

1 A bill to be entitled
2 An act relating to the Department of Economic
3 Opportunity; amending s. 20.60, F.S.; requiring the
4 Secretary of Economic Opportunity to appoint deputy
5 secretaries and directors for specified divisions of
6 the Department of Economic Opportunity; amending s.
7 163.3175, F.S.; revising the counties and cities with
8 which a specific military installation is associated;
9 conforming a provision to changes made by the act;
10 amending s. 201.25, F.S.; exempting loans made with
11 funds administered by the Department of Economic
12 Opportunity from certain taxes; amending s. 288.0655,
13 F.S.; revising eligibility requirements for certain
14 grants awarded by the department; revising the
15 percentage of certain project costs for which the
16 department may award certain grants; revising the
17 purposes for which the department may award certain
18 grants; revising limitations on certain grants awarded
19 by the department; removing a local match requirement;
20 amending s. 288.9604, F.S.; removing the scheduled
21 repeal of the Florida Development Finance Corporation;
22 amending ss. 288.980 and 288.985, F.S.; conforming
23 provisions to changes made by the act; amending s.
24 288.987, F.S.; renaming the "Florida Defense Support
25 Task Force" as the "Florida Defense Support Council";

26 removing obsolete provisions; amending s. 331.3081,
27 F.S.; revising the membership of the board of
28 directors of Space Florida; amending s. 446.71, F.S.;
29 revising the areas in which the department may provide
30 grants through the Everglades Restoration Agricultural
31 Community Employment Training Program; authorizing the
32 use of certain grant funds for certain purposes;
33 requiring the department to set aside a certain
34 percentage of funds for a certain purpose; prohibiting
35 the department from awarding employer-based grants in
36 excess of a certain amount; requiring the department
37 to prioritize awarding employer-based grants to
38 certain training programs; providing that certain
39 accreditation or licensure meets a certain
40 qualification requirement; revising requirements for
41 the location in which a training program participant
42 must reside to receive a certain grant from the
43 department; revising the requirements for employer-
44 based training programs established in the Everglades
45 Agricultural Area; providing an effective date.

46
47 Be It Enacted by the Legislature of the State of Florida:

48
49 Section 1. Paragraph (b) of subsection (3) of section
50 20.60, Florida Statutes, is amended to read:

HB 1209

2023

51 20.60 Department of Economic Opportunity; creation; powers
52 and duties.—

53 (3)

54 (b) The secretary:

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

58 2. Shall appoint deputy secretaries for the Division of
59 Strategic Business Development, the Division of Community
60 Development, and the Division of Workforce Services and
61 directors for the Division of Finance and Administration and the
62 Division of Information Technology ~~a director for each division,~~
63 who shall directly administer his or her division and be
64 responsible to the secretary.

65 Section 2. Paragraph (i) of subsection (2) and subsection
66 (3) of section 163.3175, Florida Statutes, are amended to read:

67 163.3175 Legislative findings on compatibility of
68 development with military installations; exchange of information
69 between local governments and military installations.—

70 (2) Certain major military installations, due to their
71 mission and activities, have a greater potential for
72 experiencing compatibility and coordination issues than others.
73 Consequently, this section and the provisions in s.
74 163.3177(6)(a), relating to compatibility of land development
75 with military installations, apply to specific affected local

76 governments in proximity to and in association with specific
 77 military installations, as follows:

78 (i) Naval Support Activity Orlando, including Bugg Spring
 79 and Naval Ordnance Test Unit, associated with Lake, Marion,
 80 Orange, and Sumter Counties County and Groveland, Howey-in-the-
 81 Hills, Leesburg, Orlando, and Wildwood.

82 (3) The Florida Defense Support Council ~~Task Force~~ may
 83 recommend to the Legislature changes to the military
 84 installations and local governments specified in subsection (2)
 85 based on a military base's potential for impacts from
 86 encroachment, and incompatible land uses and development.

87 Section 3. Subsection (4) is added to section 201.25,
 88 Florida Statutes, to read:

89 201.25 Tax exemptions for certain loans.—There shall be
 90 exempt from all taxes imposed by this chapter:

91 (4) Any loan made with funds administered by the
 92 Department of Economic Opportunity.

93 Section 4. Paragraphs (b), (c), and (e) of subsection (2)
 94 of section 288.0655, Florida Statutes, are amended to read:

95 288.0655 Rural Infrastructure Fund.—

96 (2)

97 (b) To facilitate access of rural communities and rural
 98 areas of opportunity as defined by the Rural Economic
 99 Development Initiative to infrastructure funding programs of the
 100 Federal Government, such as those offered by the United States

101 Department of Agriculture and the United States Department of
102 Commerce, and state programs, including those offered by Rural
103 Economic Development Initiative agencies, and to facilitate
104 local government or private infrastructure funding efforts, the
105 department may award grants for up to 75 ~~50~~ percent of the total
106 infrastructure project cost, or up to 100 percent of the total
107 infrastructure project cost for a project located in a rural
108 community or a rural area of opportunity, as those terms are
109 defined in s. 288.0656(2), which is also located in a fiscally
110 constrained county as described in s. 218.67(1). ~~Eligible~~
111 ~~projects must be related to specific job-creation or job-~~
112 ~~retention opportunities.~~ Eligible uses of funds ~~projects~~ may
113 ~~also~~ include improving any inadequate infrastructure that has
114 resulted in regulatory action that prohibits economic or
115 community growth, reducing the costs to community users of
116 proposed infrastructure improvements that exceed such costs in
117 comparable communities, and improving access to and the
118 availability of broadband Internet service. Eligible uses of
119 funds shall include improvements to public infrastructure for
120 industrial or commercial sites, upgrades to or development of
121 public tourism infrastructure, and improvements to broadband
122 Internet service and access in unserved or underserved rural
123 communities. Improvements to broadband Internet service and
124 access must be conducted through a partnership or partnerships
125 with one or more dealers, as defined in s. 202.11(2), and the

HB 1209

2023

126 partnership or partnerships must be established through a
127 competitive selection process that is publicly noticed.
128 Authorized infrastructure may include the following public or
129 public-private partnership facilities: storm water systems;
130 telecommunications facilities; broadband facilities; roads or
131 other remedies to transportation impediments; nature-based
132 tourism facilities; or other physical requirements necessary to
133 facilitate tourism, trade, and economic development activities
134 in the community. Authorized infrastructure may also include
135 publicly or privately owned self-powered nature-based tourism
136 facilities, publicly owned telecommunications facilities, and
137 broadband facilities, and additions to the distribution
138 facilities of the existing natural gas utility as defined in s.
139 366.04(3)(c), the existing electric utility as defined in s.
140 366.02, or the existing water or wastewater utility as defined
141 in s. 367.021(12), or any other existing water or wastewater
142 facility, which owns a gas or electric distribution system or a
143 water or wastewater system in this state where:

144 1. A contribution-in-aid of construction is required to
145 serve public or public-private partnership facilities under the
146 tariffs of any natural gas, electric, water, or wastewater
147 utility as defined herein; and

148 2. Such utilities as defined herein are willing and able
149 to provide such service.

150 (c) ~~To facilitate timely response and induce the location~~

151 ~~or expansion of specific job creating opportunities,~~ The
152 department may award grants of up to \$300,000 for infrastructure
153 feasibility studies, design and engineering activities, or other
154 infrastructure planning and preparation activities. ~~Authorized~~
155 ~~grants shall be up to \$50,000 for an employment project with a~~
156 ~~business committed to create at least 100 jobs; up to \$150,000~~
157 ~~for an employment project with a business committed to create at~~
158 ~~least 300 jobs; and up to \$300,000 for a project in a rural area~~
159 ~~of opportunity.~~ Grants awarded under this paragraph may be used
160 in conjunction with grants awarded under paragraph (b), ~~provided~~
161 ~~that the total amount of both grants does not exceed 30 percent~~
162 ~~of the total project cost.~~ In evaluating applications under this
163 paragraph, the department shall consider the extent to which the
164 application seeks to minimize administrative and consultant
165 expenses.

166 (e) To enable local governments to access the resources
167 available pursuant to s. 403.973(18), the department may award
168 grants for surveys, feasibility studies, and other activities
169 related to the identification and preclearance review of land
170 which is suitable for preclearance review. Authorized grants
171 under this paragraph ~~may not exceed \$75,000 each, except in the~~
172 ~~case of a project in a rural area of opportunity, in which case~~
173 ~~the grant may not exceed \$300,000. Any funds awarded under this~~
174 ~~paragraph must be matched at a level of 50 percent with local~~
175 ~~funds, except that any funds awarded for a project in a rural~~

176 ~~area of opportunity must be matched at a level of 33 percent~~
 177 ~~with local funds. If an application for funding is for a~~
 178 ~~catalyst site, as defined in s. 288.0656, the requirement for~~
 179 ~~local match may be waived pursuant to the process in s.~~
 180 ~~288.06561.~~ In evaluating applications under this paragraph, the
 181 department shall consider the extent to which the application
 182 seeks to minimize administrative and consultant expenses.

183 Section 5. Subsection (5) of section 288.9604, Florida
 184 Statutes, is amended to read:

185 288.9604 Creation of the corporation.—

186 ~~(5) This section is repealed July 1, 2023, and July 1 of~~
 187 ~~every fourth year thereafter, unless reviewed and saved from~~
 188 ~~repeal by the Legislature.~~

189 Section 6. Paragraph (b) of subsection (2) of section
 190 288.980, Florida Statutes, is amended to read:

191 288.980 Military base retention; legislative intent;
 192 grants program.—

193 (2)

194 (b)1. The department shall annually request military
 195 installations in the state to provide the department with a list
 196 of base buffering encroachment lands for fee simple or less-
 197 than-fee simple acquisitions before October 1.

198 2. The department shall submit the list of base buffering
 199 encroachment lands to the Florida Defense Support Council Task
 200 ~~Force~~ created in s. 288.987.

201 3. The Florida Defense Support Council ~~Task Force~~ shall,
 202 annually by December 1, review the list of base buffering
 203 encroachment lands submitted by the military installations and
 204 provide its recommendations for ranking the lands for
 205 acquisition to the department.

206 4. The department shall annually submit the list of base
 207 buffering encroachment lands provided by the Florida Defense
 208 Support Council ~~Task Force~~ to the Board of Trustees of the
 209 Internal Improvement Trust Fund, which may acquire the lands
 210 pursuant to s. 253.025. At a minimum, the annual list must
 211 contain for each recommended land acquisition:

- 212 a. A legal description of the land and its property
- 213 identification number;
- 214 b. A detailed map of the land; and
- 215 c. A management and monitoring agreement to ensure the
- 216 land serves a base buffering purpose.

217 Section 7. Subsection (1) and paragraph (a) of subsection
 218 (2) of section 288.985, Florida Statutes, are amended to read:

219 288.985 Exemptions from public records and public meetings
 220 requirements.—

221 (1) The following records held by the Florida Defense
 222 Support Council ~~Task Force~~ are exempt from s. 119.07(1) and s.
 223 24(a), Art. I of the State Constitution:

224 (a) That portion of a record which relates to strengths
 225 and weaknesses of military installations or military missions in

226 | this state relative to the selection criteria for the
 227 | realignment and closure of military bases and missions under any
 228 | United States Department of Defense base realignment and closure
 229 | process.

230 | (b) That portion of a record which relates to strengths
 231 | and weaknesses of military installations or military missions in
 232 | other states or territories and the vulnerability of such
 233 | installations or missions to base realignment or closure under
 234 | the United States Department of Defense base realignment and
 235 | closure process, and any agreements or proposals to relocate or
 236 | realign military units and missions from other states or
 237 | territories.

238 | (c) That portion of a record which relates to the state's
 239 | strategy to retain its military bases during any United States
 240 | Department of Defense base realignment and closure process and
 241 | any agreements or proposals to relocate or realign military
 242 | units and missions.

243 | (2)(a) Meetings or portions of meetings of the Florida
 244 | Defense Support Council ~~Task Force~~, or a workgroup of the
 245 | council ~~task force~~, at which records are presented or discussed
 246 | that are exempt under subsection (1) are exempt from s. 286.011
 247 | and s. 24(b), Art. I of the State Constitution.

248 | Section 8. Section 288.987, Florida Statutes, is amended
 249 | to read:

250 | 288.987 Florida Defense Support Council ~~Task Force~~.-

251 (1) The Florida Defense Support Council ~~Task Force~~ is
 252 created.

253 (2) The mission of the council ~~task force~~ is to make
 254 recommendations to preserve and protect military installations
 255 to support the state's position in research and development
 256 related to or arising out of military missions and contracting,
 257 and to improve the state's military-friendly environment for
 258 servicemembers, military dependents, military retirees, and
 259 businesses that bring military and base-related jobs to the
 260 state.

261 (3) The council ~~task force~~ shall be comprised of the
 262 Governor or his or her designee, and 12 members appointed as
 263 follows:

264 (a) Four members appointed by the Governor.

265 (b) Four members appointed by the President of the Senate.

266 (c) Four members appointed by the Speaker of the House of
 267 Representatives.

268 (d) Appointed members must represent defense-related
 269 industries or communities that host military bases and
 270 installations. ~~All appointments must be made by August 1, 2011.~~
 271 Members shall serve for terms ~~a term~~ of 4 years, ~~with the first~~
 272 ~~term ending July 1, 2015.~~ However, if members of the Legislature
 273 are appointed to the council ~~task force~~, those members shall
 274 serve until the expiration of their legislative term and may be
 275 reappointed once. A vacancy shall be filled for the remainder of

HB 1209

2023

276 the unexpired term in the same manner as the initial
277 appointment. All members of the council are eligible for
278 reappointment. A member who serves in the Legislature may
279 participate in all council ~~task force~~ activities but may only
280 vote on matters that are advisory.

281 (4) The President of the Senate and the Speaker of the
282 House of Representatives shall each designate one of their
283 appointees to serve as chair of the council ~~task force~~. The
284 chair shall rotate each July 1. The appointee designated by the
285 President of the Senate shall serve as initial chair. If the
286 Governor, instead of his or her designee, participates in the
287 activities of the council ~~task force~~, then the Governor shall
288 serve as chair.

289 (5) The Secretary of Economic Opportunity, or his or her
290 designee, shall serve as the ex officio, nonvoting executive
291 director of the council ~~task force~~.

292 (6) The council ~~task force~~ shall submit an annual progress
293 report and work plan to the Governor, the President of the
294 Senate, and the Speaker of the House of Representatives each
295 February 1.

296 (7) The department shall contract with the council ~~task~~
297 ~~force~~ for expenditure of appropriated funds, which may be used
298 by the council ~~task force~~ for economic and product research and
299 development, joint planning with host communities to accommodate
300 military missions and prevent base encroachment, advocacy on the

HB 1209

2023

301 state's behalf with federal civilian and military officials,
302 assistance to school districts in providing a smooth transition
303 for large numbers of additional military-related students, job
304 training and placement for military spouses in communities with
305 high proportions of active duty military personnel, and
306 promotion of the state to military and related contractors and
307 employers. The council ~~task force~~ may annually spend up to
308 \$250,000 of funds appropriated to the department for the council
309 ~~task force~~ for staffing and administrative expenses of the
310 council ~~task force~~, including travel and per diem costs incurred
311 by council ~~task force~~ members who are not otherwise eligible for
312 state reimbursement.

313 Section 9. Section 331.3081, Florida Statutes, is amended
314 to read:

315 331.3081 Board of directors.—

316 (1) Space Florida shall be governed by a 14-member ~~13-~~
317 ~~member~~ independent board of directors that consists of ~~the~~
318 ~~members appointed to the board of directors of Enterprise~~
319 ~~Florida, Inc., by the Governor, the President of the Senate, and~~
320 ~~the Speaker of the House of Representatives pursuant to s.~~
321 ~~288.901(5)(a)8.~~ and the Governor, who shall serve ex officio, or
322 who may appoint a designee to serve, as the chair and a voting
323 member of the board; the Secretary of Economic Opportunity; six
324 members appointed by the Governor; three members appointed by
325 the President of the Senate; and three members appointed by the

326 Speaker of the House of Representatives.

327 (2) In making their appointments, the Governor, the
 328 President of the Senate, and the Speaker of the House of
 329 Representatives shall ensure that the composition of the board
 330 of directors reflects the state's aerospace industry and is
 331 representative of the intent, duties, and purpose of Space
 332 Florida.

333 (3) Members shall be appointed to 4-year terms. Members
 334 appointed before July 1, 2023, shall continue to serve on the
 335 board for the duration of their current terms.

336 (4) A vacancy on the board of directors shall be filled
 337 for the remainder of the unexpired term in the same manner as
 338 the original appointment.

339 Section 10. Section 446.71, Florida Statutes, is amended
 340 to read:

341 446.71 Everglades Restoration Agricultural Community
 342 Employment Training Program.—

343 (1) The Department of Economic Opportunity, in cooperation
 344 with the state board as defined in s. 445.002, shall establish
 345 the Everglades Restoration Agricultural Community Employment
 346 Training Program within the Department of Economic Opportunity.
 347 The Department of Economic Opportunity shall use funds
 348 appropriated to the program by the Legislature to provide grants
 349 to stimulate and support training and employment programs that
 350 seek to match persons who complete such training programs to

351 nonagricultural employment opportunities in the Everglades
 352 Agricultural Area as defined in s. 373.4592(2) and rural areas
 353 of opportunity as defined in s. 288.0656(2) ~~areas of high~~
 354 ~~agricultural unemployment~~, and to provide other training,
 355 educational, and information services necessary to stimulate the
 356 creation of jobs in the Everglades Agricultural Area and rural
 357 areas of opportunity ~~areas of high agricultural unemployment~~. In
 358 determining whether to provide funds to a particular program,
 359 the Department of Economic Opportunity shall consider the
 360 location of the program in proximity to the program's intended
 361 participants.

362 (2) The Legislature supports projects that improve the
 363 economy in the Everglades Agricultural Area and in rural areas
 364 of opportunity in counties that provide for water storage and
 365 dispersed water storage as part of Everglades restoration
 366 efforts. In recognition of the employment opportunities and
 367 economic development generated by new and expanding industries
 368 in such areas ~~the area~~, such as the Airglades Airport in Hendry
 369 County and the development of an inland port in Palm Beach
 370 County, the Legislature finds that training the citizens of the
 371 state to fill the needs of these industries significantly
 372 enhances the economic viability of such areas ~~the region~~.

373 (3) Funds may be used for grants for tuition for public or
 374 private technical or vocational programs and matching grants to
 375 employers to conduct employer-based training programs. Grant

376 funds provided to employer-based training programs may be used,
377 ~~or~~ for the purchase of equipment to be used for training
378 purposes, the hiring of instructors, or any other purpose
379 directly associated with the program. For the first 6 months of
380 each fiscal year, the Department of Economic Opportunity shall
381 set aside up to 50 percent of the amount appropriated by the
382 Legislature to fund employer-based training programs. Any
383 unencumbered funds remaining undisbursed from the set-aside
384 amount at the end of the 6-month period may be used to provide
385 funding for tuition. The allocation of funds must be included in
386 the notice of grant opportunities.

387 (4) The Department of Economic Opportunity may not award
388 an employer-based ~~a~~ grant to any given training program which
389 exceeds 50 percent of the total cost of the program, unless the
390 training program is located within a rural area of opportunity,
391 in which case the grant may exceed 50 percent of the total cost
392 of the program and up to 100 percent. Matching contributions may
393 include in-kind services, including, but not limited to, the
394 provision of training instructors, equipment, and training
395 facilities. The department shall prioritize awarding employer-
396 based grants to training programs located in rural areas of
397 opportunity in counties that provide for water storage and
398 dispersed water storage as part of Everglades restoration
399 efforts.

400 (5) Before granting a request for funds made in accordance

401 with this section, the Department of Economic Opportunity shall
 402 enter into a grant agreement with the requester of funds and the
 403 training institution receiving funding through the program. Such
 404 agreement must include all of the following information:

405 (a) An identification of the personnel necessary to
 406 conduct the instructional program, the qualifications of such
 407 personnel, and the respective responsibilities of the parties
 408 for paying costs associated with the employment of such
 409 personnel. National accreditation or licensure of an
 410 instructional program by the Commission for Independent
 411 Education is sufficient to meet the qualifications requirement.

412 (b) An identification of the estimated length of the
 413 instructional program.

414 (c) An identification of all direct, training-related
 415 costs, including tuition and fees, curriculum development, books
 416 and classroom materials, and overhead or indirect costs.

417 (d) An identification of special program requirements that
 418 are not otherwise addressed in the agreement.

419 (6) The Department of Economic Opportunity may grant up to
 420 100 percent of the tuition for a training program participant
 421 who currently resides, and has resided for at least 3 of the 5
 422 immediately preceding years, in ~~within~~ the Everglades
 423 Agricultural Area or as described in a rural area of opportunity
 424 ~~s. 373.4592 and in a county counties that provides provide~~ for
 425 water storage and dispersed water storage as part of Everglades

HB 1209

2023

426 ~~restoration efforts that are located in rural areas of~~
427 ~~opportunity as described in s. 288.0656.~~

428 (7) Employer-based training programs established in the
429 Everglades Agricultural Area must include opportunities to
430 obtain the qualifications and skills necessary for jobs related
431 to federal and state restoration projects, the Airglades Airport
432 in Hendry County, an inland port in Palm Beach County, or other
433 industries with verifiable, demonstrated interest in operating
434 in within the Everglades Agricultural Area or in rural areas of
435 opportunity ~~and~~ in counties that provide for water storage and
436 dispersed water storage as part of Everglades restoration
437 ~~efforts that are located in rural areas of opportunity as~~
438 ~~described in s. 288.0656.~~

439 (8) The Department of Economic Opportunity shall adopt
440 rules to implement this section.

441 Section 11. This act shall take effect July 1, 2023.