including, but not limited to, rural areas,
1329 distressed urban areas, and enterprise zones.

1330 (m) Additional evaluative criteria for alternative and
1331 renewable energy proposals, including:

1332 1. The availability of matching funds or other in-kind
1333 contributions applied to the total project from an applicant.

1334 The Department of Agriculture and Consumer Services shall give

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1335 greater preference to projects that provide such matching funds
1336 or other in-kind contributions.

1337 2. The degree to which the project stimulates in-state
1338 capital investment and economic development in metropolitan and
1339 rural areas, including the creation of jobs and the future
1340 development of a commercial market for renewable energy
1341 technologies.

1342 3. The extent to which the proposed project has been
1343 demonstrated to be technically feasible based on pilot project
1344 demonstrations, laboratory testing, scientific modeling, or
1345 engineering or chemical theory that supports the proposal.

1346 4. The degree to which the project incorporates an
1347 innovative new technology or an innovative application of an
1348 existing technology.

1349 5. The degree to which a project generates thermal,
1350 mechanical, or electrical energy by means of a renewable energy
1351 resource that has substantial long-term production potential.

1352 6. The degree to which a project demonstrates efficient use
1353 of energy and material resources.

1354 7. The degree to which the project fosters overall
1355 understanding and appreciation of renewable energy technologies.

1356 8. The ability to administer a complete project.

1357 9. Project duration and timeline for expenditures.

1358 10. The geographic area in which the project is to be
1359 conducted in relation to other projects.

1360 11. The degree of public visibility and interaction.

1361 Section 27. Paragraph (b) of subsection (1) of section
1362 288.1251, Florida Statutes, is amended to read:

1363 288.1251 Promotion and development of entertainment

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1364 industry; Office of Film and Entertainment; creation; purpose;
1365 powers and duties.—

1366 (1) CREATION.—

1367 (b) The department shall conduct a national search for a
1368 qualified person to fill the position of Commissioner of Film
1369 and Entertainment when the position is vacant. The Secretary of
1370 Economic Opportunity ~~executive director of the department~~ has
1371 the responsibility to hire the film commissioner. Qualifications
1372 for the film commissioner include, but are not limited to, the
1373 following:

1374 1. A working knowledge of the equipment, personnel,
1375 financial, and day-to-day production operations of the
1376 industries to be served by the Office of Film and Entertainment;

1377 2. Marketing and promotion experience related to the film
1378 and entertainment industries to be served;

1379 3. Experience working with a variety of individuals
1380 representing large and small entertainment-related businesses,
1381 industry associations, local community entertainment industry
1382 liaisons, and labor organizations; and

1383 4. Experience working with a variety of state and local
1384 governmental agencies.

1385 Section 28. Subsection (8) of section 288.8014, Florida
1386 Statutes, is amended to read:

1387 288.8014 Triumph Gulf Coast, Inc.; organization; board of
1388 directors.—

1389 (8) The Secretary ~~executive director of the Department~~ of
1390 Economic Opportunity, or his or her designee, the secretary of
1391 the Department of Environmental Protection, or his or her
1392 designee, and the chair of the Committee of 8 Disproportionally

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1393 Affected Counties, or his or her designee, shall be available to
1394 consult with the board of directors and may be requested to
1395 attend meetings of the board of directors. These individuals
1396 shall not be permitted to vote on any matter before the board.

1397 Section 29. Paragraph (a) of subsection (4) of section
1398 288.955, Florida Statutes, is amended to read:

1399 288.955 Scripps Florida Funding Corporation.—

1400 (4) BOARD; MEMBERSHIP.—The corporation shall be governed by
1401 a board of directors.

1402 (a) The board of directors shall consist of nine voting
1403 members, of whom the Governor shall appoint three, the President
1404 of the Senate shall appoint three, and the Speaker of the House
1405 of Representatives shall appoint three. The Secretary of
1406 Economic Opportunity ~~executive director of the department~~ or the
1407 ~~secretary's director's~~ designee shall serve as an ex-officio,
1408 nonvoting member of the board of directors.

1409 Section 30. Subsection (2) of section 288.9604, Florida
1410 Statutes, is amended to read:

1411 288.9604 Creation of the corporation.—

1412 (2) The board of directors of the corporation shall consist
1413 of seven directors. The Secretary of Economic Opportunity
1414 ~~executive director of the department~~, or his or her designee,
1415 shall serve as chair of the board of directors of the
1416 corporation. The director of the Division of Bond Finance of the
1417 State Board of Administration, or his or her designee, shall
1418 serve as a director on the board of directors of the
1419 corporation. The Governor, subject to confirmation by the
1420 Senate, shall appoint the remaining five directors of the board
1421 of directors of the corporation. The terms of office for the

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1422 appointed directors are for 4 years after the date of their
1423 appointment. A vacancy occurring during a term of an appointed
1424 director shall be filled for the unexpired term. An appointed
1425 director is eligible for reappointment. At least three of the
1426 appointed directors of the corporation must have experience in
1427 finance, and one of the directors must have experience in
1428 economic development.

1429 Section 31. Subsection (5) of section 288.987, Florida
1430 Statutes, is amended to read:

1431 288.987 Florida Defense Support Task Force.—

1432 (5) The Secretary ~~executive director of the Department~~ of
1433 Economic Opportunity, or his or her designee, shall serve as the
1434 ex officio, nonvoting executive director of the task force.

1435 Section 32. Paragraph (a) of subsection (6) of section
1436 290.0065, Florida Statutes, is amended to read:

1437 290.0065 State designation of enterprise zones.—

1438 (6) (a) The department may develop guidelines necessary for
1439 the approval of areas under this section by the Secretary of
1440 Economic Opportunity ~~executive director~~.

1441 Section 33. Subsection (1) of section 311.09, Florida
1442 Statutes, is amended to read:

1443 311.09 Florida Seaport Transportation and Economic
1444 Development Council.—

1445 (1) The Florida Seaport Transportation and Economic
1446 Development Council is created within the Department of
1447 Transportation. The council consists of the following 17
1448 members: the port director, or the port director's designee, of
1449 each of the ports of Jacksonville, Port Canaveral, Port Citrus,
1450 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,

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1451 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key
1452 West, and Fernandina; the secretary of the Department of
1453 Transportation or his or her designee; and the secretary
1454 ~~director~~ of the Department of Economic Opportunity or his or her
1455 designee.

1456 Section 34. Paragraph (b) of subsection (1) of section
1457 311.105, Florida Statutes, is amended to read:

1458 311.105 Florida Seaport Environmental Management Committee;
1459 permitting; mitigation.—

1460 (1)

1461 (b) The committee shall consist of the following members:
1462 the Secretary of Environmental Protection, or his or her
1463 designee, as an ex officio, nonvoting member; a designee from
1464 the United States Army Corps of Engineers, as an ex officio,
1465 nonvoting member; a designee from the Florida Inland Navigation
1466 District, as an ex officio, nonvoting member; the Secretary
1467 ~~executive director of the Department~~ of Economic Opportunity, or
1468 his or her designee, as an ex officio, nonvoting member; and
1469 five or more port directors, as voting members, appointed to the
1470 committee by the council chair, who shall also designate one
1471 such member as committee chair.

1472 Section 35. Subsection (3) of section 334.065, Florida
1473 Statutes, is amended to read:

1474 334.065 Center for Urban Transportation Research.—

1475 (3) An advisory board shall be created to periodically and
1476 objectively review and advise the center concerning its research
1477 program. Except for projects mandated by law, state-funded base
1478 projects shall not be undertaken without approval of the
1479 advisory board. The membership of the board shall consist of

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1480 nine experts in transportation-related areas, including the
1481 secretaries of the Department ~~Florida Departments~~ of
1482 Transportation, the Department of ~~and~~ Environmental Protection,
1483 and ~~the executive director of~~ the Department of Economic
1484 Opportunity, or their designees, and a member of the Florida
1485 Transportation Commission. The nomination of the remaining
1486 members of the board shall be made to the President of the
1487 University of South Florida by the College of Engineering at the
1488 University of South Florida, and the appointment of these
1489 members must be reviewed and approved by the Florida
1490 Transportation Commission and confirmed by the Board of
1491 Governors.

1492 Section 36. Subsection (5) of section 373.4149, Florida
1493 Statutes, is amended to read:

1494 373.4149 Miami-Dade County Lake Belt Plan.—

1495 (5) The secretary of the Department of Environmental
1496 Protection, the secretary ~~executive director~~ of the Department
1497 of Economic Opportunity, the secretary of the Department of
1498 Transportation, the Commissioner of Agriculture, the executive
1499 director of the Fish and Wildlife Conservation Commission, and
1500 the executive director of the South Florida Water Management
1501 District may enter into agreements with landowners, developers,
1502 businesses, industries, individuals, and governmental agencies
1503 as necessary to effectuate the Miami-Dade County Lake Belt Plan
1504 and the provisions of this section.

1505 Section 37. Subsection (2) of section 380.045, Florida
1506 Statutes, is amended to read:

1507 380.045 Resource planning and management committees;
1508 objectives; procedures.—

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1509 (2) The committee must ~~shall~~ include, but is ~~shall~~ not be
1510 limited to, representation from each of the following: elected
1511 officials from the local governments within the area under
1512 study; the planning office of each of the local governments
1513 within the area under study; the state land planning agency; any
1514 other state agency under chapter 20 a representative of which
1515 the Governor feels is relevant to the compilation of the
1516 committee; and a water management district, if appropriate, and
1517 regional planning council all or part of whose jurisdiction lies
1518 within the area under study. After the appointment of the
1519 members, the Governor shall select a chair and vice chair. A
1520 staff member of the state land planning agency shall be
1521 appointed by the secretary ~~director~~ of such agency to serve as
1522 the secretary of the committee. The state land planning agency
1523 shall, to the greatest extent possible, provide technical
1524 assistance and administrative support to the committee. Meetings
1525 will be called as needed by the chair or on the demand of three
1526 or more members of the committee. The committee will act on a
1527 simple majority of a quorum present and shall make a report
1528 within 6 months to the head of the state land planning agency.
1529 The committee must ~~shall~~, from the time of appointment, remain
1530 in existence for no less than 6 months.

1531 Section 38. Subsection (5) of section 403.0752, Florida
1532 Statutes, is amended to read:

1533 403.0752 Ecosystem management agreements.—

1534 (5) The Secretary ~~Executive Director~~ of the Department of
1535 Economic Opportunity, the Secretary of Transportation, the
1536 Commissioner of Agriculture, the Executive Director of the Fish
1537 and Wildlife Conservation Commission, and the executive

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1538 directors of the water management districts are authorized to
1539 participate in the development of ecosystem management
1540 agreements with regulated entities and other governmental
1541 agencies as necessary to effectuate the provisions of this
1542 section. Local governments are encouraged to participate in
1543 ecosystem management agreements.

1544 Section 39. Subsection (1) of section 420.0005, Florida
1545 Statutes, is amended to read:

1546 420.0005 State Housing Trust Fund; State Housing Fund.—

1547 (1) There is established in the State Treasury a separate
1548 trust fund to be named the "State Housing Trust Fund." There
1549 shall be deposited in the fund all moneys appropriated by the
1550 Legislature, or moneys received from any other source, for the
1551 purpose of this chapter, and all proceeds derived from the use
1552 of such moneys. The fund shall be administered by the Florida
1553 Housing Finance Corporation on behalf of the department, as
1554 specified in this chapter. Money deposited to the fund and
1555 appropriated by the Legislature must, notwithstanding the
1556 provisions of chapter 216 or s. 420.504(3), be transferred
1557 quarterly in advance, to the extent available, or, if not so
1558 available, as soon as received into the State Housing Trust
1559 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)
1560 by the Chief Financial Officer to the corporation upon
1561 certification by the Secretary ~~executive director of the~~
1562 ~~Department~~ of Economic Opportunity that the corporation is in
1563 compliance with the requirements of s. 420.0006. The
1564 certification made by the secretary ~~executive director~~ shall
1565 also include the split of funds among programs administered by
1566 the corporation and the department as specified in chapter 92-

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1567 317, Laws of Florida, as amended. Moneys advanced by the Chief
1568 Financial Officer must be deposited by the corporation into a
1569 separate fund established with a qualified public depository
1570 meeting the requirements of chapter 280 to be named the "State
1571 Housing Fund" and used for the purposes of this chapter.
1572 Administrative and personnel costs incurred in implementing this
1573 chapter may be paid from the State Housing Fund, but such costs
1574 may not exceed 5 percent of the moneys deposited into such fund.
1575 To the State Housing Fund shall be credited all loan repayments,
1576 penalties, and other fees and charges accruing to such fund
1577 under this chapter. It is the intent of this chapter that all
1578 loan repayments, penalties, and other fees and charges collected
1579 be credited in full to the program account from which the loan
1580 originated. Moneys in the State Housing Fund which are not
1581 currently needed for the purposes of this chapter shall be
1582 invested in such manner as is provided for by statute. The
1583 interest received on any such investment shall be credited to
1584 the State Housing Fund.

1585 Section 40. Section 420.0006, Florida Statutes, is amended
1586 to read:

1587 420.0006 Authority to contract with corporation; contract
1588 requirements; nonperformance.—The Secretary ~~executive director~~
1589 of Economic Opportunity ~~the department~~ shall contract,
1590 notwithstanding part I of chapter 287, with the Florida Housing
1591 Finance Corporation on a multiyear basis to stimulate, provide,
1592 and foster affordable housing in the state. The contract must
1593 incorporate the performance measures required by s. 420.511 and
1594 be consistent with the corporation's strategic business plan
1595 prepared in accordance with s. 420.511. The contract must

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1596 provide that if the corporation fails to comply with a
1597 performance measure required by s. 420.511, the secretary
1598 ~~executive director~~ shall notify the Governor and refer the
1599 nonperformance to the department's inspector general for review
1600 and determination as to whether such failure is due to forces
1601 beyond the corporation's control or whether such failure is due
1602 to inadequate management of the corporation's resources.
1603 Advances shall continue to be made pursuant to s. 420.0005
1604 during the pendency of the review. If such failure is due to
1605 outside forces, it may not be deemed a violation of the
1606 contract. If such failure is due to inadequate management, the
1607 department's inspector general shall provide recommendations
1608 regarding solutions. The Governor may resolve differences of
1609 opinion with respect to performance under the contract and may
1610 request that advances continue in the event of a failure under
1611 the contract due to inadequate management. The Chief Financial
1612 Officer shall approve the request absent a finding by the Chief
1613 Financial Officer that continuing such advances would adversely
1614 impact the state; however, the Chief Financial Officer shall
1615 provide advances sufficient to meet the debt service
1616 requirements of the corporation and sufficient to fund contracts
1617 committing funds from the State Housing Trust Fund if such
1618 contracts are in accordance with the laws of this state.

1619 Section 41. Paragraph (d) of subsection (1) of section
1620 420.101, Florida Statutes, is amended to read:

1621 420.101 Housing Development Corporation of Florida;
1622 creation, membership, and purposes.—

1623 (1) Twenty-five or more persons, a majority of whom shall
1624 be residents of this state, who may desire to create a housing

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1625 development corporation under the provisions of this part for
1626 the purpose of promoting and developing housing and advancing
1627 the prosperity and economic welfare of the state and, to that
1628 end, to exercise the powers and privileges hereinafter provided,
1629 may be incorporated by filing in the Department of State, as
1630 hereinafter provided, articles of incorporation. The articles of
1631 incorporation shall contain:

1632 (d) The names and post office addresses of the members of
1633 the first board of directors. The first board of directors shall
1634 be elected by and from the stockholders of the corporation and
1635 shall consist of 21 members. However, five of such members shall
1636 consist of the following persons, who shall be nonvoting
1637 members: the Secretary ~~executive director of the Department of~~
1638 ~~Economic Opportunity~~ or her or his designee; the head of the
1639 Department of Financial Services or her or his designee with
1640 expertise in banking matters; a designee of the head of the
1641 Department of Financial Services with expertise in insurance
1642 matters; one state senator appointed by the President of the
1643 Senate; and one representative appointed by the Speaker of the
1644 House of Representatives.

1645 Section 42. Subsection (8) of section 420.503, Florida
1646 Statutes, is amended to read:

1647 420.503 Definitions.—As used in this part, the term:

1648 (8) "Contract" means the contract between the Secretary
1649 ~~executive director of Economic Opportunity the department~~ and
1650 the corporation for provision of housing services referenced in
1651 s. 420.0006.

1652 Section 43. Subsections (1) and (3) of section 420.504,
1653 Florida Statutes, are amended to read:

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1654 420.504 Public corporation; creation, membership, terms,
1655 expenses.—

1656 (1) A public corporation and a public body corporate and
1657 politic, to be known as the "Florida Housing Finance
1658 Corporation," is created within the Department of Economic
1659 Opportunity. It is declared to be the intent of and
1660 constitutional construction by the Legislature that the Florida
1661 Housing Finance Corporation constitutes an entrepreneurial
1662 public corporation organized to provide and promote the public
1663 welfare by administering the governmental function of financing
1664 or refinancing housing and related facilities in this state and
1665 that the corporation is not a department of the executive branch
1666 of state government within the scope and meaning of s. 6, Art.
1667 IV of the State Constitution, but is functionally related to the
1668 Department of Economic Opportunity in which it is placed. The
1669 executive function of state government to be performed by the
1670 Secretary ~~executive director of the Department~~ of Economic
1671 Opportunity in the conduct of the business of the Florida
1672 Housing Finance Corporation must be performed pursuant to a
1673 contract to monitor and set performance standards for the
1674 implementation of the business plan for the provision of housing
1675 approved for the corporation as provided in s. 420.0006. This
1676 contract must include performance standards for the provision of
1677 affordable housing in this state established in the strategic
1678 business plan described in s. 420.511.

1679 (3) The corporation is a separate budget entity and is not
1680 subject to control, supervision, or direction by the Department
1681 of Economic Opportunity in any manner, including, but not
1682 limited to, personnel, purchasing, transactions involving real

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1683 or personal property, and budgetary matters. The corporation
1684 shall consist of a board of directors composed of the Secretary
1685 ~~executive director of the Department~~ of Economic Opportunity as
1686 an ex officio and voting member, or a senior-level agency
1687 employee designated by the secretary ~~director~~, and eight members
1688 appointed by the Governor subject to confirmation by the Senate
1689 from the following:

1690 (a) One citizen actively engaged in the residential home
1691 building industry.

1692 (b) One citizen actively engaged in the banking or mortgage
1693 banking industry.

1694 (c) One citizen who is a representative of those areas of
1695 labor engaged in home building.

1696 (d) One citizen with experience in housing development who
1697 is an advocate for low-income persons.

1698 (e) One citizen actively engaged in the commercial building
1699 industry.

1700 (f) One citizen who is a former local government elected
1701 official.

1702 (g) Two citizens of the state who are not principally
1703 employed as members or representatives of any of the groups
1704 specified in paragraphs (a)-(f).

1705 Section 44. Subsection (1) of section 420.506, Florida
1706 Statutes, is amended to read:

1707 420.506 Executive director; agents and employees; inspector
1708 general.—

1709 (1) The appointment and removal of an executive director
1710 shall be by the Secretary ~~executive director of the Department~~
1711 of Economic Opportunity, with the advice and consent of the

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1712 corporation's board of directors. The executive director shall
1713 employ legal and technical experts and such other agents and
1714 employees, permanent and temporary, as the corporation may
1715 require, and shall communicate with and provide information to
1716 the Legislature with respect to the corporation's activities.
1717 Notwithstanding s. 216.262, the board may develop and implement
1718 rules regarding the employment of employees of the corporation
1719 and service providers, including legal counsel. The board is
1720 entitled to establish travel procedures and guidelines for
1721 employees of the corporation, subject to s. 112.061(6) and (7).
1722 The executive director's office and the corporation's files and
1723 records must be located in Leon County.

1724 Section 45. Subsection (30) of section 420.507, Florida
1725 Statutes, is amended to read:

1726 420.507 Powers of the corporation.—The corporation shall
1727 have all the powers necessary or convenient to carry out and
1728 effectuate the purposes and provisions of this part, including
1729 the following powers which are in addition to all other powers
1730 granted by other provisions of this part:

1731 (30) To prepare and submit to the Secretary ~~executive~~
1732 ~~director~~ of Economic Opportunity ~~the department~~ a budget request
1733 for purposes of the corporation, which request shall,
1734 notwithstanding the provisions of chapter 216 and in accordance
1735 with s. 216.351, contain a request for operational expenditures
1736 and separate requests for other authorized corporation programs.
1737 The request need not contain information on the number of
1738 employees, salaries, or any classification thereof, and the
1739 approved operating budget therefor need not comply with s.
1740 216.181(8)-(10). The secretary ~~executive director~~ may include

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1741 within the department's budget request the corporation's budget
1742 request in the form as authorized by this section.

1743 Section 46. Subsection (2) of section 420.511, Florida
1744 Statutes, is amended to read:

1745 420.511 Strategic business plan; long-range program plan;
1746 annual report; audited financial statements.—

1747 (2) The corporation, in coordination with the department,
1748 shall annually develop a long-range program plan for the
1749 provision of affordable housing in this state as required
1750 pursuant to chapter 186. In part, the plan must include
1751 provisions that maximize the abilities of the corporation to
1752 implement the state housing strategy established under s.
1753 420.0003, to respond to federal housing initiatives, and to
1754 develop programs in a manner that is more responsive to the
1755 needs of public and private partners. The plan shall be
1756 developed on a schedule consistent with that established by s.
1757 186.021. For purposes of this section, the Secretary of Economic
1758 Opportunity ~~executive director~~ or his or her designee shall
1759 serve as the corporation's representative to achieve a
1760 coordinated and integrated planning relationship with the
1761 department.

1762 Section 47. Subsection (7) of section 420.602, Florida
1763 Statutes, is amended to read:

1764 420.602 Definitions.—As used in this part, the following
1765 terms shall have the following meanings, unless the context
1766 otherwise requires:

1767 (7) ~~"Director" means the executive director of the~~
1768 ~~Department of Economic Opportunity.~~

1769 Section 48. Subsection (5) of section 420.609, Florida

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1770 Statutes, is amended to read:

1771 420.609 Affordable Housing Study Commission.—Because the
1772 Legislature firmly supports affordable housing in Florida for
1773 all economic classes:

1774 (5) The commission shall review, evaluate, and make
1775 recommendations regarding existing and proposed housing programs
1776 and initiatives. The commission shall provide these and any
1777 other housing recommendations to the Secretary ~~director~~ of
1778 Economic Opportunity ~~the department~~ and the executive director
1779 of the corporation.

1780 Section 49. Subsection (2) of section 420.622, Florida
1781 Statutes, is amended to read:

1782 420.622 State Office on Homelessness; Council on
1783 Homelessness.—

1784 (2) The Council on Homelessness is created to consist of 19
1785 representatives of public and private agencies who shall develop
1786 policy and advise the State Office on Homelessness. The council
1787 members shall be: the Secretary of Children and Families, or his
1788 or her designee; the Secretary ~~executive director of the~~
1789 ~~Department~~ of Economic Opportunity, or his or her designee, who
1790 shall advise the council on issues related to rural development;
1791 the State Surgeon General, or his or her designee; the Executive
1792 Director of Veterans' Affairs, or his or her designee; the
1793 Secretary of Corrections, or his or her designee; the Secretary
1794 of Health Care Administration, or his or her designee; the
1795 Commissioner of Education, or his or her designee; the Executive
1796 Director of CareerSource Florida, Inc., or his or her designee;
1797 one representative of the Florida Association of Counties; one
1798 representative of the Florida League of Cities; one

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1799 representative of the Florida Supportive Housing Coalition; one
1800 representative of the Florida Housing Coalition; the Executive
1801 Director of the Florida Housing Finance Corporation, or his or
1802 her designee; one representative of the Florida Coalition for
1803 the Homeless; the secretary of the Department of Elder Affairs,
1804 or his or her designee; and four members appointed by the
1805 Governor. The council members shall be nonpaid volunteers and
1806 shall be reimbursed only for travel expenses. The appointed
1807 members of the council shall be appointed to staggered 2-year
1808 terms and are encouraged to have experience in the
1809 administration or provision of resources, services, or housing
1810 that addresses the needs of persons experiencing homelessness.
1811 The council shall meet at least four times per year. The
1812 importance of minority, gender, and geographic representation
1813 shall be considered in appointing members to the council.

1814 Section 50. Paragraph (g) of subsection (1) of section
1815 427.012, Florida Statutes, is amended to read:

1816 427.012 The Commission for the Transportation
1817 Disadvantaged.—There is created the Commission for the
1818 Transportation Disadvantaged in the Department of
1819 Transportation.

1820 (1) The commission shall consist of seven members, all of
1821 whom shall be appointed by the Governor, in accordance with the
1822 requirements of s. 20.052.

1823 (g) The Secretary of Transportation, the Secretary of
1824 Children and Families, the Secretary ~~executive director of the~~
1825 ~~Department~~ of Economic Opportunity, the executive director of
1826 the Department of Veterans' Affairs, the Secretary of Elderly
1827 Affairs, the Secretary of Health Care Administration, the

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1828 director of the Agency for Persons with Disabilities, and a
1829 county manager or administrator who is appointed by the
1830 Governor, or a senior management level representative of each,
1831 shall serve as ex officio, nonvoting advisors to the commission.

1832 Section 51. Subsections (2), (3), and (4) of section
1833 443.1116, Florida Statutes, are amended to read:

1834 443.1116 Short-time compensation.—

1835 (2) APPROVAL OF SHORT-TIME COMPENSATION PLANS.—An employer
1836 wishing to participate in the short-time compensation program
1837 must submit a signed, written, short-time plan to the Department
1838 of Economic Opportunity for approval. The Secretary of Economic
1839 Opportunity ~~director~~ or his or her designee shall approve the
1840 plan if:

1841 (a) The plan applies to and identifies each specific
1842 affected unit;

1843 (b) The individuals in the affected unit are identified by
1844 name and social security number;

1845 (c) The normal weekly hours of work for individuals in the
1846 affected unit are reduced by at least 10 percent and by not more
1847 than 40 percent;

1848 (d) The plan includes a certified statement by the employer
1849 that the aggregate reduction in work hours is in lieu of layoffs
1850 that would affect at least 10 percent of the employees in the
1851 affected unit and that would have resulted in an equivalent
1852 reduction in work hours;

1853 (e) The plan applies to at least 10 percent of the
1854 employees in the affected unit;

1855 (f) The plan is approved in writing by the collective
1856 bargaining agent for each collective bargaining agreement

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1857 covering any individual in the affected unit;

1858 (g) The plan does not serve as a subsidy to seasonal
1859 employers during the off-season or as a subsidy to employers who
1860 traditionally use part-time employees;

1861 (h) The plan certifies that, if the employer provides
1862 fringe benefits to any employee whose workweek is reduced under
1863 the program, the fringe benefits will continue to be provided to
1864 the employee participating in the short-time compensation
1865 program under the same terms and conditions as though the
1866 workweek of such employee had not been reduced or to the same
1867 extent as other employees not participating in the short-time
1868 compensation program. As used in this paragraph, the term
1869 "fringe benefits" includes, but is not limited to, health
1870 insurance, retirement benefits under defined benefit pension
1871 plans as defined in subsection 35 of s. 1002 of the Employee
1872 Retirement Income Security Act of 1974, 29 U.S.C., contributions
1873 under a defined contribution plan as defined in s. 414(i) of the
1874 Internal Revenue Code, paid vacation and holidays, and sick
1875 leave;

1876 (i) The plan describes the manner in which the requirements
1877 of this subsection will be implemented, including a plan for
1878 giving notice, if feasible, to an employee whose workweek is to
1879 be reduced, together with an estimate of the number of layoffs
1880 that would have occurred absent the ability to participate in
1881 short-time compensation; and

1882 (j) The terms of the employer's written plan and
1883 implementation are consistent with employer obligations under
1884 applicable federal laws and laws of this state.

1885 (3) APPROVAL OR DISAPPROVAL OF THE PLAN.—The Secretary of

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1886 Economic Opportunity ~~director~~ or his or her designee shall
1887 approve or disapprove a short-time compensation plan in writing
1888 within 15 days after its receipt. If the plan is denied, the
1889 secretary ~~director~~ or his or her designee shall notify the
1890 employer of the reasons for disapproval.

1891 (4) BEGINNING AND TERMINATION OF SHORT-TIME COMPENSATION
1892 BENEFIT PERIOD.—A plan takes effect on the date of its approval
1893 by the Secretary of Economic Opportunity ~~director~~ or his or her
1894 designee and expires at the end of the 12th full calendar month
1895 after its effective date.

1896 Section 52. Paragraph (d) of subsection (2) of section
1897 446.53, Florida Statutes, is amended to read:

1898 446.53 Concrete masonry education.—

1899 (2)

1900 (d) In addition to the 13 voting members described in
1901 paragraph (a), the Secretary ~~executive director of the~~
1902 ~~Department~~ of Economic Opportunity, or his or her designee,
1903 shall serve ex officio as a nonvoting member of the board of
1904 directors of the council.

1905 Section 53. Section 450.261, Florida Statutes, is amended
1906 to read:

1907 450.261 Interstate Migrant Labor Commission; Florida
1908 membership.—In selecting the Florida membership of the
1909 Interstate Migrant Labor Commission, the Governor may designate
1910 the Secretary ~~executive director of the Department~~ of Economic
1911 Opportunity as his or her representative.

1912 Section 54. Paragraph (d) of subsection (1), paragraph (a)
1913 of subsection (4), and paragraphs (b), (c), and (d) of
1914 subsection (5) of section 624.5105, Florida Statutes, are

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1915 amended to read:

1916 624.5105 Community contribution tax credit; authorization;
1917 limitations; eligibility and application requirements;
1918 administration; definitions; expiration.—

1919 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

1920 (d) Each proposal for the granting of such tax credit
1921 requires the prior approval of the Secretary of Economic
1922 Opportunity ~~director~~.

1923 (4) ADMINISTRATION.—

1924 (a)1. The Department of Economic Opportunity may adopt
1925 rules to administer this section, including rules for the
1926 approval or disapproval of proposals by insurers.

1927 2. The decision of the Secretary of Economic Opportunity
1928 ~~director~~ shall be in writing, and, if approved, the proposal
1929 shall state the maximum credit allowable to the insurer. A copy
1930 of the decision shall be transmitted to the executive director
1931 of the Department of Revenue, who shall apply such credit to the
1932 tax liability of the insurer.

1933 3. The Department of Economic Opportunity shall monitor all
1934 projects periodically, in a manner consistent with available
1935 resources to ensure that resources are utilized in accordance
1936 with this section; however, each project shall be reviewed no
1937 less frequently than once every 2 years.

1938 4. The Department of Economic Opportunity shall, in
1939 consultation with the Florida Housing Finance Corporation and
1940 the statewide and regional housing and financial intermediaries,
1941 market the availability of the community contribution tax credit
1942 program to community-based organizations.

1943 (5) DEFINITIONS.—As used in this section, the term:

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1944 ~~(b) "Director" means the director of the Department of~~
1945 ~~Economic Opportunity.~~

1946 (b)~~(e)~~ "Local government" means any county or incorporated
1947 municipality in the state.

1948 (c)~~(d)~~ "Project" means an activity as defined in s.
1949 220.03(1)(t).

1950 Section 55. Paragraph (f) of subsection (2) of section
1951 1004.015, Florida Statutes, is amended to read:

1952 1004.015 Florida Talent Development Council.—

1953 (2) Members of the council shall include:

1954 (f) The Secretary ~~executive director of the Department of~~
1955 ~~Economic Opportunity.~~

1956 Section 56. This act shall take effect upon becoming a law.