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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/26/2023	.	
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The Committee on Fiscal Policy (Hooper) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. (1) All duties, functions, records, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other public funds relating to Enterprise Florida, Inc., are transferred by a type two transfer, as defined in s. 20.06, Florida Statutes, to the Department of



964468

11 Commerce, as created by this act.

12 (2) It is the intent of the Legislature that the changes
13 made by this act be accomplished with minimal disruption of
14 services provided to the public and with minimal disruption to
15 employees of any organization. To that end, the Legislature
16 directs all applicable units of state government to contribute
17 to the successful implementation of this act, and the
18 Legislature believes that a transition period between the
19 effective date of this act and December 1, 2023, is appropriate
20 and warranted.

21 (3) (a) The Department of Commerce, as created by this act,
22 and Enterprise Florida, Inc., shall each coordinate the
23 development and implementation of a transition plan by August 1,
24 2023, that supports the implementation of this act. The
25 department shall coordinate the submission of any budget
26 amendments, in accordance with chapter 216, Florida Statutes,
27 which may be necessary to implement this act.

28 (b) The Legislature directs that notwithstanding the
29 changes made by this act, Enterprise Florida, Inc., may continue
30 with such powers, duties, functions, records, offices,
31 personnel, property, pending issues, and existing contracts as
32 provided in Florida Statutes 2022 until December 1, 2023, except
33 that the board of directors shall stand repealed on October 1,
34 2023. The president of Enterprise Florida, Inc., shall continue
35 the operations of the direct-support organization until full
36 implementation of the transition plan. The transition plan shall
37 provide for transfer of powers, duties, functions, records,
38 offices, personnel, property, pending issues, and existing
39 contracts related to international business development and



964468

40 trade to the direct-support organization created under s.
41 288.012, Florida Statutes.

42 (4) The transfer of any program, activity, duty, or
43 function under this act includes the transfer of any records and
44 unexpended balances of appropriations, allocations, or other
45 funds related to such program, activity, duty, or function.
46 Unless otherwise provided, the successor organization to any
47 program, activity, duty, or function transferred under this act
48 shall become the custodian of any property of the organization
49 that was responsible for the program, activity, duty, or
50 function immediately prior to the transfer.

51 (5) Any binding contract or interagency agreement existing
52 before December 1, 2023, between Enterprise Florida, Inc., and
53 any other agency, entity, or person shall continue as a binding
54 contract or agreement for the remainder of the term of such
55 contract or agreement on the successor department, agency, or
56 entity responsible for the program, activity, or functions
57 relative to the contract or agreement.

58 (6) Any funds held in trust which were donated to or earned
59 by the Division of International Trade and Business Development,
60 the Division of Sports Industry Development, or the Division of
61 Tourism Marketing of Enterprise Florida, Inc., shall be
62 transferred to the direct-support organization created under s.
63 288.012, Florida Statutes, the Florida Tourism Industry
64 Marketing Corporation, or the Florida Sports Foundation, as
65 appropriate, for the original purposes of the funds.

66 (7) The department shall submit in a timely manner to the
67 applicable federal departments or agencies any necessary
68 amendments or supplemental information concerning plans which



964468

69 the state or one of the entities is required to submit to the
70 Federal Government in connection with any federal or state
71 program. The department shall seek any waivers from the
72 requirements of federal law or rules which may be necessary to
73 administer the provisions of this act.

74 Section 2. The Legislature recognizes that there is a need
75 to conform the Florida Statutes to the policy decisions
76 reflected in this act and that there is a need to resolve
77 apparent conflicts between any other legislation that has been
78 or may be enacted during the 2023 Regular Session of the
79 Legislature and the transfer of duties made by this act.

80 Therefore, in the interim between this act becoming law and the
81 2024 Regular Session of the Legislature or an earlier special
82 session addressing this issue, the Division of Law Revision
83 shall provide the relevant substantive committees of the Senate
84 and the House of Representatives with assistance, upon request,
85 to enable such committees to prepare draft legislation to
86 conform the Florida Statutes and any legislation enacted during
87 2023 to the provisions of this act.

88 Section 3. For programs established pursuant to s.
89 220.1899, s. 220.194, s. 288.1045, s. 288.106, s. 288.1081, s.
90 288.1082, s. 288.1088, s. 288.1089, s. 288.95155, s. 288.9916,
91 or s. 288.9934, Florida Statutes, no new or additional
92 applications or certifications shall be approved, no new letters
93 of certification may be issued, no new contracts or agreements
94 may be executed, and no new awards may be made. Any existing
95 contracts or agreements authorized under any of these programs
96 shall continue in full force and effect in accordance with the
97 statutory requirements in effect when the contract or agreement



98 was executed or last modified. However, no further
99 modifications, extensions, or waivers may be made or granted
100 relating to such contracts or agreements except computations by
101 the Department of Revenue of the income generated by or arising
102 out of the qualifying project.

103 Section 4. (1) For the 2023-2024 fiscal year, the sum of \$5
104 million in recurring funds from the Florida International Trade
105 and Promotion Trust Fund is appropriated to the direct-support
106 organization created under s. 288.012, Florida Statutes.

107 (2) For the 2023-2024 fiscal year, 20 full-time equivalent
108 positions with associated salary rate of 1,406,860 are
109 authorized and the sum of \$5 million in recurring funds from the
110 State Economic Enhancement and Development Trust Fund is
111 appropriated to the Department of Economic Opportunity to carry-
112 out the provisions of this act. The remaining funds are
113 appropriated to the department to carry-out the provisions of
114 this act.

115 (3) For the 2023-2024 fiscal year, the sum of \$2 million in
116 nonrecurring funds from the State Economic Enhancement and
117 Development Trust Fund is appropriated to Enterprise Florida,
118 Inc., to facilitate the transition plan and transfers required
119 by this act. The unexpended balance of funds as of December 31,
120 2023, shall revert.

121 Section 5. Paragraph (i) of subsection (3) of section
122 11.45, Florida Statutes, is amended to read:

123 11.45 Definitions; duties; authorities; reports; rules.—

124 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor
125 General may, pursuant to his or her own authority, or at the
126 direction of the Legislative Auditing Committee, conduct audits



964468

127 or other engagements as determined appropriate by the Auditor
128 General of:

129 ~~(i) Enterprise Florida, Inc., including any of its boards,~~
130 ~~advisory committees, or similar groups created by Enterprise~~
131 ~~Florida, Inc., and programs. The audit report may not reveal the~~
132 ~~identity of any person who has anonymously made a donation to~~
133 ~~Enterprise Florida, Inc., pursuant to this paragraph. The~~
134 ~~identity of a donor or prospective donor to Enterprise Florida,~~
135 ~~Inc., who desires to remain anonymous and all information~~
136 ~~identifying such donor or prospective donor are confidential and~~
137 ~~exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I~~
138 ~~of the State Constitution. Such anonymity shall be maintained in~~
139 ~~the auditor's report.~~

140 Section 6. Paragraph (a) of subsection (3) of section
141 14.32, Florida Statutes, is amended to read:

142 14.32 Office of Chief Inspector General.—

143 (3) Related to public-private partnerships, the Chief
144 Inspector General:

145 (a) Shall advise public-private partnerships, ~~including~~
146 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and
147 improvement of internal control measures necessary to ensure
148 fiscal accountability.

149 Section 7. Section 15.18, Florida Statutes, is amended to
150 read:

151 15.18 International and cultural relations.—The Divisions
152 of Arts and Culture, Historical Resources, and Library and
153 Information Services of the Department of State promote programs
154 having substantial cultural, artistic, and indirect economic
155 significance that emphasize American creativity. The Secretary



964468

156 of State, as the head administrator of these divisions, shall
157 hereafter be known as "Florida's Chief Arts and Culture
158 Officer." As this officer, the Secretary of State is encouraged
159 to initiate and develop relationships between the state and
160 foreign cultural officers, their representatives, and other
161 foreign governmental officials in order to promote Florida as
162 the center of American creativity. The Secretary of State shall
163 coordinate international activities pursuant to this section
164 with the Department of Commerce Enterprise Florida, Inc., and
165 any other organization the secretary deems appropriate. For the
166 accomplishment of this purpose, the Secretary of State shall
167 have the power and authority to:

168 (1) Disseminate any information pertaining to the State of
169 Florida which promotes the state's cultural assets.

170 (2) Plan and carry out activities designed to cause
171 improved cultural and governmental programs and exchanges with
172 foreign countries.

173 (3) Plan and implement cultural and social activities for
174 visiting foreign heads of state, diplomats, dignitaries, and
175 exchange groups.

176 (4) Encourage and cooperate with other public and private
177 organizations or groups in their efforts to promote the cultural
178 advantages of Florida.

179 (5) Serve as the liaison with all foreign consular and
180 ambassadorial corps, as well as international organizations,
181 that are consistent with the purposes of this section.

182 (6) Provide, arrange, and make expenditures for the
183 achievement of any or all of the purposes specified in this
184 section.



185 Section 8. Subsection (2) of section 15.182, Florida
186 Statutes, is amended to read:

187 15.182 International travel by state-funded musical,
188 cultural, or artistic organizations; notification to the
189 Department of State.—

190 (2) The Department of State, in conjunction with the
191 Department of Commerce ~~Economic Opportunity and Enterprise~~
192 ~~Florida, Inc.~~, shall act as an intermediary between performing
193 musical, cultural, and artistic organizations and Florida
194 businesses to encourage and coordinate joint undertakings. Such
195 coordination may include, but is not limited to, encouraging
196 business and industry to sponsor cultural events, assistance
197 with travel of such organizations, and coordinating travel
198 schedules of cultural performance groups and international trade
199 missions.

200 Section 9. Effective July 1, 2024, paragraph (a) of
201 subsection (7) of section 20.435, Florida Statutes, is amended
202 to read:

203 20.435 Department of Health; trust funds.—The following
204 trust funds shall be administered by the Department of Health:

205 (7) Biomedical Research Trust Fund.

206 (a) Funds to be credited to the trust fund shall consist of
207 funds appropriated by the Legislature. Funds shall be used for
208 the purposes of the James and Esther King Biomedical Research
209 Program, the Casey DeSantis Cancer Research Program, and the
210 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research
211 Program as specified in ss. 215.5602, ~~288.955~~, 381.915, and
212 381.922. The trust fund is exempt from the service charges
213 imposed by s. 215.20.



214 Section 10. Section 20.60, Florida Statutes, is amended to
215 read:

216 20.60 Department of Commerce ~~Economic Opportunity~~;
217 creation; powers and duties.—

218 (1) There is created the Department of Commerce ~~Economic~~
219 ~~Opportunity~~.

220 (2) The head of the department is the Secretary of Commerce
221 ~~Economic Opportunity~~, who shall be appointed by the Governor,
222 subject to confirmation by the Senate. The secretary shall serve
223 at the pleasure of and report to the Governor and shall serve as
224 the Governor's chief negotiator for business recruitment and
225 expansion and economic development. The secretary may appoint
226 deputy and assistant secretaries as necessary to aid the
227 secretary in fulfilling his or her statutory obligations.

228 (3) (a) The following divisions and offices of the
229 Department of Commerce ~~Economic Opportunity~~ are established:

- 230 1. The Division of Economic ~~Strategic Business~~ Development.
- 231 2. The Division of Community Development.
- 232 3. The Division of Workforce Services.
- 233 4. The Division of Finance and Administration.
- 234 5. The Division of Information Technology.
- 235 6. The Office of the Secretary.
- 236 7. The Office of Economic Accountability and Transparency,

237 which shall:

238 a. Oversee the department's critical objectives as
239 determined by the secretary and make sure that the department's
240 key objectives are clearly communicated to the public.

241 b. Organize department resources, expertise, data, and
242 research to focus on and solve the complex economic challenges



964468

243 facing the state.

244 c. Provide leadership for the department's priority issues
245 that require integration of policy, management, and critical
246 objectives from multiple programs and organizations internal and
247 external to the department; and organize and manage external
248 communication on such priority issues.

249 d. Promote and facilitate key department initiatives to
250 address priority economic issues and explore data and identify
251 opportunities for innovative approaches to address such economic
252 issues.

253 e. Promote strategic planning for the department.

254 (b) The secretary:

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

258 2. Shall appoint a director for each division, who shall
259 directly administer his or her division and be responsible to
260 the secretary.

261 (4) The purpose of the department is to assist the Governor
262 in working with the Legislature, state agencies, business
263 leaders, and economic development professionals to formulate and
264 implement coherent and consistent policies and strategies
265 designed to promote economic opportunities for all Floridians.
266 The department is the state's chief agency for business
267 recruitment and expansion and economic development. To
268 accomplish such purposes, the department shall:

269 (a) Facilitate the direct involvement of the Governor and
270 the Lieutenant Governor in economic development and workforce
271 development projects designed to create, expand, and retain



272 businesses in this state, to recruit business from around the
273 world, to promote the state as a pro-business location for new
274 investment, and to facilitate other job-creating efforts.

275 (b) Recruit new businesses to this state and promote the
276 expansion of existing businesses by expediting permitting and
277 location decisions, worker placement and training, and incentive
278 awards.

279 (c) Promote viable, sustainable communities by providing
280 technical assistance and guidance on growth and development
281 issues, grants, and other assistance to local communities.

282 (d) Ensure that the state's goals and policies relating to
283 economic development, workforce development, community planning
284 and development, and affordable housing are fully integrated
285 with appropriate implementation strategies.

286 (e) Manage the activities of public-private partnerships
287 and state agencies in order to avoid duplication and promote
288 coordinated and consistent implementation of programs in areas
289 including, but not limited to, tourism; international trade and
290 investment; business recruitment, creation, retention, and
291 expansion; minority and small business development; defense,
292 space, and aerospace development; rural community development;
293 and the development and promotion of professional and amateur
294 sporting events.

295 (f) Coordinate with state agencies on the processing of
296 state development approvals or permits to minimize the
297 duplication of information provided by the applicant and the
298 time before approval or disapproval.

299 (g) Notwithstanding part I of chapter 287, contract with
300 the direct-support organization created under s. 288.1229 to



964468

301 guide, stimulate, and promote the sports industry in this state,
302 to promote the participation of residents of this state in
303 amateur athletic competition, and to promote this state as a
304 host for national and international amateur athletic
305 competitions.

306 (h) Encourage and oversee the coordination of international
307 trade development efforts of public institutions, business
308 associations, economic development councils, and private
309 industry. Notwithstanding part I of chapter 287, the department
310 shall contract with the direct-support organization created
311 under s. 288.012 to assist with coordination, provide services
312 through State of Florida international offices, and assist in
313 developing and carrying out the 5-year statewide strategic plan
314 as it relates to foreign investment, international partnerships,
315 and other international business and trade development.

316 (i) Support Florida's defense, space, and aerospace
317 industries, including research and development, and strengthen
318 this state's existing leadership in defense, space, and
319 aerospace activity and economic growth.

320 (5) The divisions within the department have specific
321 responsibilities to achieve the duties, responsibilities, and
322 goals of the department. Specifically:

323 (a) The Division of Economic ~~Strategic Business~~ Development
324 shall:

325 1. Analyze and evaluate business prospects identified by
326 the Governor and, the secretary, ~~and Enterprise Florida, Inc.~~

327 2. Administer certain tax refund, tax credit, and grant
328 programs created in law. Notwithstanding any other provision of
329 law, the department may expend interest earned from the



330 investment of program funds deposited in the Grants and
331 Donations Trust Fund to contract for the administration of those
332 programs, or portions of the programs, assigned to the
333 department by law, by the appropriations process, or by the
334 Governor. Such expenditures shall be subject to review under
335 chapter 216.

336 3. Develop measurement protocols for the state incentive
337 programs and for the contracted entities which will be used to
338 determine their performance and competitive value to the state.
339 Performance measures, benchmarks, and sanctions must be
340 developed in consultation with the legislative appropriations
341 committees and the appropriate substantive committees, and are
342 subject to the review and approval process provided in s.
343 216.177. The approved performance measures, standards, and
344 sanctions shall be included and made a part of the strategic
345 plan for contracts entered into for delivery of programs
346 authorized by this section.

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

349 a. Strategies for the promotion of business formation,
350 expansion, recruitment, and retention through aggressive
351 marketing, attraction of venture capital and finance
352 development, domestic trade, international development, and
353 export assistance, which lead to more and better jobs and higher
354 wages for all geographic regions, disadvantaged communities, and
355 populations of the state, including rural areas, minority
356 businesses, and urban core areas.

357 b. The development of realistic policies and programs to
358 further the economic diversity of the state, its regions, and



359 their associated industrial clusters.

360 c. Specific provisions for the stimulation of economic
361 development and job creation in rural areas and midsize cities
362 and counties of the state, including strategies for rural
363 marketing and the development of infrastructure in rural areas.

364 d. Provisions for the promotion of the successful long-term
365 economic development of the state with increased emphasis in
366 market research and information.

367 e. Plans for the generation of foreign investment in the
368 state which create jobs paying above-average wages and which
369 result in reverse investment in the state, including programs
370 that establish viable overseas markets, assist in meeting the
371 financing requirements of export-ready firms, broaden
372 opportunities for international joint venture relationships, use
373 the resources of academic and other institutions, coordinate
374 trade assistance and facilitation services, and facilitate
375 availability of and access to education and training programs
376 that assure requisite skills and competencies necessary to
377 compete successfully in the global marketplace.

378 f. The identification of business sectors that are of
379 current or future importance to the state's economy and to the
380 state's global business image, and development of specific
381 strategies to promote the development of such sectors.

382 g. Strategies for talent development necessary in the state
383 to encourage economic development growth, taking into account
384 factors such as the state's talent supply chain, education and
385 training opportunities, and available workforce.

386 h. Strategies and plans to support this state's defense,
387 space, and aerospace industries and the emerging complementary



388 business activities and industries that support the development
389 and growth of defense, space, and aerospace in this state.

390 5. Update the strategic plan every 5 years.

391 6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
392 Inc.; direct-support organizations of the department; local
393 governments; the general public; local and regional economic
394 development organizations; other local, state, and federal
395 economic, international, and workforce development entities; the
396 business community; and educational institutions to assist with
397 the strategic plan.

398 7. Coordinate with the Florida Tourism Industry Marketing
399 Corporation in the development of the 4-year marketing plan
400 required by s. 288.12261.

401 (b) The Division of Community Development shall:

402 1. Assist local governments and their communities in
403 finding creative planning solutions to help them foster vibrant,
404 healthy communities, while protecting the functions of important
405 state resources and facilities.

406 2. Administer state and federal grant programs as provided
407 by law to provide community development and project planning
408 activities to maintain viable communities, revitalize existing
409 communities, and expand economic development and employment
410 opportunities, including:

411 a. The Community Services Block Grant Program.

412 b. The Community Development Block Grant Program in chapter
413 290.

414 c. The Low-Income Home Energy Assistance Program in chapter
415 409.

416 d. The Weatherization Assistance Program in chapter 409.



964468

417 e. The Neighborhood Stabilization Program.
418 f. The local comprehensive planning process and the
419 development of regional impact process.
420 g. The Front Porch Florida Initiative through the Office of
421 Urban Opportunity, which is created within the division. The
422 purpose of the office is to administer the Front Porch Florida
423 initiative, a comprehensive, community-based urban core
424 redevelopment program that enables urban core residents to craft
425 solutions to the unique challenges of each designated community.
426 3. Assist in developing the 5-year statewide strategic plan
427 required by this section.
428 (c) The Division of Workforce Services shall:
429 1. Prepare and submit a unified budget request for
430 workforce development in accordance with chapter 216 for, and in
431 conjunction with, the state board as defined in s. 445.002.
432 2. Ensure that the state appropriately administers federal
433 and state workforce funding by administering plans and policies
434 of the state board as defined in s. 445.002. The operating
435 budget and midyear amendments thereto must be part of such
436 contract.
437 a. All program and fiscal instructions to local workforce
438 development boards shall emanate from the Department of Commerce
439 ~~Economic Opportunity~~ pursuant to plans and policies of the state
440 board as defined in s. 445.002, which shall be responsible for
441 all policy directions to the local workforce development boards.
442 b. Unless otherwise provided by agreement with the state
443 board as defined in s. 445.002, administrative and personnel
444 policies of the Department of Commerce ~~Economic Opportunity~~
445 apply.



964468

446 3. Implement the state's reemployment assistance program.
447 The Department of Commerce ~~Economic Opportunity~~ shall ensure
448 that the state appropriately administers the reemployment
449 assistance program pursuant to state and federal law.

450 4. Assist in developing the 5-year statewide strategic plan
451 required by this section, including identifying education and
452 training programs to ensure that the state has the skilled and
453 competent workforce necessary to attract and grow business in
454 this state and allow them to compete successfully in domestic
455 and global markets.

456 (6) (a) The Department of Commerce ~~Economic Opportunity~~ is
457 the administrative agency designated for receipt of federal
458 workforce development grants and other federal funds. The
459 department shall administer the duties and responsibilities
460 assigned by the Governor under each federal grant assigned to
461 the department. The department shall expend each revenue source
462 as provided by federal and state law and as provided in plans
463 developed by and agreements with the state board as defined in
464 s. 445.002. The department may serve as the contract
465 administrator for contracts entered into by the state board
466 under s. 445.004(5).

467 (b) The Department of Commerce ~~Economic Opportunity~~ shall
468 serve as the designated agency for purposes of each federal
469 workforce development grant assigned to it for administration.
470 The department shall carry out the duties assigned to it by the
471 Governor, under the terms and conditions of each grant. The
472 department shall have the level of authority and autonomy
473 necessary to be the designated recipient of each federal grant
474 assigned to it and shall disburse such grants pursuant to the



964468

475 plans and policies of the state board as defined in s. 445.002.
476 The secretary may, upon delegation from the Governor and
477 pursuant to agreement with the state board, sign contracts,
478 grants, and other instruments as necessary to execute functions
479 assigned to the department. Notwithstanding other provisions of
480 law, the department shall administer other programs funded by
481 federal or state appropriations, as determined by the
482 Legislature in the General Appropriations Act or other law.

483 (7) The department may provide or contract for training for
484 employees of administrative entities and case managers of any
485 contracted providers to ensure they have the necessary
486 competencies and skills to provide adequate administrative
487 oversight and delivery of the full array of client services.

488 (8) The Reemployment Assistance Appeals Commission,
489 authorized by s. 443.012, is not subject to control,
490 supervision, or direction by the department in the performance
491 of its powers and duties but shall receive any and all support
492 and assistance from the department which is required for the
493 performance of its duties.

494 (9) The secretary shall:

495 (a) Manage all activities and responsibilities of the
496 department.

497 (b) Serve as the manager for the state with respect to
498 contracts with ~~Enterprise Florida, Inc.,~~ and all applicable
499 direct-support organizations. To accomplish the provisions of
500 this section and applicable provisions of chapter 288, and
501 notwithstanding the provisions of part I of chapter 287, the
502 secretary shall enter into specific contracts with ~~Enterprise~~
503 ~~Florida, Inc.,~~ and other appropriate direct-support



964468

504 organizations. Such contracts may be for multiyear terms and
505 must include specific performance measures for each year. For
506 purposes of this section, ~~the Florida Tourism Industry Marketing~~
507 ~~Corporation and~~ the Institute for Commercialization of Florida
508 Technology ~~is are~~ not an appropriate direct-support organization
509 ~~organizations.~~

510 (c) Serve as a member of the board of directors of the
511 Florida Development Finance Corporation. The secretary may
512 designate an employee of the department to serve in this
513 capacity.

514 (10) The department, ~~with assistance from Enterprise~~
515 ~~Florida, Inc.,~~ shall, by November 1 of each year, submit an
516 annual report to the Governor, the President of the Senate, and
517 the Speaker of the House of Representatives on the condition of
518 the business climate and economic development in the state.

519 (a) The report must include the identification of problems
520 and a prioritized list of recommendations.

521 (b) The department shall collect and maintain data on the
522 development and utilization of the international trade
523 development program for inclusion in the report.

524 (c) The report must incorporate annual reports of other
525 programs, including:

526 1. ~~Information provided by the Department of Revenue under~~
527 ~~s. 290.014.~~

528 2. ~~Information provided by enterprise zone development~~
529 ~~agencies under s. 290.0056 and an analysis of the activities and~~
530 ~~accomplishments of each enterprise zone.~~

531 3. ~~The Economic Gardening Business Loan Pilot Program~~
532 ~~established under s. 288.1081 and the Economic Gardening~~



964468

533 ~~Technical Assistance Pilot Program established under s.~~
534 ~~288.1082.~~

535 ~~1.4.~~ A detailed report of the performance of the Black
536 Business Loan Program and a cumulative summary of quarterly
537 report data required under s. 288.714.

538 ~~2.5.~~ The Rural Economic Development Initiative established
539 under s. 288.0656.

540 ~~3.6.~~ The Florida Unique Abilities Partner Program.

541 ~~4.7.~~ A detailed report of the performance of the Florida
542 Development Finance Corporation and a summary of the
543 corporation's report required under s. 288.9610.

544 (11) The department shall establish annual performance
545 standards for ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
546 Inc.; the Florida Tourism Industry Marketing Corporation; Space
547 Florida; ~~and~~ the Florida Development Finance Corporation; and
548 any other direct-support organization of the department and
549 report annually on how these performance measures are being met
550 in the annual report required under subsection (10).

551 (12) The department shall have an official seal by which
552 its records, orders, and proceedings are authenticated. The seal
553 shall be judicially noticed.

554 (13) The department shall administer the role of state
555 government under part I of chapter 421, relating to public
556 housing; chapter 422, relating to housing cooperation law; and
557 chapter 423, tax exemption of housing authorities. The
558 department is the agency of state government responsible for the
559 state's role in housing and urban development.

560 Section 11. Section 20.601, Florida Statutes, is repealed.

561 Section 12. Subsection (11) of section 159.803, Florida



562 Statutes, is amended to read:

563 159.803 Definitions.—As used in this part, the term:

564 (11) “Florida First Business project” means any project
565 which is certified by the Department of Commerce ~~Economic~~
566 ~~Opportunity~~ as eligible to receive an allocation from the
567 Florida First Business allocation pool established pursuant to
568 s. 159.8083. The Department of Commerce ~~Economic Opportunity~~ may
569 certify those projects proposed by a business which qualify as a
570 target industry business as defined in s. 288.005 meeting the
571 criteria set forth in s. 288.106(4)(b) or any project providing
572 a substantial economic benefit to this state. The department
573 shall develop measurement protocols and performance measures to
574 determine what competitive value a project by a target industry
575 business will bring to the state pursuant to ss. 20.60(5)(a)3.
576 and 288.061(2).

577 Section 13. Section 189.033, Florida Statutes, is amended
578 to read:

579 189.033 Independent special district services in
580 disproportionately affected county; rate reduction for providers
581 providing economic benefits.—If the governing body of an
582 independent special district that provides water, wastewater,
583 and sanitation services in a disproportionately affected county~~7~~
584 ~~as defined in s. 288.106(8)~~, determines that a new user or the
585 expansion of an existing user of one or more of its utility
586 systems will provide a significant benefit to the community in
587 terms of increased job opportunities, economies of scale, or
588 economic development in the area, the governing body may
589 authorize a reduction of its rates, fees, or charges for that
590 user for a specified period of time. A governing body that



964468

591 exercises this power must do so by resolution that states the
592 anticipated economic benefit justifying the reduction as well as
593 the period of time that the reduction will remain in place. As
594 used in this section, the term "disproportionally affected
595 county" means Bay County, Escambia County, Franklin County, Gulf
596 County, Okaloosa County, Santa Rosa County, Walton County, or
597 Wakulla County.

598 Section 14. Paragraph (a) of subsection (14) of section
599 196.012, Florida Statutes, is amended, to read:

600 196.012 Definitions.—For the purpose of this chapter, the
601 following terms are defined as follows, except where the context
602 clearly indicates otherwise:

603 (14) "New business" means:

604 (a)1. A business or organization establishing 10 or more
605 new jobs to employ 10 or more full-time employees in this state,
606 paying an average wage for such new jobs that is above the
607 average wage in the area, which principally engages in any one
608 or more of the following operations:

609 a. Manufactures, processes, compounds, fabricates, or
610 produces for sale items of tangible personal property at a fixed
611 location and which comprises an industrial or manufacturing
612 plant; or

613 b. Is a target industry business as defined in s. 288.005
614 ~~s. 288.106(2)(g)~~;

615 2. A business or organization establishing 25 or more new
616 jobs to employ 25 or more full-time employees in this state, the
617 sales factor of which, as defined by s. 220.15(5), for the
618 facility with respect to which it requests an economic
619 development ad valorem tax exemption is less than 0.50 for each



964468

620 year the exemption is claimed; or

621 3. An office space in this state owned and used by a
622 business or organization newly domiciled in this state; provided
623 such office space houses 50 or more full-time employees of such
624 business or organization; provided that such business or
625 organization office first begins operation on a site clearly
626 separate from any other commercial or industrial operation owned
627 by the same business or organization.

628 Section 15. Paragraphs (j) and (q) of subsection (5) of
629 section 212.08, Florida Statutes, are amended to read:

630 212.08 Sales, rental, use, consumption, distribution, and
631 storage tax; specified exemptions.—The sale at retail, the
632 rental, the use, the consumption, the distribution, and the
633 storage to be used or consumed in this state of the following
634 are hereby specifically exempt from the tax imposed by this
635 chapter.

636 (5) EXEMPTIONS; ACCOUNT OF USE.—

637 (j) *Machinery and equipment used in semiconductor, defense,*
638 *or space technology production.—*

639 1.a. Industrial machinery and equipment used in
640 semiconductor technology facilities certified under subparagraph
641 5. to manufacture, process, compound, or produce semiconductor
642 technology products for sale or for use by these facilities are
643 exempt from the tax imposed by this chapter. For purposes of
644 this paragraph, industrial machinery and equipment includes
645 molds, dies, machine tooling, other appurtenances or accessories
646 to machinery and equipment, testing equipment, test beds,
647 computers, and software, whether purchased or self-fabricated,
648 and, if self-fabricated, includes materials and labor for



649 design, fabrication, and assembly.

650 b. Industrial machinery and equipment used in defense or
651 space technology facilities certified under subparagraph 5. to
652 design, manufacture, assemble, process, compound, or produce
653 defense technology products or space technology products for
654 sale or for use by these facilities are exempt from the tax
655 imposed by this chapter.

656 2. Building materials purchased for use in manufacturing or
657 expanding clean rooms in semiconductor-manufacturing facilities
658 are exempt from the tax imposed by this chapter.

659 3. In addition to meeting the criteria mandated by
660 subparagraph 1. or subparagraph 2., a business must be certified
661 by the Department of Commerce ~~Economic Opportunity~~ in order to
662 qualify for exemption under this paragraph.

663 4. For items purchased tax-exempt pursuant to this
664 paragraph, possession of a written certification from the
665 purchaser, certifying the purchaser's entitlement to the
666 exemption, relieves the seller of the responsibility of
667 collecting the tax on the sale of such items, and the department
668 shall look solely to the purchaser for recovery of the tax if it
669 determines that the purchaser was not entitled to the exemption.

670 5.a. To be eligible to receive the exemption provided by
671 subparagraph 1. or subparagraph 2., a qualifying business entity
672 shall initially apply to the Department of Commerce ~~Enterprise~~
673 ~~Florida, Inc.~~ The original certification is valid for a period
674 of 2 years. In lieu of submitting a new application, the
675 original certification may be renewed biennially by submitting
676 to the Department of Commerce ~~Economic Opportunity~~ a statement,
677 certified under oath, that there has not been a material change



964468

678 in the conditions or circumstances entitling the business entity
679 to the original certification. The initial application and the
680 certification renewal statement shall be developed by the
681 Department of Commerce ~~Economic Opportunity~~.

682 b. The Division of Economic ~~Strategic Business~~ Development
683 of the Department of Commerce ~~Economic Opportunity~~ shall review
684 each submitted initial application and determine whether or not
685 the application is complete within 5 working days. Once
686 complete, the division shall, within 10 working days, evaluate
687 the application and recommend approval or disapproval to the
688 Department of Commerce ~~Economic Opportunity~~.

689 c. Upon receipt of the initial application and
690 recommendation from the division or upon receipt of a
691 certification renewal statement, the Department of Commerce
692 ~~Economic Opportunity~~ shall certify within 5 working days those
693 applicants who are found to meet the requirements of this
694 section and notify the applicant of the original certification
695 or certification renewal. If the Department of Commerce ~~Economic~~
696 ~~Opportunity~~ finds that the applicant does not meet the
697 requirements, it shall notify the applicant ~~and Enterprise~~
698 ~~Florida, Inc.~~, within 10 working days that the application for
699 certification has been denied and the reasons for denial. The
700 Department of Commerce ~~Economic Opportunity~~ has final approval
701 authority for certification under this section.

702 d. The initial application and certification renewal
703 statement must indicate, for program evaluation purposes only,
704 the average number of full-time equivalent employees at the
705 facility over the preceding calendar year, the average wage and
706 benefits paid to those employees over the preceding calendar



964468

707 year, the total investment made in real and tangible personal
708 property over the preceding calendar year, and the total value
709 of tax-exempt purchases and taxes exempted during the previous
710 year. The department shall assist the Department of Commerce
711 ~~Economic Opportunity~~ in evaluating and verifying information
712 provided in the application for exemption.

713 e. The Department of Commerce ~~Economic Opportunity~~ may use
714 the information reported on the initial application and
715 certification renewal statement for evaluation purposes only.

716 6. A business certified to receive this exemption may elect
717 to designate one or more state universities or community
718 colleges as recipients of up to 100 percent of the amount of the
719 exemption. To receive these funds, the institution must agree to
720 match the funds with equivalent cash, programs, services, or
721 other in-kind support on a one-to-one basis for research and
722 development projects requested by the certified business. The
723 rights to any patents, royalties, or real or intellectual
724 property must be vested in the business unless otherwise agreed
725 to by the business and the university or community college.

726 7. As used in this paragraph, the term:

727 a. "Semiconductor technology products" means raw
728 semiconductor wafers or semiconductor thin films that are
729 transformed into semiconductor memory or logic wafers, including
730 wafers containing mixed memory and logic circuits; related
731 assembly and test operations; active-matrix flat panel displays;
732 semiconductor chips; semiconductor lasers; optoelectronic
733 elements; and related semiconductor technology products as
734 determined by the Department of Commerce ~~Economic Opportunity~~.

735 b. "Clean rooms" means manufacturing facilities enclosed in



964468

736 a manner that meets the clean manufacturing requirements
737 necessary for high-technology semiconductor-manufacturing
738 environments.

739 c. "Defense technology products" means products that have a
740 military application, including, but not limited to, weapons,
741 weapons systems, guidance systems, surveillance systems,
742 communications or information systems, munitions, aircraft,
743 vessels, or boats, or components thereof, which are intended for
744 military use and manufactured in performance of a contract with
745 the United States Department of Defense or the military branch
746 of a recognized foreign government or a subcontract thereunder
747 which relates to matters of national defense.

748 d. "Space technology products" means products that are
749 specifically designed or manufactured for application in space
750 activities, including, but not limited to, space launch
751 vehicles, space flight vehicles, missiles, satellites or
752 research payloads, avionics, and associated control systems and
753 processing systems and components of any of the foregoing. The
754 term does not include products that are designed or manufactured
755 for general commercial aviation or other uses even though those
756 products may also serve an incidental use in space applications.

757 ~~(q) Entertainment industry tax credit; authorization;~~
758 ~~eligibility for credits. The credits against the state sales tax~~
759 ~~authorized pursuant to s. 288.1254 shall be deducted from any~~
760 ~~sales and use tax remitted by the dealer to the department by~~
761 ~~electronic funds transfer and may only be deducted on a sales~~
762 ~~and use tax return initiated through electronic data~~
763 ~~interchange. The dealer shall separately state the credit on the~~
764 ~~electronic return. The net amount of tax due and payable must be~~



964468

765 ~~remitted by electronic funds transfer. If the credit for the~~
766 ~~qualified expenditures is larger than the amount owed on the~~
767 ~~sales and use tax return that is eligible for the credit, the~~
768 ~~unused amount of the credit may be carried forward to a~~
769 ~~succeeding reporting period as provided in s. 288.1254(4)(c). A~~
770 ~~dealer may only obtain a credit using the method described in~~
771 ~~this subparagraph. A dealer is not authorized to obtain a credit~~
772 ~~by applying for a refund.~~

773 Section 16. Paragraph (a) of subsection (1) of section
774 212.098, Florida Statutes, is amended to read:

775 212.098 Rural Job Tax Credit Program.—

776 (1) As used in this section, the term:

777 (a) "Eligible business" means any sole proprietorship,
778 firm, partnership, or corporation that is located in a qualified
779 county and is predominantly engaged in, or is headquarters for a
780 business predominantly engaged in, activities usually provided
781 for consideration by firms classified within the following
782 standard industrial classifications: SIC 01-SIC 09 (agriculture,
783 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422
784 (public warehousing and storage); SIC 70 (hotels and other
785 lodging places); SIC 7391 (research and development); SIC 781
786 (motion picture production and allied services); SIC 7992
787 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~
788 ~~targeted industry eligible for the qualified target industry~~
789 ~~business tax refund under s. 288.106.~~ A call center or similar
790 customer service operation that services a multistate market or
791 an international market is also an eligible business. In
792 addition, the Department of Commerce ~~Economic Opportunity~~ may,
793 as part of its final budget request submitted pursuant to s.



964468

794 216.023, recommend additions to or deletions from the list of
795 standard industrial classifications used to determine an
796 eligible business, and the Legislature may implement such
797 recommendations. Excluded from eligible receipts are receipts
798 from retail sales, except such receipts for hotels and other
799 lodging places classified in SIC 70, public golf courses in SIC
800 7992, and amusement parks in SIC 7996. For purposes of this
801 paragraph, the term "predominantly" means that more than 50
802 percent of the business's gross receipts from all sources is
803 generated by those activities usually provided for consideration
804 by firms in the specified standard industrial classification.
805 The determination of whether the business is located in a
806 qualified county and the tier ranking of that county must be
807 based on the date of application for the credit under this
808 section. Commonly owned and controlled entities are to be
809 considered a single business entity.

810 Section 17. Paragraph (d) of subsection (6) of section
811 212.20, Florida Statutes, is amended to read:

812 212.20 Funds collected, disposition; additional powers of
813 department; operational expense; refund of taxes adjudicated
814 unconstitutionally collected.—

815 (6) Distribution of all proceeds under this chapter and ss.
816 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

817 (d) The proceeds of all other taxes and fees imposed
818 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
819 and (2)(b) shall be distributed as follows:

820 1. In any fiscal year, the greater of \$500 million, minus
821 an amount equal to 4.6 percent of the proceeds of the taxes
822 collected pursuant to chapter 201, or 5.2 percent of all other



823 taxes and fees imposed pursuant to this chapter or remitted
824 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
825 monthly installments into the General Revenue Fund.

826 2. After the distribution under subparagraph 1., 8.9744
827 percent of the amount remitted by a sales tax dealer located
828 within a participating county pursuant to s. 218.61 shall be
829 transferred into the Local Government Half-cent Sales Tax
830 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
831 transferred shall be reduced by 0.1 percent, and the department
832 shall distribute this amount to the Public Employees Relations
833 Commission Trust Fund less \$5,000 each month, which shall be
834 added to the amount calculated in subparagraph 3. and
835 distributed accordingly.

836 3. After the distribution under subparagraphs 1. and 2.,
837 0.0966 percent shall be transferred to the Local Government
838 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
839 to s. 218.65.

840 4. After the distributions under subparagraphs 1., 2., and
841 3., 2.0810 percent of the available proceeds shall be
842 transferred monthly to the Revenue Sharing Trust Fund for
843 Counties pursuant to s. 218.215.

844 5. After the distributions under subparagraphs 1., 2., and
845 3., 1.3653 percent of the available proceeds shall be
846 transferred monthly to the Revenue Sharing Trust Fund for
847 Municipalities pursuant to s. 218.215. If the total revenue to
848 be distributed pursuant to this subparagraph is at least as
849 great as the amount due from the Revenue Sharing Trust Fund for
850 Municipalities and the former Municipal Financial Assistance
851 Trust Fund in state fiscal year 1999-2000, no municipality shall



964468

852 receive less than the amount due from the Revenue Sharing Trust
853 Fund for Municipalities and the former Municipal Financial
854 Assistance Trust Fund in state fiscal year 1999-2000. If the
855 total proceeds to be distributed are less than the amount
856 received in combination from the Revenue Sharing Trust Fund for
857 Municipalities and the former Municipal Financial Assistance
858 Trust Fund in state fiscal year 1999-2000, each municipality
859 shall receive an amount proportionate to the amount it was due
860 in state fiscal year 1999-2000.

861 6. Of the remaining proceeds:

862 a. In each fiscal year, the sum of \$29,915,500 shall be
863 divided into as many equal parts as there are counties in the
864 state, and one part shall be distributed to each county. The
865 distribution among the several counties must begin each fiscal
866 year on or before January 5th and continue monthly for a total
867 of 4 months. If a local or special law required that any moneys
868 accruing to a county in fiscal year 1999-2000 under the then-
869 existing provisions of s. 550.135 be paid directly to the
870 district school board, special district, or a municipal
871 government, such payment must continue until the local or
872 special law is amended or repealed. The state covenants with
873 holders of bonds or other instruments of indebtedness issued by
874 local governments, special districts, or district school boards
875 before July 1, 2000, that it is not the intent of this
876 subparagraph to adversely affect the rights of those holders or
877 relieve local governments, special districts, or district school
878 boards of the duty to meet their obligations as a result of
879 previous pledges or assignments or trusts entered into which
880 obligated funds received from the distribution to county



964468

881 governments under then-existing s. 550.135. This distribution
882 specifically is in lieu of funds distributed under s. 550.135
883 before July 1, 2000.

884 b. The department shall distribute \$166,667 monthly to each
885 applicant certified as a facility for a new or retained
886 professional sports franchise pursuant to s. 288.1162. Up to
887 \$41,667 shall be distributed monthly by the department to each
888 certified applicant as defined in s. 288.11621 for a facility
889 for a spring training franchise. However, not more than \$416,670
890 may be distributed monthly in the aggregate to all certified
891 applicants for facilities for spring training franchises.
892 Distributions begin 60 days after such certification and
893 continue for not more than 30 years, except as otherwise
894 provided in s. 288.11621. A certified applicant identified in
895 this sub-subparagraph may not receive more in distributions than
896 expended by the applicant for the public purposes provided in s.
897 288.1162(5) or s. 288.11621(3).

898 ~~e. Beginning 30 days after notice by the Department of~~
899 ~~Economic Opportunity to the Department of Revenue that an~~
900 ~~applicant has been certified as the professional golf hall of~~
901 ~~fame pursuant to s. 288.1168 and is open to the public, \$166,667~~
902 ~~shall be distributed monthly, for up to 300 months, to the~~
903 ~~applicant.~~

904 ~~d. Beginning 30 days after notice by the Department of~~
905 ~~Economic Opportunity to the Department of Revenue that the~~
906 ~~applicant has been certified as the International Game Fish~~
907 ~~Association World Center facility pursuant to s. 288.1169, and~~
908 ~~the facility is open to the public, \$83,333 shall be distributed~~
909 ~~monthly, for up to 168 months, to the applicant. This~~



964468

910 ~~distribution is subject to reduction pursuant to s. 288.1169.~~
911 ~~c.e.~~ The department shall distribute up to \$83,333 monthly
912 to each certified applicant as defined in s. 288.11631 for a
913 facility used by a single spring training franchise, or up to
914 \$166,667 monthly to each certified applicant as defined in s.
915 288.11631 for a facility used by more than one spring training
916 franchise. Monthly distributions begin 60 days after such
917 certification or July 1, 2016, whichever is later, and continue
918 for not more than 20 years to each certified applicant as
919 defined in s. 288.11631 for a facility used by a single spring
920 training franchise or not more than 25 years to each certified
921 applicant as defined in s. 288.11631 for a facility used by more
922 than one spring training franchise. A certified applicant
923 identified in this sub-subparagraph may not receive more in
924 distributions than expended by the applicant for the public
925 purposes provided in s. 288.11631(3).
926 ~~d.f.~~ The Department shall distribute \$15,333 monthly to the
927 State Transportation Trust Fund.
928 ~~e.g.~~(I) On or before July 25, 2021, August 25, 2021, and
929 September 25, 2021, the department shall distribute \$324,533,334
930 in each of those months to the Unemployment Compensation Trust
931 Fund, less an adjustment for refunds issued from the General
932 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the
933 distribution. The adjustments made by the department to the
934 total distributions shall be equal to the total refunds made
935 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be
936 subtracted from any single distribution exceeds the
937 distribution, the department may not make that distribution and
938 must subtract the remaining balance from the next distribution.



964468

939 (II) Beginning July 2022, and on or before the 25th day of
940 each month, the department shall distribute \$90 million monthly
941 to the Unemployment Compensation Trust Fund.

942 (III) If the ending balance of the Unemployment
943 Compensation Trust Fund exceeds \$4,071,519,600 on the last day
944 of any month, as determined from United States Department of the
945 Treasury data, the Office of Economic and Demographic Research
946 shall certify to the department that the ending balance of the
947 trust fund exceeds such amount.

948 (IV) This sub-subparagraph is repealed, and the department
949 shall end monthly distributions under sub-sub-subparagraph (II),
950 on the date the department receives certification under sub-sub-
951 subparagraph (III).

952 7. All other proceeds must remain in the General Revenue
953 Fund.

954 Section 18. Section 212.205, Florida Statutes, is amended
955 to read:

956 212.205 Sales tax distribution reporting.—By March 15 of
957 each year, each person who received a distribution pursuant to
958 s. 212.20(6)(d)6.b. and c. ~~s. 212.20(6)(d)6.b.-e.~~ in the
959 preceding calendar year shall report to the Office of Economic
960 and Demographic Research the following information:

961 (1) An itemized accounting of all expenditures of the funds
962 distributed in the preceding calendar year, including amounts
963 spent on debt service.

964 (2) A statement indicating what portion of the distributed
965 funds have been pledged for debt service.

966 (3) The original principal amount and current debt service
967 schedule of any bonds or other borrowing for which the



964468

968 distributed funds have been pledged for debt service.

969 Section 19. Paragraph (aa) of subsection (8) of section
970 213.053, Florida Statutes, is amended to read:

971 213.053 Confidentiality and information sharing.-

972 (8) Notwithstanding any other provision of this section,
973 the department may provide:

974 ~~(aa) Information relating to tax credits taken under s.~~
975 ~~220.194 to Space Florida.~~

976

977 Disclosure of information under this subsection shall be
978 pursuant to a written agreement between the executive director
979 and the agency. Such agencies, governmental or nongovernmental,
980 shall be bound by the same requirements of confidentiality as
981 the Department of Revenue. Breach of confidentiality is a
982 misdemeanor of the first degree, punishable as provided by s.
983 775.082 or s. 775.083.

984 Section 20. Subsection (8) of section 220.02, Florida
985 Statutes, is amended to read:

986 220.02 Legislative intent.-

987 (8) It is the intent of the Legislature that credits
988 against either the corporate income tax or the franchise tax be
989 applied in the following order: those enumerated in s. 631.828,
990 those enumerated in s. 220.191, those enumerated in s. 220.181,
991 those enumerated in s. 220.183, those enumerated in s. 220.182,
992 those enumerated in s. 220.1895, those enumerated in s. 220.195,
993 those enumerated in s. 220.184, those enumerated in s. 220.186,
994 those enumerated in s. 220.1845, those enumerated in s. 220.19,
995 those enumerated in s. 220.185, those enumerated in s. 220.1875,
996 those enumerated in s. 220.1876, those enumerated in s.



964468

997 220.1877, those enumerated in s. 220.193, those enumerated in
998 former s. 288.9916, ~~those enumerated in s. 220.1899, those~~
999 ~~enumerated in s. 220.194,~~ those enumerated in s. 220.196, those
1000 enumerated in s. 220.198, and those enumerated in s. 220.1915.

1001 Section 21. Paragraphs (a) and (b) of subsection (1) of
1002 section 220.13, Florida Statutes, is amended to read:

1003 220.13 "Adjusted federal income" defined.—

1004 (1) The term "adjusted federal income" means an amount
1005 equal to the taxpayer's taxable income as defined in subsection
1006 (2), or such taxable income of more than one taxpayer as
1007 provided in s. 220.131, for the taxable year, adjusted as
1008 follows:

1009 (a) *Additions.*—There shall be added to such taxable income:

1010 1.a. The amount of any tax upon or measured by income,
1011 excluding taxes based on gross receipts or revenues, paid or
1012 accrued as a liability to the District of Columbia or any state
1013 of the United States which is deductible from gross income in
1014 the computation of taxable income for the taxable year.

1015 b. Notwithstanding sub-subparagraph a., if a credit taken
1016 under s. 220.1875, s. 220.1876, or s. 220.1877 is added to
1017 taxable income in a previous taxable year under subparagraph 11.
1018 and is taken as a deduction for federal tax purposes in the
1019 current taxable year, the amount of the deduction allowed shall
1020 not be added to taxable income in the current year. The
1021 exception in this sub-subparagraph is intended to ensure that
1022 the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is
1023 added in the applicable taxable year and does not result in a
1024 duplicate addition in a subsequent year.

1025 2. The amount of interest which is excluded from taxable



1026 income under s. 103(a) of the Internal Revenue Code or any other
1027 federal law, less the associated expenses disallowed in the
1028 computation of taxable income under s. 265 of the Internal
1029 Revenue Code or any other law, excluding 60 percent of any
1030 amounts included in alternative minimum taxable income, as
1031 defined in s. 55(b)(2) of the Internal Revenue Code, if the
1032 taxpayer pays tax under s. 220.11(3).

1033 3. In the case of a regulated investment company or real
1034 estate investment trust, an amount equal to the excess of the
1035 net long-term capital gain for the taxable year over the amount
1036 of the capital gain dividends attributable to the taxable year.

1037 4. That portion of the wages or salaries paid or incurred
1038 for the taxable year which is equal to the amount of the credit
1039 allowable for the taxable year under s. 220.181. This
1040 subparagraph shall expire on the date specified in s. 290.016
1041 for the expiration of the Florida Enterprise Zone Act.

1042 5. That portion of the ad valorem school taxes paid or
1043 incurred for the taxable year which is equal to the amount of
1044 the credit allowable for the taxable year under s. 220.182. This
1045 subparagraph shall expire on the date specified in s. 290.016
1046 for the expiration of the Florida Enterprise Zone Act.

1047 6. The amount taken as a credit under s. 220.195 which is
1048 deductible from gross income in the computation of taxable
1049 income for the taxable year.

1050 7. That portion of assessments to fund a guaranty
1051 association incurred for the taxable year which is equal to the
1052 amount of the credit allowable for the taxable year.

1053 8. In the case of a nonprofit corporation which holds a
1054 pari-mutuel permit and which is exempt from federal income tax



964468

1055 as a farmers' cooperative, an amount equal to the excess of the
1056 gross income attributable to the pari-mutuel operations over the
1057 attributable expenses for the taxable year.

1058 9. The amount taken as a credit for the taxable year under
1059 s. 220.1895.

1060 10. Up to nine percent of the eligible basis of any
1061 designated project which is equal to the credit allowable for
1062 the taxable year under s. 220.185.

1063 11. Any amount taken as a credit for the taxable year under
1064 s. 220.1875, s. 220.1876, or s. 220.1877. The addition in this
1065 subparagraph is intended to ensure that the same amount is not
1066 allowed for the tax purposes of this state as both a deduction
1067 from income and a credit against the tax. This addition is not
1068 intended to result in adding the same expense back to income
1069 more than once.

1070 12. The amount taken as a credit for the taxable year under
1071 s. 220.193.

1072 13. Any portion of a qualified investment, as defined in
1073 former s. 288.9913, which is claimed as a deduction by the
1074 taxpayer and taken as a credit against income tax pursuant to
1075 former s. 288.9916.

1076 ~~14. The costs to acquire a tax credit pursuant to s.~~
1077 ~~288.1254(5) that are deducted from or otherwise reduce federal~~
1078 ~~taxable income for the taxable year.~~

1079 ~~15. The amount taken as a credit for the taxable year~~
1080 ~~pursuant to s. 220.194.~~

1081 14.16. The amount taken as a credit for the taxable year
1082 under s. 220.196. The addition in this subparagraph is intended
1083 to ensure that the same amount is not allowed for the tax



1084 purposes of this state as both a deduction from income and a
1085 credit against the tax. The addition is not intended to result
1086 in adding the same expense back to income more than once.

1087 ~~15.17.~~ The amount taken as a credit for the taxable year
1088 pursuant to s. 220.198.

1089 ~~16.18.~~ The amount taken as a credit for the taxable year
1090 pursuant to s. 220.1915.

1091 (b) *Subtractions.*—

1092 1. There shall be subtracted from such taxable income:

1093 a. The net operating loss deduction allowable for federal
1094 income tax purposes under s. 172 of the Internal Revenue Code
1095 for the taxable year, ~~except that any net operating loss that is~~
1096 ~~transferred pursuant to s. 220.194(6) may not be deducted by the~~
1097 ~~seller,~~

1098 b. The net capital loss allowable for federal income tax
1099 purposes under s. 1212 of the Internal Revenue Code for the
1100 taxable year,

1101 c. The excess charitable contribution deduction allowable
1102 for federal income tax purposes under s. 170(d)(2) of the
1103 Internal Revenue Code for the taxable year, and

1104 d. The excess contributions deductions allowable for
1105 federal income tax purposes under s. 404 of the Internal Revenue
1106 Code for the taxable year.

1107
1108 However, a net operating loss and a capital loss shall never be
1109 carried back as a deduction to a prior taxable year, but all
1110 deductions attributable to such losses shall be deemed net
1111 operating loss carryovers and capital loss carryovers,
1112 respectively, and treated in the same manner, to the same



1113 extent, and for the same time periods as are prescribed for such
1114 carryovers in ss. 172 and 1212, respectively, of the Internal
1115 Revenue Code.

1116 2. There shall be subtracted from such taxable income any
1117 amount to the extent included therein the following:

1118 a. Dividends treated as received from sources without the
1119 United States, as determined under s. 862 of the Internal
1120 Revenue Code.

1121 b. All amounts included in taxable income under s. 78, s.
1122 951, or s. 951A of the Internal Revenue Code.

1123
1124 However, any amount subtracted under this subparagraph is
1125 allowed only to the extent such amount is not deductible in
1126 determining federal taxable income. As to any amount subtracted
1127 under this subparagraph, there shall be added to such taxable
1128 income all expenses deducted on the taxpayer's return for the
1129 taxable year which are attributable, directly or indirectly, to
1130 such subtracted amount. Further, no amount shall be subtracted
1131 with respect to dividends paid or deemed paid by a Domestic
1132 International Sales Corporation.

1133 3. In computing "adjusted federal income" for taxable years
1134 beginning after December 31, 1976, there shall be allowed as a
1135 deduction the amount of wages and salaries paid or incurred
1136 within this state for the taxable year for which no deduction is
1137 allowed pursuant to s. 280C(a) of the Internal Revenue Code
1138 (relating to credit for employment of certain new employees).

1139 4. There shall be subtracted from such taxable income any
1140 amount of nonbusiness income included therein.

1141 5. There shall be subtracted any amount of taxes of foreign



964468

1142 countries allowable as credits for taxable years beginning on or
1143 after September 1, 1985, under s. 901 of the Internal Revenue
1144 Code to any corporation which derived less than 20 percent of
1145 its gross income or loss for its taxable year ended in 1984 from
1146 sources within the United States, as described in s.

1147 861(a)(2)(A) of the Internal Revenue Code, not including credits
1148 allowed under ss. 902 and 960 of the Internal Revenue Code,
1149 withholding taxes on dividends within the meaning of sub-
1150 subparagraph 2.a., and withholding taxes on royalties, interest,
1151 technical service fees, and capital gains.

1152 6. Notwithstanding any other provision of this code, except
1153 with respect to amounts subtracted pursuant to subparagraphs 1.
1154 and 3., any increment of any apportionment factor which is
1155 directly related to an increment of gross receipts or income
1156 which is deducted, subtracted, or otherwise excluded in
1157 determining adjusted federal income shall be excluded from both
1158 the numerator and denominator of such apportionment factor.
1159 Further, all valuations made for apportionment factor purposes
1160 shall be made on a basis consistent with the taxpayer's method
1161 of accounting for federal income tax purposes.

1162 Section 22. Subsection (5) of section 220.16, Florida
1163 Statutes, is amended to read:

1164 220.16 Allocation of nonbusiness income.—Nonbusiness income
1165 shall be allocated as follows:

1166 ~~(5) The amount of payments received in exchange for~~
1167 ~~transferring a net operating loss authorized by s. 220.194 is~~
1168 ~~allocable to the state.~~

1169 Section 23. Section 220.1899, Florida Statutes, is
1170 repealed.



1171 Section 24. Present paragraphs (a) through (g) of
1172 subsection (1) of section 220.191, Florida Statutes, are
1173 redesignated as paragraphs (b) through (h), respectively, a new
1174 paragraph (a) is added to that subsection, and present paragraph
1175 (g) of subsection (1), paragraph (a) of subsection (3), and
1176 subsections (5) and (6) of that section are amended, to read:

220.191 Capital investment tax credit.—

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

(a) “Average private sector wage in the area” means the
statewide private sector average wage or the average of all
private sector wages and salaries in the county or in the
standard metropolitan area in which the business is located.

(h) ~~(g)~~ “Qualifying project” means a facility in this state
meeting one or more of the following criteria:

1. A new or expanding facility in this state which creates
at least 100 new jobs in this state and is in one of the high-
impact sectors identified by ~~Enterprise Florida, Inc.~~, and
certified by the former Department of Economic Opportunity
pursuant to former s. 288.108(6), including, but not limited to,
aviation, aerospace, automotive, and silicon technology
industries. However, between July 1, 2011, and June 30, 2014,
the requirement that a facility be in a high-impact sector is
waived for any otherwise eligible business from another state
which locates all or a portion of its business to a
Disproportionally Affected County. For purposes of this section,
the term “Disproportionally Affected County” means Bay County,
Escambia County, Franklin County, Gulf County, Okaloosa County,
Santa Rosa County, Walton County, or Wakulla County.

2. A new or expanded facility in this state which is



964468

1200 engaged in a target industry designated pursuant to the
1201 procedure specified in s. 288.005(6) ~~s. 288.106(2)~~ and which is
1202 induced by this credit to create or retain at least 1,000 jobs
1203 in this state, provided that at least 100 of those jobs are new,
1204 pay an annual average wage of at least 130 percent of the
1205 average private sector wage in the area ~~as defined in s.~~
1206 ~~288.106(2)~~, and make a cumulative capital investment of at least
1207 \$100 million. Jobs may be considered retained only if there is
1208 significant evidence that the loss of jobs is imminent.
1209 Notwithstanding subsection (2), annual credits against the tax
1210 imposed by this chapter may not exceed 50 percent of the
1211 increased annual corporate income tax liability or the premium
1212 tax liability generated by or arising out of a project
1213 qualifying under this subparagraph. A facility that qualifies
1214 under this subparagraph for an annual credit against the tax
1215 imposed by this chapter may take the tax credit for a period not
1216 to exceed 5 years.

1217 3. A new or expanded headquarters facility in this state
1218 which locates in an enterprise zone and brownfield area and is
1219 induced by this credit to create at least 1,500 jobs which on
1220 average pay at least 200 percent of the statewide average annual
1221 private sector wage, as published by the Department of Commerce
1222 ~~Economic Opportunity~~, and which new or expanded headquarters
1223 facility makes a cumulative capital investment in this state of
1224 at least \$250 million.

1225 (3) (a) Notwithstanding subsection (2), an annual credit
1226 against the tax imposed by this chapter shall be granted to a
1227 qualifying business which establishes a qualifying project
1228 pursuant to subparagraph (1) (h) 3. ~~(1) (g) 3.~~, in an amount equal



1229 to the lesser of \$15 million or 5 percent of the eligible
1230 capital costs made in connection with a qualifying project, for
1231 a period not to exceed 20 years beginning with the commencement
1232 of operations of the project. The tax credit shall be granted
1233 against the corporate income tax liability of the qualifying
1234 business and as further provided in paragraph (c). The total tax
1235 credit provided pursuant to this subsection shall be equal to no
1236 more than 100 percent of the eligible capital costs of the
1237 qualifying project.

1238 (5) Applications shall be reviewed and certified pursuant
1239 to s. 288.061. The Department of Commerce ~~Economic Opportunity,~~
1240 ~~upon a recommendation by Enterprise Florida, Inc.,~~ shall first
1241 certify a business as eligible to receive tax credits pursuant
1242 to this section prior to the commencement of operations of a
1243 qualifying project, and such certification shall be transmitted
1244 to the Department of Revenue. Upon receipt of the certification,
1245 the Department of Revenue shall enter into a written agreement
1246 with the qualifying business specifying, at a minimum, the
1247 method by which income generated by or arising out of the
1248 qualifying project will be determined.

1249 (6) The Department of Commerce ~~Economic Opportunity,~~ in
1250 ~~consultation with Enterprise Florida, Inc.,~~ is authorized to
1251 develop the necessary guidelines and application materials for
1252 the certification process described in subsection (5).

1253 Section 25. Section 220.194, Florida Statutes, is repealed.

1254 Section 26. Paragraph (b) of subsection (1) and paragraph
1255 (a) of subsection (2) of section 220.196, Florida Statutes, are
1256 amended to read:

1257 220.196 Research and development tax credit.—



964468

1258 (1) DEFINITIONS.—As used in this section, the term:
1259 (b) “Business enterprise” means any corporation as defined
1260 in s. 220.03 which meets the definition of a target industry
1261 business as defined in s. 288.005 ~~s. 288.106~~.
1262 (2) TAX CREDIT.—
1263 (a) As provided in this section, a business enterprise is
1264 eligible for a credit against the tax imposed by this chapter if
1265 it:
1266 1. Has qualified research expenses in this state in the
1267 taxable year exceeding the base amount;
1268 2. Claims and is allowed a research credit for such
1269 qualified research expenses under 26 U.S.C. s. 41 for the same
1270 taxable year as subparagraph 1.; and
1271 3. Is a qualified target industry business as defined in
1272 former s. 288.106(2)(n). Only qualified target industry
1273 businesses in the manufacturing, life sciences, information
1274 technology, aviation and aerospace, homeland security and
1275 defense, cloud information technology, marine sciences,
1276 materials science, and nanotechnology industries may qualify for
1277 a tax credit under this section. A business applying for a
1278 credit pursuant to this section shall include a letter from the
1279 Department of Commerce ~~Economic Opportunity~~ certifying whether
1280 the business meets the requirements of this subparagraph with
1281 its application for credit. The Department of Commerce ~~Economic~~
1282 ~~Opportunity~~ shall provide such a letter upon receiving a
1283 request.
1284 Section 27. Section 272.11, Florida Statutes, is amended to
1285 read:
1286 272.11 Capitol information center.—The Florida Tourism



964468

1287 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, shall
1288 establish, maintain, and operate a Capitol information center
1289 somewhere within the area of the Capitol Center and employ
1290 personnel or enter into contracts to maintain same.

1291 Section 28. Paragraph (f) of subsection (1) of section
1292 287.0947, Florida Statutes, is amended to read:

1293 287.0947 Florida Advisory Council on Small and Minority
1294 Business Development; creation; membership; duties.—

1295 (1) The Secretary of Management Services may create the
1296 Florida Advisory Council on Small and Minority Business
1297 Development with the purpose of advising and assisting the
1298 secretary in carrying out the secretary's duties with respect to
1299 minority businesses and economic and business development. It is
1300 the intent of the Legislature that the membership of such
1301 council include practitioners, laypersons, financiers, and
1302 others with business development experience who can provide
1303 invaluable insight and expertise for this state in the
1304 diversification of its markets and networking of business
1305 opportunities. The council shall initially consist of 19
1306 persons, each of whom is or has been actively engaged in small
1307 and minority business development, either in private industry,
1308 in governmental service, or as a scholar of recognized
1309 achievement in the study of such matters. Initially, the council
1310 shall consist of members representing all regions of the state
1311 and shall include at least one member from each group identified
1312 within the definition of "minority person" in s. 288.703(4),
1313 considering also gender and nationality subgroups, and shall
1314 consist of the following:

1315 (f) The Secretary of Commerce or his or her designee A



964468

1316 ~~member from the board of directors of Enterprise Florida, Inc.~~

1317

1318 A candidate for appointment may be considered if eligible to be
1319 certified as an owner of a minority business enterprise, or if
1320 otherwise qualified under the criteria above. Vacancies may be
1321 filled by appointment of the secretary, in the manner of the
1322 original appointment.

1323 Section 29. Paragraph (e) of subsection (1) of section
1324 287.137, Florida Statutes, is amended to read:

1325 287.137 Antitrust violations; denial or revocation of the
1326 right to transact business with public entities; denial of
1327 economic benefits.—

1328 (1) As used in this section, the term:

1329 (e) "Economic incentives" means state grants, cash grants,
1330 tax exemptions, tax refunds, tax credits, state funds, and other
1331 state incentives under chapter 288 or administered by the
1332 Department of Commerce ~~Enterprise Florida, Inc.~~

1333 Section 30. Subsections (2) and (4) of section 288.0001,
1334 Florida Statutes, are amended to read:

1335 288.0001 Economic Development Programs Evaluation.—The
1336 Office of Economic and Demographic Research and the Office of
1337 Program Policy Analysis and Government Accountability (OPPAGA)
1338 shall develop and present to the Governor, the President of the
1339 Senate, the Speaker of the House of Representatives, and the
1340 chairs of the legislative appropriations committees the Economic
1341 Development Programs Evaluation.

1342 (2) The Office of Economic and Demographic Research and
1343 OPPAGA shall provide a detailed analysis of economic development
1344 programs as provided in the following schedule:



964468

1345 (a) By January 1, 2026 ~~January 1, 2014~~, and every 3 years
1346 thereafter, an analysis of the following:

1347 1. The capital investment tax credit established under s.
1348 220.191.

1349 2. Space Florida established under s. 331.302.

1350 3. The research and development tax credit established
1351 under 220.196.

1352 4. The Urban High-Crime Area Job Tax Credit Program
1353 established under s. 212.097 and authorized under s. 220.1895.

1354 5. The Rural Job Tax Credit Program established under s.
1355 212.098 and authorized under s. 220.1895.

1356 6. The Florida Job Growth Grant Fund established under s.
1357 288.101 ~~The qualified target industry tax refund established~~
1358 ~~under s. 288.106.~~

1359 ~~7.3.~~ The brownfield redevelopment bonus refund established
1360 under s. 288.107.

1361 ~~4. High-impact business performance grants established~~
1362 ~~under s. 288.108.~~

1363 ~~5. The Quick Action Closing Fund established under s.~~
1364 ~~288.1088.~~

1365 ~~6. The Innovation Incentive Program established under s.~~
1366 ~~288.1089.~~

1367 ~~7. Enterprise Zone Program incentives established under ss.~~
1368 ~~212.08(5) and (15), 212.096, 220.181, and 220.182.~~

1369 ~~8. The New Markets Development Program established under~~
1370 ~~ss. 288.991-288.9922.~~

1371 (b) By January 1, 2024 ~~January 1, 2015~~, and every 3 years
1372 thereafter, an analysis of the following:

1373 1. ~~The entertainment industry financial incentive program~~



964468

1374 ~~established under s. 288.1254.~~
1375 ~~2.~~ The entertainment industry sales tax exemption program
1376 established under s. 288.1258.
1377 ~~2.3.~~ VISIT Florida and its programs established or funded
1378 under ss. 288.122, 288.1226, 288.12261, 288.12265, and 288.124.
1379 ~~3.4.~~ The Florida Sports Foundation and related programs,
1380 including those established under ss. 288.1162, 288.11621,
1381 288.1166, 288.1167, ~~288.1168, 288.1169,~~ and 288.1171.
1382 (c) By January 1, 2025 ~~January 1, 2016~~, and every 3 years
1383 thereafter, an analysis of the following:
1384 1. ~~The qualified defense contractor and space flight~~
1385 ~~business tax refund program established under s. 288.1045.~~
1386 ~~2.~~ The tax exemption for semiconductor, defense, or space
1387 technology sales established under s. 212.08(5)(j).
1388 ~~2.3.~~ The Military Base Protection Program established under
1389 s. 288.980.
1390 ~~3.4.~~ The Quick Response Training Program established under
1391 s. 288.047.
1392 ~~4.5.~~ The Incumbent Worker Training Program established
1393 under s. 445.003.
1394 ~~5.6.~~ International trade and business development programs
1395 established or funded under s. 288.826.
1396 ~~6.(d) By January 1, 2019, and every 3 years thereafter, an~~
1397 ~~analysis of~~ The grant and entrepreneur initiative programs
1398 established under s. 295.22(3)(d) and (e).
1399 (4) Pursuant to the schedule established in subsection (2),
1400 OPPAGA shall evaluate each program over the previous 3 years for
1401 its effectiveness and value to the taxpayers of this state and
1402 include recommendations on each program for consideration by the



964468

1403 Legislature. The analysis may include relevant economic
1404 development reports or analyses prepared by the department of
1405 ~~Economic Opportunity, Enterprise Florida, Inc.,~~ or local or
1406 regional economic development organizations, ~~+~~ interviews with
1407 the parties involved, ~~+~~ or any other relevant data.

1408 Section 31. Paragraph (b) of subsection (4) of section
1409 288.001, Florida Statutes, is amended to read:

1410 288.001 The Florida Small Business Development Center
1411 Network.—

1412 (4) STATEWIDE ADVISORY BOARD.—

1413 (b) The statewide advisory board shall consist of 19
1414 members from across the state. At least 12 members must be
1415 representatives of the private sector who are knowledgeable of
1416 the needs and challenges of small businesses. The members must
1417 represent various segments and industries of the economy in this
1418 state and must bring knowledge and skills to the statewide
1419 advisory board which would enhance the board's collective
1420 knowledge of small business assistance needs and challenges.
1421 Minority and gender representation must be considered when
1422 making appointments to the board. The board must include the
1423 following members:

1424 1. Three members appointed from the private sector by the
1425 President of the Senate.

1426 2. Three members appointed from the private sector by the
1427 Speaker of the House of Representatives.

1428 3. Three members appointed from the private sector by the
1429 Governor.

1430 4. Three members appointed from the private sector by the
1431 network's statewide director.



964468

- 1432 5. One member appointed by the host institution.
- 1433 6. The Secretary of Commerce ~~President of Enterprise~~
1434 ~~Florida, Inc.~~, or his or her designee.
- 1435 7. The Chief Financial Officer or his or her designee.
- 1436 8. The President of the Florida Chamber of Commerce or his
1437 or her designee.
- 1438 9. The Small Business Development Center Project Officer
1439 from the U.S. Small Business Administration at the South Florida
1440 District Office or his or her designee.
- 1441 10. The executive director of the National Federation of
1442 Independent Businesses, Florida, or his or her designee.
- 1443 11. The executive director of the Florida United Business
1444 Association or his or her designee.
- 1445 Section 32. Subsections (1) and (2) of section 288.005,
1446 Florida Statutes, are redesignated as subsections (2) and (1),
1447 respectively, and subsection (6) is added to that section, to
1448 read:
- 1449 288.005 Definitions.—As used in this chapter, the term:
- 1450 (6) "Target industry business" means a corporate
1451 headquarters business or any business that is engaged in one of
1452 the target industries identified pursuant to the following
1453 criteria developed by the Department of Commerce:
- 1454 (a) Future growth.—The industry forecast indicates strong
1455 expectation for future growth in employment and output,
1456 according to the most recent available data. Special
1457 consideration should be given to businesses that export goods
1458 to, or provide services in, international markets and businesses
1459 that onshore business operations to replace domestic and
1460 international imports of goods or services.



964468

1461 (b) Stability.—The industry is not subject to periodic
1462 layoffs, whether due to seasonality or sensitivity to volatile
1463 economic variables such as weather. The industry is also
1464 relatively resistant to recession, so that the demand for
1465 products of this industry is not typically subject to decline
1466 during an economic downturn.

1467 (c) High wage.—The industry pays relatively high wages
1468 compared to statewide or area averages.

1469 (d) Market and resource independent.—The industry business
1470 location is not dependent on markets or resources in the state
1471 as indicated by industry analysis, except for businesses in the
1472 renewable energy industry.

1473 (e) Industrial base diversification and strengthening.—The
1474 industry contributes toward expanding or diversifying the
1475 state's or area's economic base, as indicated by analysis of
1476 employment and output shares compared to national and regional
1477 trends. Special consideration should be given to industries that
1478 strengthen regional economies by adding value to basic products
1479 or building regional industrial clusters as indicated by
1480 industry analysis. Special consideration should also be given to
1481 the development of strong industrial clusters that include
1482 defense and homeland security businesses.

1483 (f) Positive economic impact.—The industry has strong
1484 positive economic impacts on or benefits to the state or
1485 regional economies. Special consideration should be given to
1486 industries that facilitate the development of the state as a hub
1487 for domestic and global trade and logistics.

1488
1489 The term does not include any business engaged in retail



964468

1490 industry activities; any electrical utility company as defined
1491 in s. 366.02(4); any phosphate or other solid minerals
1492 severance, mining, or processing operation; any oil or gas
1493 exploration or production operation; or any business subject to
1494 regulation by the Division of Hotels and Restaurants of the
1495 Department of Business and Professional Regulation. Any business
1496 within NAICS code 5611 or 5614, office administrative services
1497 and business support services, respectively, may be considered a
1498 target industry business only after the local governing body and
1499 the Department of Commerce determine that the community in which
1500 the business may locate has conditions affecting the fiscal and
1501 economic viability of the local community or area, including,
1502 but not limited to, low per capita income, high unemployment,
1503 high underemployment, and a lack of year-round stable employment
1504 opportunities, and such conditions may be improved by the
1505 business locating in such community. By January 1 of every 3rd
1506 year, beginning January 1, 2011, the Department of Commerce, in
1507 consultation with economic development organizations, the State
1508 University System, local governments, employee and employer
1509 organizations, market analysts, and economists, shall review
1510 and, as appropriate, revise the list of target industries and
1511 submit the list to the Governor, the President of the Senate,
1512 and the Speaker of the House of Representatives.

1513 Section 33. Section 288.012, Florida Statutes, is amended
1514 to read:

1515 288.012 State of Florida international offices; direct-
1516 support organization.—The Legislature finds that the expansion
1517 of international trade and tourism is vital to the overall
1518 health and growth of the economy of this state. This expansion



1519 is hampered by the lack of technical and business assistance,
1520 financial assistance, and information services for businesses in
1521 this state. The Legislature finds that these businesses could be
1522 assisted by providing these services at State of Florida
1523 international offices. The Legislature further finds that the
1524 accessibility and provision of services at these offices can be
1525 enhanced through cooperative agreements or strategic alliances
1526 between private businesses and state, local, and international
1527 governmental entities.

1528 (1) The department is authorized to:

1529 (a) Establish and operate offices in other countries for
1530 the purpose of promoting trade and economic development
1531 opportunities of the state, and promoting the gathering of trade
1532 data information and research on trade opportunities in specific
1533 countries.

1534 (b) Enter into agreements with governmental and private
1535 sector entities to establish and operate offices in other
1536 countries which contain provisions that may conflict with the
1537 general laws of the state pertaining to the purchase of office
1538 space, employment of personnel, and contracts for services. When
1539 agreements pursuant to this section are made which set
1540 compensation in another country's currency, such agreements
1541 shall be subject to the requirements of s. 215.425, but the
1542 purchase of another country's currency by the department to meet
1543 such obligations shall be subject only to s. 216.311.

1544 (2) Each international office shall have in place an
1545 operational plan approved by the participating boards or other
1546 governing authority, a copy of which shall be provided to the
1547 department. These operating plans shall be reviewed and updated



964468

1548 each fiscal year and shall include, at a minimum, the following:

1549 (a) Specific policies and procedures encompassing the
1550 entire scope of the operation and management of each office.

1551 (b) A comprehensive, commercial strategic plan identifying
1552 marketing opportunities and industry sector priorities for the
1553 country in which an international office is located.

1554 (c) Provisions for access to information for Florida
1555 businesses related to trade leads and inquiries.

1556 (d) Identification of new and emerging market opportunities
1557 for Florida businesses. This information shall be provided
1558 either free of charge or on a fee basis with fees set only to
1559 recover the costs of providing the information.

1560 (e) Provision of access for Florida businesses to
1561 international trade assistance services provided by state and
1562 local entities, seaport and airport information, and other
1563 services identified by the department.

1564 (f) Qualitative and quantitative performance measures for
1565 each office, including, but not limited to, the number of
1566 businesses assisted, the number of trade leads and inquiries
1567 generated, the number of international buyers and importers
1568 contacted, and the amount and type of marketing conducted.

1569 (3) Each international office shall annually submit to the
1570 department ~~Enterprise Florida, Inc.~~, a complete and detailed
1571 report on its activities and accomplishments during the previous
1572 fiscal year. ~~for inclusion in the annual report required under~~
1573 ~~s. 288.906. In the format and by the annual date prescribed by~~
1574 ~~Enterprise Florida, Inc.~~, The report must set forth information
1575 on:

1576 (a) The number of Florida companies assisted.



964468

- 1577 (b) The number of inquiries received about investment
1578 opportunities in this state.
- 1579 (c) The number of trade leads generated.
- 1580 (d) The number of investment projects announced.
- 1581 (e) The estimated U.S. dollar value of sales confirmations.
- 1582 (f) The number of representation agreements.
- 1583 (g) The number of company consultations.
- 1584 (h) Barriers or other issues affecting the effective
1585 operation of the office.
- 1586 (i) Changes in office operations which are planned for the
1587 current fiscal year.
- 1588 (j) Marketing activities conducted.
- 1589 (k) Strategic alliances formed with organizations in the
1590 country in which the office is located.
- 1591 (l) Activities conducted with Florida's other international
1592 offices.
- 1593 (m) Any other information that the office believes would
1594 contribute to an understanding of its activities.
- 1595 (4) The Department of Commerce ~~Economic Opportunity~~, in
1596 connection with the establishment, operation, and management of
1597 any of its offices located in another country, is exempt from
1598 the provisions of ss. 255.21, 255.25, and 255.254 relating to
1599 leasing of buildings; ss. 283.33 and 283.35 relating to bids for
1600 printing; ss. 287.001-287.20 relating to purchasing and motor
1601 vehicles; and ss. 282.003-282.00515 and 282.702-282.7101
1602 relating to communications, and from all statutory provisions
1603 relating to state employment.
- 1604 (a) The department may exercise such exemptions only upon
1605 prior approval of the Governor.



964468

1606 (b) If approval for an exemption under this section is
1607 granted as an integral part of a plan of operation for a
1608 specified international office, such action shall constitute
1609 continuing authority for the department to exercise the
1610 exemption, but only in the context and upon the terms originally
1611 granted. Any modification of the approved plan of operation with
1612 respect to an exemption contained therein must be resubmitted to
1613 the Governor for his or her approval. An approval granted to
1614 exercise an exemption in any other context shall be restricted
1615 to the specific instance for which the exemption is to be
1616 exercised.

1617 (c) As used in this subsection, the term "plan of
1618 operation" means the plan developed pursuant to subsection (2).

1619 (d) Upon final action by the Governor with respect to a
1620 request to exercise the exemption authorized in this subsection,
1621 the department shall report such action, along with the original
1622 request and any modifications thereto, to the President of the
1623 Senate and the Speaker of the House of Representatives within 30
1624 days.

1625 (5) Where feasible and appropriate, international offices
1626 established and operated under this section may provide one-stop
1627 access to the economic development, trade, and tourism
1628 information, services, and programs of the state. Where feasible
1629 and appropriate, such offices may also be collocated with other
1630 international offices of the state.

1631 (6) (a) The department shall establish a direct-support
1632 organization, organized as a nonprofit under chapter 617 and
1633 recognized under s. 501(c)(3) of the Internal Revenue Code ~~is~~
1634 ~~authorized to make and to enter into contracts with Enterprise~~



964468

1635 Florida, Inc., to carry out the provisions of this section,
1636 assist with the coordination of international trade development
1637 efforts, and assist in development and planning related to
1638 foreign investment, international partnerships, and other
1639 international business and trade development. The organization
1640 is exempt from paying fees under s. 617.0122. The department
1641 must approve the articles of incorporation and bylaws of the
1642 direct-support organization.

1643 (b) The Secretary of Commerce shall be the head of the
1644 direct-support organization and may provide for the appointment
1645 of a director and other staff as necessary to carry out the
1646 responsibilities of the organization. The director and staff of
1647 the organization are subject to ss. 112.313(1)-(8), (10), (12),
1648 and (15); 112.3135; and 112.3143(2). For purposes of applying
1649 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1650 112.3143(2) to activities of the president and staff, those
1651 persons shall be considered public officers or employees and the
1652 corporation shall be considered their agency.

1653 (c) The authority, duties, and exemptions provided in this
1654 section apply to the direct-support organization ~~Enterprise~~
1655 Florida, Inc., to the same degree and subject to the same
1656 conditions as applied to the department. To the greatest extent
1657 possible, the department's agreement with the direct-support
1658 organization ~~such contracts~~ shall include provisions for
1659 cooperative agreements or strategic alliances between private
1660 businesses and state, international, and local governmental
1661 entities to operate international offices. The direct-support
1662 organization may coordinate and plan international trade
1663 missions, including setting up travel, arranging for



964468

1664 participation by Florida businesses, and tracking data related
1665 to outcomes of the trade missions on behalf of the department.
1666 The organization shall comply with the per diem and travel
1667 expense provisions of s. 112.061.

1668 (d) The agreement between the department and the direct-
1669 support organization must specify the approval of the
1670 department, the powers and duties of the direct-support
1671 organization, and rules with which the direct-support
1672 organization must comply. The department may authorize, without
1673 charge, appropriate use of property, facilities, and personnel
1674 of the department by the direct-support organization for
1675 approved purposes. The agreement between the department and the
1676 organization must prescribe the conditions with which the
1677 organization must comply in order to use property, facilities,
1678 or personnel of the department. Such conditions must provide for
1679 budget and audit review and oversight by the department.
1680 However, the department may not authorize the use of property,
1681 facilities, or personnel of department by the direct-support
1682 organization that does not provide equal employment
1683 opportunities to all persons regardless of race, color,
1684 religion, sex, age, or national origin.

1685 (e) The direct-support organization may conduct programs
1686 and activities; raise funds; request and receive grants, gifts,
1687 and bequests of money; acquire, receive, hold, invest, and
1688 administer, in its own name, securities, funds, objects of
1689 value, or other property, real or personal; and make
1690 expenditures to or for the direct or indirect benefit of the
1691 organization if such furthers the duties and mission of the
1692 organization and is in the best interests of this state.



964468

1693 (f) The direct-support organization may accept grants or
1694 other donations in order to facilitate trade missions and
1695 conduct other related international activities. Funds of the
1696 organization must be held in a separate depository account in
1697 the name of the organization, subject to the provisions of the
1698 contract with the department, and must be used in a manner
1699 consistent with the goals of the organization. Any funds and
1700 property held by the organization shall revert to the department
1701 if the organization is no longer approved to operate by the
1702 department, fails to maintain its tax-exempt status, or ceases
1703 to exist.

1704 (g) The department must determine and annually certify that
1705 the direct-support organization is complying with the terms of
1706 the contract and is doing so consistent with the goals and
1707 purposes of the organization and in the best interests of the
1708 state. The organization is required to annually submit to the
1709 department its federal Internal Revenue Service Application for
1710 Recognition of Exemption form (Form 1023) and federal Internal
1711 Revenue Service Return of Organization Exempt from Income Tax
1712 form (Form 990); an annual budget for approval by the
1713 department; an annual financial audit in accordance with s.
1714 215.981; and an annual itemized accounting of the total amount
1715 of travel and entertainment expenses.

1716 (h) The fiscal year of the direct-support organization
1717 begins on July 1 of each year and ends on June 30 of the
1718 following year. By August 15 of each fiscal year, the department
1719 shall submit a proposed operating budget for the direct-support
1720 organization, including amounts to be expended on international
1721 offices, trade missions, events, other operating capital outlay,



964468

1722 salaries and benefits for each employee, and contributions and
1723 expenditures, to the Governor, the President of the Senate, and
1724 the Speaker of the House of Representatives.

1725 (i) This subsection is repealed October 1, 2028, unless
1726 reviewed and saved from repeal by the Legislature.

1727 Section 34. Section 288.017, Florida Statutes, is amended
1728 to read:

1729 288.017 Cooperative advertising matching grants program.—

1730 (1) The Florida Tourism Industry Marketing Corporation
1731 ~~Enterprise Florida, Inc.,~~ is authorized to establish a
1732 cooperative advertising matching grants program and, pursuant
1733 thereto, to make expenditures and enter into contracts with
1734 local governments and nonprofit corporations for the purpose of
1735 publicizing the tourism advantages of the state. The department,
1736 based on recommendations from the corporation Enterprise
1737 ~~Florida, Inc.,~~ shall have final approval of grants awarded
1738 through this program. ~~Enterprise Florida, Inc., may contract~~
1739 ~~with its direct support organization to administer the program.~~

1740 (2) The total annual allocation of funds for this grant
1741 program may not exceed \$40,000. Each grant awarded under the
1742 program shall be limited to no more than \$2,500 and shall be
1743 matched by nonstate dollars. All grants shall be restricted to
1744 local governments and nonprofit corporations serving and located
1745 in municipalities having a population of 50,000 persons or less
1746 or in counties with an unincorporated area having a population
1747 of 200,000 persons or less.

1748 (3) The Florida Tourism Marketing Corporation Enterprise
1749 ~~Florida, Inc.,~~ shall conduct an annual competitive selection
1750 process for the award of grants under the program. In



1751 determining its recommendations for the grant awards, the
1752 corporation ~~commission~~ shall consider the demonstrated need of
1753 the applicant for advertising assistance, the feasibility and
1754 projected benefit of the applicant's proposal, the amount of
1755 nonstate funds that will be leveraged, and such other criteria
1756 as the department ~~commission~~ deems appropriate. In evaluating
1757 grant applications, the department shall consider
1758 recommendations from the corporation ~~Enterprise Florida, Inc.~~
1759 The department, however, has final approval authority for any
1760 grant under this section.

1761 Section 35. Subsection (4) of section 288.018, Florida
1762 Statutes, is amended to read:

1763 288.018 Regional Rural Development Grants Program.—

1764 (4) The department may expend up to \$750,000 each fiscal
1765 year from funds appropriated to the Rural Community Development
1766 Revolving Loan Fund for the purposes outlined in this section.
1767 ~~The department may contract with Enterprise Florida, Inc., for~~
1768 ~~the administration of the purposes specified in this section.~~
1769 ~~Funds released to Enterprise Florida, Inc., for this purpose~~
1770 ~~shall be released quarterly and shall be calculated based on the~~
1771 ~~applications in process.~~

1772 Section 36. Subsections (1), (9), and (10) of section
1773 288.047, Florida Statutes, are amended, to read:

1774 288.047 Quick-response training for economic development.—

1775 (1) The Quick-Response Training Program is created to meet
1776 the workforce-skill needs of existing, new, and expanding
1777 industries. The program shall be administered by CareerSource
1778 Florida, Inc., in conjunction with ~~Enterprise Florida, Inc.,~~ and
1779 the Department of Education. CareerSource Florida, Inc., shall



964468

1780 adopt guidelines for the administration of this program, shall
1781 provide technical services, and shall identify businesses that
1782 seek services through the program. ~~CareerSource Florida, Inc.,~~
1783 ~~may contract with Enterprise Florida, Inc., or administer this~~
1784 ~~program directly, if it is determined that such an arrangement~~
1785 ~~maximizes the amount of the Quick Response grant going to direct~~
1786 ~~services.~~

1787 ~~(9) Notwithstanding any other provision of law, eligible~~
1788 ~~matching contributions received under this section from the~~
1789 ~~Quick Response Training Program may be counted toward the~~
1790 ~~private sector support of Enterprise Florida, Inc., under s.~~
1791 ~~288.904.~~

1792 ~~(10) CareerSource Florida, Inc., and Enterprise Florida,~~
1793 ~~Inc., shall coordinate and cooperate in administering this~~
1794 ~~section so that any division of responsibility between the two~~
1795 ~~organizations which relates to marketing or administering the~~
1796 ~~Quick Response Training Program is not apparent to a business~~
1797 ~~that inquires about or applies for funding under this section. A~~
1798 ~~business shall be provided with a single point of contact for~~
1799 ~~information and assistance.~~

1800 Section 37. Subsections (1) and (4) of section 288.061,
1801 Florida Statutes, are amended to read:

1802 288.061 Economic development incentive application
1803 process.—

1804 (1) Upon receiving a submitted economic development
1805 incentive application, the Division of Economic Strategie
1806 ~~Business~~ Development of the department of ~~Economic Opportunity~~
1807 ~~and designated staff of Enterprise Florida, Inc., shall review~~
1808 the application to ensure that the application is complete,



964468

1809 whether and what type of state and local permits may be
1810 necessary for the applicant's project, whether it is possible to
1811 waive such permits, and what state incentives and amounts of
1812 such incentives may be available to the applicant. The
1813 department shall recommend to the Secretary of Commerce ~~Economic~~
1814 ~~Opportunity~~ to approve or disapprove an applicant business. If
1815 review of the application demonstrates that the application is
1816 incomplete, the secretary shall notify the applicant business
1817 within the first 5 business days after receiving the
1818 application.

1819 (4) The department shall validate contractor performance
1820 and report such validation in the annual incentives report
1821 required under s. 288.0065 ~~s. 288.907~~.

1822 Section 38. Paragraph (e) of subsection (2), and
1823 subsections (3) and (4) of section 288.0655, Florida Statutes,
1824 are amended to read:

1825 288.0655 Rural Infrastructure Fund.—

1826 (2)

1827 (e) To enable local governments to access the resources
1828 available pursuant to s. 403.973(17) ~~s. 403.973(18)~~, the
1829 department may award grants for surveys, feasibility studies,
1830 and other activities related to the identification and
1831 preclearance review of land which is suitable for preclearance
1832 review. Authorized grants under this paragraph may not exceed
1833 \$75,000 each, except in the case of a project in a rural area of
1834 opportunity, in which case the grant may not exceed \$300,000.
1835 Any funds awarded under this paragraph must be matched at a
1836 level of 50 percent with local funds, except that any funds
1837 awarded for a project in a rural area of opportunity must be



964468

1838 matched at a level of 33 percent with local funds. If an
1839 application for funding is for a catalyst site, as defined in s.
1840 288.0656, the requirement for local match may be waived pursuant
1841 to the process in s. 288.06561. In evaluating applications under
1842 this paragraph, the department shall consider the extent to
1843 which the application seeks to minimize administrative and
1844 consultant expenses.

1845 (3) The department, in consultation with ~~Enterprise~~
1846 ~~Florida, Inc.~~, the Florida Tourism Industry Marketing
1847 Corporation, the Department of Environmental Protection, and the
1848 Florida Fish and Wildlife Conservation Commission, as
1849 appropriate, shall review and certify applications pursuant to
1850 s. 288.061. The review shall include an evaluation of the
1851 economic benefit of the projects and their long-term viability.
1852 The department shall have final approval for any grant under
1853 this section.

1854 ~~(4) By September 1, 2021, the department shall, in~~
1855 ~~consultation with the organizations listed in subsection (3),~~
1856 ~~and other organizations, reevaluate existing guidelines and~~
1857 ~~criteria governing submission of applications for funding,~~
1858 ~~review and evaluation of such applications, and approval of~~
1859 ~~funding under this section. The department shall consider~~
1860 ~~factors including, but not limited to, the project's potential~~
1861 ~~for enhanced job creation or increased capital investment, the~~
1862 ~~demonstration and level of local public and private commitment,~~
1863 ~~whether the project is located in a community development~~
1864 ~~corporation service area, or in an urban high-crime area as~~
1865 ~~designated under s. 212.097, the unemployment rate of the county~~
1866 ~~in which the project would be located, and the poverty rate of~~



964468

1867 ~~the community.~~

1868 Section 39. Paragraph (a) of subsection (6) and paragraphs
1869 (a) and (c) of subsection (7) of section 288.0656, Florida
1870 Statutes, are amended to read:

1871 288.0656 Rural Economic Development Initiative.—

1872 (6) (a) By August 1 of each year, the head of each of the
1873 following agencies and organizations shall designate a deputy
1874 secretary or higher-level staff person from within the agency or
1875 organization to serve as the REDI representative for the agency
1876 or organization:

- 1877 1. The Department of Transportation.
- 1878 2. The Department of Environmental Protection.
- 1879 3. The Department of Agriculture and Consumer Services.
- 1880 4. The Department of State.
- 1881 5. The Department of Health.
- 1882 6. The Department of Children and Families.
- 1883 7. The Department of Corrections.
- 1884 8. The Department of Education.
- 1885 9. The Department of Juvenile Justice.
- 1886 10. The Fish and Wildlife Conservation Commission.
- 1887 11. Each water management district.
- 1888 12. ~~Enterprise Florida, Inc.~~
- 1889 ~~13.~~ CareerSource Florida, Inc.
- 1890 13.~~14.~~ VISIT Florida.
- 1891 14.~~15.~~ The Florida Regional Planning Council Association.
- 1892 15.~~16.~~ The Agency for Health Care Administration.
- 1893 16.~~17.~~ The Institute of Food and Agricultural Sciences
1894 (IFAS).

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964468

1896 An alternate for each designee shall also be chosen, and the
1897 names of the designees and alternates shall be sent to the
1898 Secretary of Commerce ~~Economic Opportunity~~.

1899 (7)

1900 (a) REDI may recommend to the Governor up to three rural
1901 areas of opportunity. The Governor may by executive order
1902 designate up to three rural areas of opportunity which will
1903 establish these areas as priority assignments for REDI as well
1904 as to allow the Governor, acting through REDI, to waive
1905 criteria, requirements, or similar provisions of any economic
1906 development incentive. Such incentives shall include, but are
1907 not limited to, ~~the Qualified Target Industry Tax Refund Program~~
1908 ~~under s. 288.106~~, the Quick Response Training Program under s.
1909 288.047, the Quick Response Training Program for participants in
1910 the welfare transition program under s. 288.047(8),
1911 transportation projects under s. 339.2821, the brownfield
1912 redevelopment bonus refund under s. 288.107, and the rural job
1913 tax credit program under ss. 212.098 and 220.1895.

1914 (c) Each rural area of opportunity may designate catalyst
1915 projects, provided that each catalyst project is specifically
1916 recommended by REDI, ~~identified as a catalyst project by~~
1917 ~~Enterprise Florida, Inc.~~, and confirmed as a catalyst project by
1918 the department. All state agencies and departments shall use all
1919 available tools and resources to the extent permissible by law
1920 to promote the creation and development of each catalyst project
1921 and the development of catalyst sites.

1922 Section 40. Section 288.0658, Florida Statutes, is amended
1923 to read:

1924 288.0658 Nature-based recreation; promotion and other



964468

1925 assistance by Fish and Wildlife Conservation Commission.—The
1926 Florida Fish and Wildlife Conservation Commission is directed to
1927 assist ~~Enterprise Florida, Inc.~~; the Florida Tourism Industry
1928 Marketing Corporation, doing business as VISIT Florida;
1929 convention and visitor bureaus; tourist development councils;
1930 economic development organizations; and local governments
1931 through the provision of marketing advice, technical expertise,
1932 promotional support, and product development related to nature-
1933 based recreation and sustainable use of natural resources. In
1934 carrying out this responsibility, the Florida Fish and Wildlife
1935 Conservation Commission shall focus its efforts on fostering
1936 nature-based recreation in rural communities and regions
1937 encompassing rural communities. As used in this section, the
1938 term "nature-based recreation" means leisure activities related
1939 to the state's lands, waters, and fish and wildlife resources,
1940 including, but not limited to, wildlife viewing, fishing,
1941 hiking, canoeing, kayaking, camping, hunting, backpacking, and
1942 nature photography.

1943 Section 41. Subsection (6) of section 288.075, Florida
1944 Statutes, is amended to read:

1945 288.075 Confidentiality of records.—

1946 (6) ECONOMIC INCENTIVE PROGRAMS.—

1947 (a) The following information held by an economic
1948 development agency pursuant to the administration of an economic
1949 incentive program for qualified businesses is confidential and
1950 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1951 Constitution for a period not to exceed the duration of the
1952 incentive agreement, including an agreement authorizing a tax
1953 refund or tax credit, or upon termination of the incentive



964468

1954 agreement:

1955 1. The percentage of the business's sales occurring outside
1956 this state and, ~~for businesses applying under s. 288.1045, the~~
1957 ~~percentage of the business's gross receipts derived from~~
1958 ~~Department of Defense contracts during the 5 years immediately~~
1959 ~~preceding the date the business's application is submitted.~~

1960 2. An individual employee's personal identifying
1961 information that is held as evidence of the achievement or
1962 nonachievement of the wage requirements of the tax refund, tax
1963 credit, or incentive agreement programs or of the job creation
1964 requirements of such programs.

1965 3. The amount of:

1966 a. Taxes on sales, use, and other transactions paid
1967 pursuant to chapter 212;

1968 b. Corporate income taxes paid pursuant to chapter 220;

1969 c. Intangible personal property taxes paid pursuant to
1970 chapter 199;

1971 d. Insurance premium taxes paid pursuant to chapter 624;

1972 e. Excise taxes paid on documents pursuant to chapter 201;

1973 f. Ad valorem taxes paid, as defined in s. 220.03(1); or

1974 g. State communications services taxes paid pursuant to
1975 chapter 202.

1976

1977 However, an economic development agency may disclose in the
1978 annual incentives report required under s. 288.0065 ~~s. 288.907~~
1979 the aggregate amount of each tax identified in this subparagraph
1980 and paid by all businesses participating in each economic
1981 incentive program.

1982 (b)~~1~~. The following information held by an economic



964468

1983 development agency relating to a specific business participating
1984 in an economic incentive program is no longer confidential or
1985 exempt 180 days after a final project order for an economic
1986 incentive agreement is issued, until a date specified in the
1987 final project order, or if the information is otherwise
1988 disclosed, whichever occurs first:

1989 1.a. The name of the qualified business.

1990 2.b. The total number of jobs the business committed to
1991 create or retain.

1992 3.e. The total number of jobs created or retained by the
1993 business.

1994 4.d. Notwithstanding s. 213.053(2), the amount of tax
1995 refunds, tax credits, or incentives awarded to, claimed by, or,
1996 if applicable, refunded to the state by the business.

1997 5.e. The anticipated total annual wages of employees the
1998 business committed to hire or retain.

1999 ~~2. For a business applying for certification under s.~~
2000 ~~288.1045 which is based on obtaining a new Department of Defense~~
2001 ~~contract, the total number of jobs expected and the amount of~~
2002 ~~tax refunds claimed may not be released until the new Department~~
2003 ~~of Defense contract is awarded.~~

2004 Section 42. Paragraphs (a), (c), and (e) of subsection (1),
2005 paragraph (e) of subsection (3), and subsections (6), (7), and
2006 (8) of section 288.076 are amended to read:

2007 288.076 Return on investment reporting for economic
2008 development programs.—

2009 (1) As used in this section, the term:

2010 (a) "Jobs" means full-time equivalent positions, including,
2011 but not limited to, positions obtained from a temporary



964468

2012 employment agency or employee leasing company or through a union
2013 agreement or coemployment under a professional employer
2014 organization agreement, that result directly from a project in
2015 this state. The term does not include temporary construction
2016 jobs involved with the construction of facilities for the
2017 project or any jobs previously included in any application for
2018 tax refunds ~~has the same meaning as provided in s.~~
2019 ~~288.106(2)(i).~~

2020 (c) "Project" means the creation of a new business or
2021 expansion of an existing business ~~has the same meaning as~~
2022 ~~provided in s. 288.106(2)(m).~~

2023 (e) "State investment" means any state grants, tax
2024 exemptions, tax refunds, tax credits, or other state incentives
2025 provided to a business under a program administered by the
2026 department, including the capital investment tax credit under s.
2027 220.191.

2028 (3) Within 48 hours after expiration of the period of
2029 confidentiality for project information deemed confidential and
2030 exempt pursuant to s. 288.075, the department shall publish the
2031 following information pertaining to each project:

2032 (e) *Project performance goals.*—

2033 1. The incremental direct jobs attributable to the project,
2034 identifying the number of jobs generated and the number of jobs
2035 retained.

2036 2. The number of jobs generated and the number of jobs
2037 retained by the project, and ~~for projects commencing after~~
2038 ~~October 1, 2013,~~ the average annual wage of persons holding such
2039 jobs.

2040 3. The incremental direct capital investment in the state



964468

2041 generated by the project.

2042 (6) Annually, the department shall publish information
2043 relating to the progress of Quick Action Closing Fund projects,
2044 awarded under former s. 288.1088, until all contracts are
2045 complete or terminated including the average number of days
2046 between the date the department receives a completed application
2047 and the date on which the application is approved.

2048 (7)(a) Within 48 hours after expiration of the period of
2049 confidentiality provided under s. 288.075, the department shall
2050 publish the contract or agreement described in s. 288.061,
2051 redacted to protect the participant business from disclosure of
2052 information that remains confidential or exempt by law.

2053 ~~(b) Within 48 hours after submitting any report of findings~~
2054 ~~and recommendations made pursuant to s. 288.106(7)(d) concerning~~
2055 ~~a business's failure to complete a tax refund agreement pursuant~~
2056 ~~to the tax refund program for qualified target industry~~
2057 ~~businesses, the department shall publish such report.~~

2058 ~~(8) For projects completed before October 1, 2013, the~~
2059 ~~department shall compile and, by October 1, 2014, shall publish~~
2060 ~~the information described in subsections (3), (4), and (5), to~~
2061 ~~the extent such information is available and applicable.~~

2062 Section 43. Section 288.095, Florida Statutes, is amended
2063 to read:

2064 288.095 Economic Development Trust Fund.—

2065 (1) The Economic Development Trust Fund is created within
2066 the department ~~of Economic Opportunity~~. Moneys deposited into
2067 the fund must be used only to support the authorized activities
2068 and operations of the department.

2069 (2) There is created, within the Economic Development Trust



964468

2070 Fund, the Economic Development Incentives Account. The Economic
2071 Development Incentives Account consists of moneys appropriated
2072 to the account for purposes of the tax incentives programs
2073 authorized under s. 288.107 and former s. 288.106 ~~ss. 288.1045~~
2074 ~~and 288.106~~, and local financial support provided under former
2075 s. 288.106 ~~ss. 288.1045 and 288.106~~. Moneys in the Economic
2076 Development Incentives Account shall be subject to the
2077 provisions of s. 216.301(1)(a).

2078 (3)(a) ~~The department may approve applications for~~
2079 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~
2080 The total state share of tax refund payments may not exceed \$35
2081 million.

2082 (b) The total amount of tax refund claims approved for
2083 payment by the department based on actual project performance
2084 may not exceed the amount appropriated to the Economic
2085 Development Incentives Account for such purposes for the fiscal
2086 year. Claims for tax refunds under s. 288.107 and former ~~ss.~~
2087 ~~288.1045 and 288.106~~ shall be paid in the order the claims are
2088 approved by the department. In the event the Legislature does
2089 not appropriate an amount sufficient to satisfy the tax refunds
2090 under s. 288.107 and former s. 288.106 ~~ss. 288.1045 and 288.106~~
2091 in a fiscal year, the department shall pay the tax refunds from
2092 the appropriation for the following fiscal year. By March 1 of
2093 each year, the department shall notify the legislative
2094 appropriations committees of the Senate and House of
2095 Representatives of any anticipated shortfall in the amount of
2096 funds needed to satisfy claims for tax refunds from the
2097 appropriation for the current fiscal year.

2098 (c) Moneys in the Economic Development Incentives Account



964468

2099 may be used only to pay tax refunds and make other payments
2100 authorized under ~~s. 288.1045, s. 288.106, or s. 288.107~~ or in
2101 agreements authorized under former s. 288.106. The department
2102 shall report within 10 days after the end of each quarter to the
2103 Office of Policy and Budget in the Executive Officer of the
2104 Governor, the chair of the Senate Appropriations Committee or
2105 its successor, and the chair of the House of Representatives
2106 Appropriations Committee or its successor regarding the status
2107 of payments made for all economic development programs
2108 administered by the department under this chapter, including s.
2109 288.107 and former ss. 288.106 and 288.108.

2110 (d) The department may adopt rules necessary to carry out
2111 ~~the provisions of~~ this subsection, including rules providing for
2112 the use of moneys in the Economic Development Incentives Account
2113 and for the administration of the Economic Development
2114 Incentives Account.

2115 (4) The department shall create a separate account for
2116 funds transferred from the former Enterprise Florida, Inc., held
2117 for payments for agreements under the Quick Action Closing Fund
2118 under former s. 288.1088 or the Innovation Incentive Program
2119 under former s. 288.1089. The department shall report within 10
2120 days after the end of each quarter to the Office of Policy and
2121 Budget in the Executive Office of the Governor, the chair of the
2122 Senate Appropriations Committee or its successor, and the chair
2123 of the House of Representatives Appropriations Committee or its
2124 successor regarding all escrow activity relating to both
2125 programs, including payments made pursuant to confirmed
2126 performance under the remaining contracts, payments returned to
2127 the state due to noncompliance, and contracts terminated due to



964468

2128 noncompliance. The department must transfer to the General
2129 Revenue Fund any payments returned to the state, either returned
2130 by the recipient or through action by the department to
2131 administratively or otherwise legally obtain repayment of funds,
2132 and any funds associated with terminated contracts.

2133 Section 44. Subsection (2) and paragraph (c) of subsection
2134 (3) of section 288.101, Florida Statutes, as amended by chapter
2135 2023-17, Laws of Florida, are amended to read:

2136 288.101 Florida Job Growth Grant Fund.—

2137 (2) The department ~~and Enterprise Florida, Inc.,~~ may
2138 identify projects, solicit proposals, and make funding
2139 recommendations to the Governor, who is authorized to approve:

2140 (a) State or local public infrastructure projects to
2141 promote:

- 2142 1. Economic recovery in specific regions of this state;
2143 2. Economic diversification; or
2144 3. Economic enhancement in a targeted industry.

2145 (b) State or local public infrastructure projects to
2146 facilitate the development or construction of affordable
2147 housing. This paragraph is repealed July 1, 2033.

2148 (c) ~~Infrastructure funding to accelerate the rehabilitation~~
2149 ~~of the Herbert Hoover Dike. The department or the South Florida~~
2150 ~~Water Management District may enter into agreements, as~~
2151 ~~necessary, with the United States Army Corps of Engineers to~~
2152 ~~implement this paragraph.~~

2153 ~~(d)~~ Workforce training grants to support programs at state
2154 colleges and state technical centers that provide participants
2155 with transferable, sustainable workforce skills applicable to
2156 more than a single employer, and for equipment associated with



2157 these programs. The department shall work with CareerSource
2158 Florida, Inc., to ensure programs are offered to the public
2159 based on criteria established by the state college or state
2160 technical center and do not exclude applicants who are
2161 unemployed or underemployed.

2162 (3) For purposes of this section:

2163 (c) "Targeted industry" means any industry identified in
2164 the most recent list provided to the Governor, the President of
2165 the Senate, and the Speaker of the House of Representatives in
2166 accordance with s. 288.005 ~~s. 288.106(2)(g)~~.

2167 Section 45. Section 288.1045, Florida Statutes, is
2168 repealed.

2169 Section 46. Section 288.106, Florida Statutes, is repealed.

2170 Section 47. Paragraphs (d) and (f) of subsection (1),
2171 subsection (2), paragraph (b) of subsection (3), subsection (4),
2172 and paragraph (b) of subsection (5) of section 288.107, Florida
2173 Statutes, are amended, and paragraph (c) is added to subsection
2174 (5) of that section, to read:

2175 288.107 Brownfield redevelopment bonus refunds.-

2176 (1) DEFINITIONS.-As used in this section:

2177 (d) "Eligible business" means:

2178 ~~1. A qualified target industry business as defined in s.~~
2179 ~~288.106(2); or~~

2180 ~~2.~~ a business that can demonstrate a fixed capital
2181 investment of at least \$2 million in mixed-use business
2182 activities, including multiunit housing, commercial, retail, and
2183 industrial in brownfield areas eligible for bonus refunds, and
2184 that provides benefits to its employees.

2185 (f) "Project" means the creation of a new business or the



964468

2186 expansion of an existing business ~~as defined in s. 288.106.~~

2187 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.—Bonus refunds
2188 shall be approved by the department as specified in the final
2189 order and allowed from the account as follows:

2190 ~~(a) A bonus refund of \$2,500 shall be allowed to any~~
2191 ~~qualified target industry business as defined in s. 288.106 for~~
2192 ~~each new Florida job created in a brownfield area eligible for~~
2193 ~~bonus refunds which is claimed on the qualified target industry~~
2194 ~~business's annual refund claim authorized in s. 288.106(6).~~

2195 ~~(b) a bonus refund of up to \$2,500 shall be allowed to any~~
2196 ~~other eligible business as defined in subparagraph (1)(d)2. for~~
2197 ~~each new Florida job created in a brownfield area eligible for~~
2198 ~~bonus refunds which is claimed under an annual claim procedure~~
2199 ~~similar to the annual refund claim authorized in former s.~~
2200 ~~288.106(6). The amount of the refund shall be equal to 20~~
2201 ~~percent of the average annual wage for the jobs created.~~

2202 (3) CRITERIA.—The minimum criteria for participation in the
2203 brownfield redevelopment bonus refund are:

2204 (b) The completion of a fixed capital investment of at
2205 least \$2 million in mixed-use business activities, including
2206 multiunit housing, commercial, retail, and industrial in
2207 brownfield areas eligible for bonus refunds, by an eligible
2208 business applying for a refund under subsection (2) ~~paragraph~~
2209 ~~(2)(b)~~ which provides benefits to its employees.

2210 (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

2211 (a) To be eligible to receive a bonus refund for new
2212 Florida jobs created in a brownfield area eligible for bonus
2213 refunds, a business must have been certified as an ~~a qualified~~
2214 ~~target industry business under s. 288.106~~ or eligible business



964468

2215 as defined in paragraph (1) (d) and must have indicated on the
2216 ~~qualified target industry business~~ tax refund application form
2217 ~~submitted to the department in accordance with s. 288.106(4) or~~
2218 ~~other similar agreement for other eligible business as defined~~
2219 ~~in paragraph (1) (d)~~ that the project for which the application
2220 is submitted is or will be located in a brownfield area eligible
2221 for bonus refunds and that the business is applying for
2222 certification as a qualified brownfield business under this
2223 section, and must have signed a ~~qualified target industry~~
2224 ~~business~~ tax refund agreement with the department that indicates
2225 that the business has been certified as a ~~qualified target~~
2226 ~~industry business~~ located in a brownfield area eligible for
2227 bonus refunds and specifies the schedule of brownfield
2228 redevelopment bonus refunds that the business may be eligible to
2229 receive in each fiscal year.

2230 (b) To be considered to receive an eligible brownfield
2231 redevelopment bonus refund payment, the business meeting the
2232 requirements of paragraph (a) must submit a claim once each
2233 fiscal year on a claim form approved by the department which
2234 indicates the location of the brownfield site for which a
2235 rehabilitation agreement with the Department of Environmental
2236 Protection or a local government delegated by the Department of
2237 Environmental Protection has been executed under s. 376.80, the
2238 address of the business facility's brownfield location, the name
2239 of the brownfield in which it is located, the number of jobs
2240 created, and the average wage of the jobs created by the
2241 business within the brownfield ~~as defined in s. 288.106 or other~~
2242 ~~eligible business as defined in paragraph (1) (d) and the~~
2243 ~~administrative rules and policies for that section.~~



964468

2244 (c) ~~The bonus refunds shall be available on the same~~
2245 ~~schedule as the qualified target industry tax refund payments~~
2246 ~~scheduled in the qualified target industry tax refund agreement~~
2247 ~~authorized in s. 288.106 or other similar agreement for other~~
2248 ~~eligible businesses as defined in paragraph (1)(e).~~

2249 ~~(d)~~ After entering into a tax refund agreement ~~as provided~~
2250 ~~in s. 288.106 or other similar agreement for other eligible~~
2251 ~~businesses as defined in paragraph (1)(e), an eligible business~~
2252 may receive brownfield redevelopment bonus refunds from the
2253 account:

2254 1. For both of the following taxes due and paid by that
2255 business beginning with the first taxable year of the business
2256 that begins after entering into the agreement:

2257 a. Corporate income taxes under chapter 220.

2258 b. Insurance premium tax under s. 624.509.

2259 2. For all of the following taxes due and paid by that
2260 business after entering into the agreement:

2261 a. Taxes on sales, use, and other transactions under
2262 chapter 212.

2263 b. Intangible personal property taxes under chapter 199.

2264 c. Excise taxes on documents under chapter 201.

2265 d. Ad valorem taxes paid, as defined in s. 220.03(1).

2266 e. State communications services taxes administered under
2267 chapter 202. This provision does not apply to the gross receipts
2268 tax imposed under chapter 203 and administered under chapter 202
2269 or the local communications services tax authorized under s.
2270 202.19 pursuant to s. 288.106(3)(d).

2271 ~~(d)(e)~~ An eligible business that fraudulently claims a
2272 refund under this section:



964468

2273 1. Is liable for repayment of the amount of the refund to
2274 the account, plus a mandatory penalty in the amount of 200
2275 percent of the tax refund, which shall be deposited into the
2276 General Revenue Fund.

2277 2. Commits a felony of the third degree, punishable as
2278 provided in s. 775.082, s. 775.083, or s. 775.084.

2279 (e)~~(f)~~ Applications shall be reviewed and certified
2280 pursuant to s. 288.061 before the business has made a decision
2281 to locate or expand a facility in this state. The department
2282 shall review all applications submitted ~~under s. 288.106 or~~
2283 ~~other similar application forms for other eligible businesses as~~
2284 ~~defined in paragraph (1)(d)~~ which indicate that the proposed
2285 project will be located in a brownfield area eligible for bonus
2286 refunds and determine, with the assistance of the Department of
2287 Environmental Protection, that the project location is within a
2288 brownfield area eligible for bonus refunds as provided in this
2289 act.

2290 (f)~~(g)~~ The department shall approve all claims for a
2291 brownfield redevelopment bonus refund payment that are found to
2292 meet the requirements of this section ~~paragraphs (b) and (d)~~.

2293 (g)~~(h)~~ The department, with such assistance as may be
2294 required from the Department of Environmental Protection, shall
2295 specify by written final order the amount of the brownfield
2296 redevelopment bonus refund that is authorized for the ~~qualified~~
2297 ~~target industry~~ business for the fiscal year within 30 days
2298 after the date that the claim for the annual tax refund is
2299 received by the department.

2300 (h)~~(i)~~ The total amount of the bonus refunds approved by
2301 the department under this section in any fiscal year must not



964468

2302 exceed the total amount appropriated to the Economic Development
2303 Incentives Account for this purpose for the fiscal year. In the
2304 event that the Legislature does not appropriate an amount
2305 sufficient to satisfy projections by the department for
2306 brownfield redevelopment bonus refunds under this section in a
2307 fiscal year, the department shall, not later than July 15 of
2308 such year, determine the proportion of each brownfield
2309 redevelopment bonus refund claim which shall be paid by dividing
2310 the amount appropriated for tax refunds for the fiscal year by
2311 the projected total of brownfield redevelopment bonus refund
2312 claims for the fiscal year. The amount of each claim for a
2313 brownfield redevelopment bonus tax refund shall be multiplied by
2314 the resulting quotient. If, after the payment of all such refund
2315 claims, funds remain in the Economic Development Incentives
2316 Account for brownfield redevelopment tax refunds, the department
2317 shall recalculate the proportion for each refund claim and
2318 adjust the amount of each claim accordingly.

2319 (i)~~(j)~~ Upon approval of the brownfield redevelopment bonus
2320 refund, payment shall be made for the amount specified in the
2321 final order. If the final order is appealed, payment may not be
2322 made for a refund to the ~~qualified target industry~~ business
2323 until the conclusion of all appeals of that order.

2324 (5) ADMINISTRATION.—

2325 (b) To facilitate the process of monitoring and auditing
2326 applications made under this program, the department may provide
2327 a list of ~~qualified target industry~~ businesses to the Department
2328 of Revenue, to the Department of Environmental Protection, or to
2329 any local government authority. The department may request the
2330 assistance of those entities with respect to monitoring the



964468

2331 payment of the taxes listed in paragraph (3)(c) ~~s. 288.106(3)~~.

2332 (c) The department may adopt rules, including an
2333 application form, to administer this section.

2334 Section 48. Paragraph (c) of subsection (2) and subsection
2335 (6) of section 288.108, Florida Statutes, is amended to read:

2336 288.108 High-impact business.—

2337 (2) DEFINITIONS.—As used in this section, the term:

2338 (c) "Eligible high-impact business" means a business in one
2339 of the high-impact sectors identified ~~by Enterprise Florida,~~
2340 ~~Ine., and certified~~ by the department as provided in subsection
2341 (5), which is making a cumulative investment in the state of at
2342 least \$50 million and creating at least 50 new full-time
2343 equivalent jobs in the state or a research and development
2344 facility making a cumulative investment of at least \$25 million
2345 and creating at least 25 new full-time equivalent jobs. Such
2346 investment and employment must be achieved in a period not to
2347 exceed 3 years after the date the business is certified as a
2348 qualified high-impact business.

2349 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT SECTORS.—

2350 (a) The department ~~Enterprise Florida, Inc.,~~ shall, by
2351 January 1, of every third year, beginning January 1, 2011,
2352 initiate the process of reviewing and, if appropriate, selecting
2353 a new high-impact sector for designation or recommending the
2354 deactivation of a designated high-impact sector. The process of
2355 reviewing designated high-impact sectors or recommending the
2356 deactivation of a designated high-impact sector shall be in
2357 consultation with ~~the department,~~ economic development
2358 organizations, the State University System, local governments,
2359 employee and employer organizations, market analysts, and



964468

2360 economists.

2361 (b) The department has authority, after meeting the
2362 requirements of this subsection ~~recommendation from Enterprise~~
2363 ~~Florida, Inc.~~, to designate a high-impact sector or to
2364 deauthorize a designated high-impact sector.

2365 (c) To begin the process of selecting and designating a new
2366 high-impact sector, the department ~~Enterprise Florida, Inc.~~,
2367 shall undertake a thorough study of the proposed sector. This
2368 study must consider the definition of the sector, including the
2369 types of facilities which characterize the sector that might
2370 qualify for a high-impact performance grant and whether a
2371 powerful incentive like the high-impact performance grant is
2372 needed to induce major facilities in the sector to locate or
2373 grow in this state; the benefits that major facilities in the
2374 sector have or could have on the state's economy and the
2375 relative significance of those benefits; the needs of the sector
2376 and major sector facilities, including natural, public, and
2377 human resources and benefits and costs with regard to these
2378 resources; the sector's current and future markets; the current
2379 fiscal and potential fiscal impacts of the sector, to both the
2380 state and its communities; any geographic opportunities or
2381 limitations with regard to the sector, including areas of the
2382 state most likely to benefit from the sector and areas unlikely
2383 to benefit from the sector; the state's advantages or
2384 disadvantages with regard to the sector; and the long-term
2385 expectations for the industry on a global level and in the
2386 state. If the department ~~Enterprise Florida, Inc.~~, finds
2387 favorable conditions for the designation of the sector as a
2388 high-impact sector, it shall include in the study



964468

2389 recommendations for a complete and comprehensive sector
2390 strategy, including appropriate marketing and workforce
2391 strategies for the entire sector and any recommendations ~~that~~
2392 ~~Enterprise Florida, Inc., may have~~ for statutory or policy
2393 changes needed to improve the state's business climate and to
2394 attract and grow Florida businesses, particularly small
2395 businesses, in the proposed sector. The study shall reflect the
2396 finding of the sector-business network specified in paragraph
2397 (d).

2398 (d) In conjunction with the study required in paragraph
2399 (c), the department ~~Enterprise Florida, Inc.,~~ shall develop and
2400 consult with a network of sector businesses. While this network
2401 may include non-Florida businesses, it must include any
2402 businesses currently within the state. If the number of Florida
2403 businesses in the sector is large, a representative cross-
2404 section of Florida sector businesses may form the core of this
2405 network.

2406 (e) The study and its findings and recommendations and the
2407 recommendations gathered from the sector-business network must
2408 be discussed and considered during at least one meeting per
2409 calendar year of leaders in business, government, education,
2410 workforce development, and economic development called by the
2411 Governor to address the business climate in the state, develop a
2412 common vision for the economic future of the state, and identify
2413 economic development efforts to fulfill that vision.

2414 (f) If after consideration of the completed study required
2415 in paragraph (c) and the input derived from consultation with
2416 the sector-business network in paragraph (d) and the meeting as
2417 required in paragraph (e), the department ~~board of directors of~~



964468

2418 ~~Enterprise Florida, Inc.,~~ finds that the sector will have
2419 exceptionally large and widespread benefits to the state and its
2420 citizens, relative to any public costs; that the sector is
2421 characterized by the types of facilities that require
2422 exceptionally large investments and provide employment
2423 opportunities to a relatively large number of workers in high-
2424 quality, high-income jobs that might qualify for a high-impact
2425 performance grant; and that given the competition for such
2426 businesses it may be necessary for the state to be able to offer
2427 a large inducement, such as a high-impact performance grant, to
2428 attract such a business to the state or to encourage businesses
2429 to continue to grow in the state, ~~the board of directors of~~
2430 ~~Enterprise Florida, Inc., may recommend that the department may~~
2431 ~~designate~~ consider the designation of the sector as a high-
2432 impact business sector or may-

2433 ~~(g) Upon receiving a recommendation from the board of~~
2434 ~~directors of Enterprise Florida, Inc., together with the study~~
2435 ~~required in paragraph (c) and a summary of the findings and~~
2436 ~~recommendations of the sector business network required in~~
2437 ~~paragraph (d), including a list of all meetings of the sector~~
2438 ~~network and participants in those meetings and the findings and~~
2439 ~~recommendations from the meeting as required in paragraph (e),~~
2440 ~~the department shall after a thorough evaluation of the study~~
2441 ~~and accompanying materials report its findings and either concur~~
2442 ~~in the recommendation of Enterprise Florida, Inc., and designate~~
2443 ~~the sector as a high-impact business sector or notify Enterprise~~
2444 ~~Florida, Inc., that it does not concur and deny the board's~~
2445 ~~request for designation or return the recommendation and study~~
2446 ~~to Enterprise Florida, Inc., for further evaluation. In any~~



2447 case, the department's decision must be in writing and justify
2448 the reasons for the decision.

2449 (g) ~~(h)~~ If the department designates the sector as a high-
2450 impact sector, it shall, within 30 days, notify the Governor,
2451 the President of the Senate, and the Speaker of the House of
2452 Representatives of its decision and provide a complete report on
2453 its decision, including copies of the material compiled in the
2454 evaluation, studies, and meetings required under this subsection
2455 ~~provided by Enterprise Florida, Inc.,~~ and the department's
2456 evaluation and comment on any statutory or policy changes
2457 ~~recommended by Enterprise Florida, Inc.~~

2458 (h) ~~(i)~~ For the purposes of this subsection, a high-impact
2459 sector consists of the silicon technology sector ~~that Enterprise~~
2460 ~~Florida, Inc., has~~ found to be focused around the type of high-
2461 impact businesses for which the incentive created in this
2462 subsection is required and will create the kinds of sector and
2463 economy wide benefits that justify the use of state resources to
2464 encourage these investments and require substantial inducements
2465 to compete with the incentive packages offered by other states
2466 and nations.

2467 Section 49. Section 288.1081, Florida Statutes, is
2468 repealed.

2469 Section 50. Section 288.1082, Florida Statutes, is
2470 repealed.

2471 Section 51. Section 288.1088, Florida Statutes, is
2472 repealed.

2473 Section 52. Section 288.1089, Florida Statutes, is
2474 repealed.

2475 Section 53. Section 288.111, Florida Statutes, is amended



964468

2476 to read:

2477 288.111 Information concerning local manufacturing
2478 development programs.—The department shall develop materials
2479 that identify each local government that establishes a local
2480 manufacturing development program under s. 163.3252. The
2481 materials, which the department may elect to develop and
2482 maintain in electronic format or in any other format deemed by
2483 the department to provide public access, must be updated at
2484 least annually. ~~Enterprise Florida, Inc., shall, and other State~~
2485 ~~agencies may,~~ distribute the materials to prospective, new,
2486 expanding, and relocating businesses seeking to conduct business
2487 in this state.

2488 Section 54. Subsection (7) of section 288.11621, Florida
2489 Statutes, is amended to read:

2490 288.11621 Spring training baseball franchises.—

2491 (7) STRATEGIC PLANNING.—The department shall request
2492 assistance from ~~Enterprise Florida, Inc., and the Florida~~
2493 Grapefruit League Association to develop a comprehensive
2494 strategic plan to:

2495 (a) Finance spring training facilities.

2496 (b) Monitor and oversee the use of state funds awarded to
2497 applicants.

2498 (c) Identify the financial impact that spring training has
2499 on the state and ways in which to maintain or improve that
2500 impact.

2501 (d) Identify opportunities to develop public-private
2502 partnerships to engage in marketing activities and advertise
2503 spring training baseball.

2504 (e) Identify efforts made by other states to maintain or



964468

2505 develop partnerships with baseball spring training teams.

2506 (f) Develop recommendations for the Legislature to sustain
2507 or improve this state's spring training tradition.

2508 Section 55. Paragraph (c) of subsection (2) and paragraphs
2509 (a), (c), and (d) of subsection (3) of section 288.11631,
2510 Florida Statutes, are amended to read:

2511 288.11631 Retention of Major League Baseball spring
2512 training baseball franchises.—

2513 (2) CERTIFICATION PROCESS.—

2514 (c) Each applicant certified on or after July 1, 2013,
2515 shall enter into an agreement with the department which:

2516 1. Specifies the amount of the state incentive funding to
2517 be distributed. The amount of state incentive funding per
2518 certified applicant may not exceed \$20 million. However, if a
2519 certified applicant's facility is used by more than one spring
2520 training franchise, the maximum amount may not exceed \$50
2521 million, and the Department of Revenue shall make distributions
2522 to the applicant pursuant to s. 212.20(6)(d)6.c. ~~s.~~
2523 ~~212.20(6)(d)6.e.~~

2524 2. States the criteria that the certified applicant must
2525 meet in order to remain certified. These criteria must include a
2526 provision stating that the spring training franchise must
2527 reimburse the state for any funds received if the franchise does
2528 not comply with the terms of the contract. If bonds were issued
2529 to construct or renovate a facility for a spring training
2530 franchise, the required reimbursement must be equal to the total
2531 amount of state distributions expected to be paid from the date
2532 the franchise violates the agreement with the applicant through
2533 the final maturity of the bonds.



964468

2534 3. States that the certified applicant is subject to
2535 decertification if the certified applicant fails to comply with
2536 this section or the agreement.

2537 4. States that the department may recover state incentive
2538 funds if the certified applicant is decertified.

2539 5. Specifies the information that the certified applicant
2540 must report to the department.

2541 6. Includes any provision deemed prudent by the department.

2542 (3) USE OF FUNDS.—

2543 (a) A certified applicant may use funds provided under s.
2544 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ only to:

2545 1. Serve the public purpose of constructing or renovating a
2546 facility for a spring training franchise.

2547 2. Pay or pledge for the payment of debt service on, or to
2548 fund debt service reserve funds, arbitrage rebate obligations,
2549 or other amounts payable with respect thereto, bonds issued for
2550 the construction or renovation of such facility, or for the
2551 reimbursement of such costs or the refinancing of bonds issued
2552 for such purposes.

2553 (c) The Department of Revenue may not distribute funds
2554 under s. 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ until July 1,
2555 2016. Further, the Department of Revenue may not distribute
2556 funds to an applicant certified on or after July 1, 2013, until
2557 it receives notice from the department that:

2558 1. The certified applicant has encumbered funds under
2559 either subparagraph (a)1. or subparagraph (a)2.; and

2560 2. If applicable, any existing agreement with a spring
2561 training franchise for the use of a facility has expired.

2562 (d)1. All certified applicants shall place unexpended state



964468

2563 funds received pursuant to s. 212.20(6)(d)6.c. ~~s.~~
2564 ~~212.20(6)(d)6.e.~~ in a trust fund or separate account for use
2565 only as authorized in this section.

2566 2. A certified applicant may request that the department
2567 notify the Department of Revenue to suspend further
2568 distributions of state funds made available under s.
2569 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ for 12 months after
2570 expiration of an existing agreement with a spring training
2571 franchise to provide the certified applicant with an opportunity
2572 to enter into a new agreement with a spring training franchise,
2573 at which time the distributions shall resume.

2574 3. The expenditure of state funds distributed to an
2575 applicant certified after July 1, 2013, must begin within 48
2576 months after the initial receipt of the state funds. In
2577 addition, the construction or renovation of a spring training
2578 facility must be completed within 24 months after the project's
2579 commencement.

2580 Section 56. Section 288.1168, Florida Statutes, is
2581 repealed.

2582 Section 57. Section 288.1169, Florida Statutes, is
2583 repealed.

2584 Section 58. Section 288.122, Florida Statutes, is amended
2585 to read:

2586 288.122 Tourism Promotional Trust Fund.—There is created
2587 within the department the Tourism Promotional Trust Fund. Moneys
2588 deposited in the Tourism Promotional Trust Fund shall only be
2589 used to support the authorized activities and operations and the
2590 tourism promotion and marketing activities, services, functions,
2591 and programs administered by the department ~~Enterprise Florida,~~



2592 ~~Inc.~~, through a contract with the direct-support organization
2593 created under s. 288.1226.

2594 Section 59. Subsections (2), (3), and (4), paragraphs (a),
2595 (c), (g), (h), (i), and (k) of subsection (5), and subsections
2596 (7) and (8) of section 288.1226, Florida Statutes, as amended by
2597 chapter 2023-20, Laws of Florida, are amended to read:

2598 288.1226 Florida Tourism Industry Marketing Corporation;
2599 use of property; board of directors; duties; audit.—

2600 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
2601 Corporation is a direct-support organization of the department
2602 ~~Enterprise Florida, Inc.~~

2603 (a) The Florida Tourism Industry Marketing Corporation is a
2604 corporation not for profit, as defined in s. 501(c)(6) of the
2605 Internal Revenue Code of 1986, as amended, that is incorporated
2606 under the provisions of chapter 617 and approved by the
2607 Department of State.

2608 (b) The corporation is organized and operated exclusively
2609 to request, receive, hold, invest, and administer property and
2610 to manage and make expenditures for the operation of the
2611 activities, services, functions, and programs of this state
2612 which relate to the statewide, national, and international
2613 promotion and marketing of tourism.

2614 (c)1. The corporation is not an agency for the purposes of
2615 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,
2616 relating to leasing of buildings; ss. 283.33 and 283.35,
2617 relating to bids for printing; s. 215.31; and parts I, II, and
2618 IV-VIII of chapter 112. However, the corporation shall comply
2619 with the per diem and travel expense provisions of s. 112.061.

2620 2. It is not a violation of s. 112.3143(2) or (4) for the



964468

2621 officers or members of the board of directors of the corporation
2622 to:

2623 a. Vote on the 4-year marketing plan required under s.
2624 288.12261 ~~s. 288.923~~ or vote on any individual component of or
2625 amendment to the plan.

2626 b. Participate in the establishment or calculation of
2627 payments related to the private match requirements of subsection
2628 (6). The officer or member must file an annual disclosure
2629 describing the nature of his or her interests or the interests
2630 of his or her principals, including corporate parents and
2631 subsidiaries of his or her principal, in the private match
2632 requirements. This annual disclosure requirement satisfies the
2633 disclosure requirement of s. 112.3143(4). This disclosure must
2634 be placed on the corporation's website or included in the
2635 minutes of each meeting of the corporation's board of directors
2636 at which the private match requirements are discussed or voted
2637 upon.

2638 (d) The corporation is subject to the provisions of chapter
2639 119, relating to public meetings, and those provisions of
2640 chapter 286 relating to public meetings and records.

2641 (3) USE OF PROPERTY.—The department ~~Enterprise Florida,~~
2642 ~~Inc.:~~

2643 (a) Is authorized to permit the use of property and
2644 facilities of the department ~~Enterprise Florida, Inc.,~~ by the
2645 corporation, subject to the provisions of this section.

2646 (b) Shall prescribe conditions with which the corporation
2647 must comply in order to use property and facilities of the
2648 department ~~Enterprise Florida, Inc.~~ Such conditions shall
2649 provide for budget and audit review and for oversight by the



964468

2650 department ~~Enterprise Florida, Inc.~~

2651 (c) May not permit the use of property and facilities of
2652 the department ~~Enterprise Florida, Inc.~~, if the corporation does
2653 not provide equal employment opportunities to all persons,
2654 regardless of race, color, national origin, sex, age, or
2655 religion.

2656 (4) BOARD OF DIRECTORS.—The board of directors of the
2657 corporation shall be composed of 31 tourism-industry-related
2658 members, appointed by ~~Enterprise Florida, Inc.~~, in conjunction
2659 ~~with~~ the department. Board members shall serve without
2660 compensation, but are entitled to receive reimbursement for per
2661 diem and travel expenses pursuant to s. 112.061. Such expenses
2662 must be paid out of funds of the corporation. The board shall be
2663 composed of all of the following members:

2664 (a) Sixteen members, appointed in such a manner as to
2665 equitably represent all geographic areas of this state, with no
2666 fewer than two members from any of the following regions:

2667 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,
2668 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
2669 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

2670 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
2671 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
2672 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
2673 Taylor, and Union Counties.

2674 3. Region 3, composed of Brevard, Indian River, Lake,
2675 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
2676 Volusia Counties.

2677 4. Region 4, composed of Citrus, Hernando, Hillsborough,
2678 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.



964468

2679 5. Region 5, composed of Charlotte, Collier, DeSoto,
2680 Glades, Hardee, Hendry, Highlands, and Lee Counties.

2681 6. Region 6, composed of Broward, Martin, Miami-Dade,
2682 Monroe, and Palm Beach Counties.

2683 (b) The following industry and organization
2684 representatives: 1 representative from the statewide rental car
2685 industry; 7 representatives from tourist-related statewide
2686 associations, including those that represent hotels,
2687 campgrounds, county destination marketing organizations,
2688 museums, restaurants, retail, and attractions; 3 representatives
2689 from county destination marketing organizations; 1
2690 representative from the cruise industry; 1 representative from
2691 an automobile and travel services membership organization that
2692 has at least 2.8 million members in Florida; 1 representative
2693 from the airline industry; 1 representative from the nature-
2694 based tourism industry; and 1 representative from the space
2695 tourism industry, who will each serve for a term of 2 years.

2696 (5) POWERS AND DUTIES.—The corporation, in the performance
2697 of its duties:

2698 (a) May make and enter into contracts and assume such other
2699 functions as are necessary to carry out the provisions of the 4-
2700 year marketing plan required by s. 288.12261 ~~s. 288.923~~, and the
2701 corporation's contract with the department Enterprise Florida,
2702 ~~Inc.~~, which are not inconsistent with this or any other
2703 provision of law. A proposed contract with a total cost of
2704 \$750,000 or more is subject to the notice and review procedures
2705 of s. 216.177. If the chair and vice chair of the Legislative
2706 Budget Commission, or the President of the Senate and the
2707 Speaker of the House of Representatives, timely advise the



964468

2708 corporation in writing that such proposed contract is contrary
2709 to legislative policy and intent, the corporation may not
2710 execute such proposed contract. The corporation may not enter
2711 into multiple related contracts to avoid the requirements of
2712 this paragraph.

2713 (c) May establish a cooperative marketing program with
2714 other public and private entities which allows the use of the
2715 VISIT Florida logo in tourism promotion campaigns which meet the
2716 standards of the department ~~Enterprise Florida, Inc.~~, for which
2717 the corporation may charge a reasonable fee.

2718 (g) Shall hire and establish salaries and personnel and
2719 employee benefit programs for such permanent and temporary
2720 employees as are necessary to carry out the provisions of the 4-
2721 year marketing plan and the corporation's contract with the
2722 department ~~Enterprise Florida, Inc.~~, which are not inconsistent
2723 with this or any other provision of law. However, an employee
2724 may not receive public compensation for employment that exceeds
2725 the salary and benefits authorized to be paid to the Governor.
2726 Any public payments of performance bonuses or severance pay to
2727 employees of the corporation are prohibited unless specifically
2728 authorized by law.

2729 (h) May adopt, change, amend, and repeal bylaws, not
2730 inconsistent with law or its articles of incorporation, for the
2731 administration of the provisions of the 4-year marketing plan
2732 and the corporation's contract with the department ~~Enterprise~~
2733 ~~Florida, Inc.~~

2734 (i) May conduct its affairs, carry on its operations, and
2735 have offices and exercise the powers granted by this act in any
2736 state, territory, district, or possession of the United States



964468

2737 or any foreign country. Where feasible, appropriate, and
2738 recommended by the 4-year marketing plan ~~developed by the~~
2739 ~~Division of Tourism Promotion of Enterprise Florida, Inc.~~, the
2740 corporation may collocate the programs of foreign tourism
2741 offices in cooperation with any foreign office operated by any
2742 agency of this state.

2743 (k) May request or accept any grant, payment, or gift, of
2744 funds or property made by this state or by the United States or
2745 any department or agency thereof or by any individual, firm,
2746 corporation, municipality, county, or organization for any or
2747 all of the purposes of the 4-year marketing plan and the
2748 corporation's contract with the department ~~Enterprise Florida,~~
2749 ~~Inc.~~, that are not inconsistent with this or any other provision
2750 of law. Such funds shall be deposited in a bank account
2751 established by the corporation's board of directors. The
2752 corporation may expend such funds in accordance with the terms
2753 and conditions of any such grant, payment, or gift, in the
2754 pursuit of its administration or in support of the programs it
2755 administers. The corporation shall separately account for the
2756 public funds and the private funds deposited into the
2757 corporation's bank account.

2758 (7) ANNUAL AUDIT.—The corporation shall provide for an
2759 annual financial audit in accordance with s. 215.981. The annual
2760 audit report shall be submitted to the Auditor General; the
2761 Office of Program Policy Analysis and Government Accountability;
2762 ~~Enterprise Florida, Inc.~~; and the department for review. The
2763 Office of Program Policy Analysis and Government Accountability;
2764 ~~Enterprise Florida, Inc.~~; the department; and the Auditor
2765 General have the authority to require and receive from the



964468

2766 corporation or from its independent auditor any detail or
2767 supplemental data relative to the operation of the corporation.
2768 The department shall annually certify whether the corporation is
2769 operating in a manner and achieving the objectives that are
2770 consistent with the policies and goals of the department
2771 ~~Enterprise Florida, Inc.~~, and its long-range marketing plan. The
2772 identity of a donor or prospective donor to the corporation who
2773 desires to remain anonymous and all information identifying such
2774 donor or prospective donor are confidential and exempt from the
2775 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
2776 Constitution. Such anonymity shall be maintained in the
2777 auditor's report.

2778 (8) REPORT.—The corporation shall provide to the department
2779 a quarterly report that ~~to Enterprise Florida, Inc.~~, which
2780 shall:

2781 (a) Measures ~~Measure~~ the current vitality of the visitor
2782 industry of this state as compared to the vitality of such
2783 industry for the year to date and for comparable quarters of
2784 past years. Indicators of vitality shall be determined by the
2785 department ~~Enterprise Florida, Inc.~~, and shall include, but not
2786 be limited to, estimated visitor count and party size, length of
2787 stay, average expenditure per party, and visitor origin and
2788 destination.

2789 (b) Provides ~~Provide~~ detailed, unaudited financial
2790 statements of sources and uses of public and private funds.

2791 (c) Measures ~~Measure~~ progress toward ~~towards~~ annual goals
2792 and objectives set forth in the 4-year marketing plan.

2793 (d) Reviews ~~Review~~ all pertinent research findings.

2794 (e) Provides ~~Provide~~ other measures of accountability as



964468

2795 requested by the department ~~Enterprise Florida, Inc.~~

2796

2797 The corporation must take all steps necessary to provide all
2798 data that is used to develop the report, including source data,
2799 to the Office of Economic and Demographic Research.

2800 Section 60. Section 288.12265, Florida Statutes, is amended
2801 to read:

2802 288.12265 Welcome centers.—

2803 (1) Responsibility for the welcome centers is assigned to
2804 ~~Enterprise Florida, Inc., which shall contract with the Florida~~
2805 ~~Tourism Industry Marketing Corporation to employ all welcome~~
2806 ~~center staff.~~

2807 (2) The Florida Tourism Industry Marketing Corporation
2808 ~~Enterprise Florida, Inc.,~~ shall administer and operate the
2809 welcome centers and, pursuant to a contract with the Department
2810 of Transportation, ~~Enterprise Florida, Inc.,~~ shall be
2811 responsible for routine repair, replacement, or improvement and
2812 the day-to-day management of interior areas occupied by the
2813 welcome centers. All other repairs, replacements, or
2814 improvements to the welcome centers shall be the responsibility
2815 of the Department of Transportation. ~~Enterprise Florida, Inc.,~~
2816 ~~may contract with the Florida Tourism Industry Marketing~~
2817 ~~Corporation for the management and operation of the welcome~~
2818 ~~centers.~~

2819 Section 61. Notwithstanding the repeal of section 288.1229,
2820 Florida Statutes, in s. 485, chapter 2011-142, Laws of Florida,
2821 that section is revived, readopted, and amended to read:

2822 288.1229 Promotion and development of sports-related
2823 industries and amateur athletics; direct-support organization



964468

2824 established; powers and duties.-

2825 (1) The department shall establish a direct-support
2826 organization known as the Florida Sports Foundation. The
2827 foundation shall ~~The Office of Tourism, Trade, and Economic~~
2828 ~~Development may authorize a direct-support organization to~~
2829 assist the department ~~office~~ in:

2830 (a) The promotion and development of the sports industry
2831 and related industries for the purpose of improving the economic
2832 presence of these industries in Florida.

2833 (b) The promotion of amateur athletic participation for the
2834 citizens of Florida and the promotion of Florida as a host for
2835 national and international amateur athletic competitions for the
2836 purpose of encouraging and increasing the direct and ancillary
2837 economic benefits of amateur athletic events and competitions.

2838 (c) The retention of professional sports franchises,
2839 including the spring training operations of Major League
2840 Baseball.

2841 (2) The Florida Sports Foundation ~~To be authorized as a~~
2842 ~~direct-support organization, an organization~~ must:

2843 (a) Be incorporated as a corporation not for profit
2844 pursuant to chapter 617.

2845 (b) Be governed by a board of directors, which must consist
2846 of up to 15 members appointed by the Governor ~~and up to 15~~
2847 ~~members appointed by the existing board of directors~~. In making
2848 appointments, the governor ~~board~~ must consider a potential
2849 member's background in community service and sports activism in,
2850 and financial support of, the sports industry, professional
2851 sports, or organized amateur athletics. Members must be
2852 residents of the state and highly knowledgeable about or active



964468

2853 in professional or organized amateur sports.

2854 a. The board must contain representatives of all
2855 geographical regions of the state and must represent ethnic and
2856 gender diversity.

2857 b. The terms of office of the members shall be 4 years. No
2858 member may serve more than two consecutive terms. The Governor
2859 may remove any member for cause and shall fill all vacancies
2860 that occur.

2861 (c) Have as its purpose, as stated in its articles of
2862 incorporation, to receive, hold, invest, and administer
2863 property; to raise funds and receive gifts; and to promote and
2864 develop the sports industry and related industries for the
2865 purpose of increasing the economic presence of these industries
2866 in Florida.

2867 (d) Have a prior determination by the department ~~Office of~~
2868 ~~Tourism, Trade, and Economic Development~~ that the foundation
2869 ~~organization~~ will benefit the department ~~office~~ and act in the
2870 best interests of the state as a direct-support organization to
2871 the department ~~office~~.

2872 (3) The Florida Sports Foundation shall operate under
2873 contract with the department. The contract must provide ~~Office~~
2874 ~~of Tourism, Trade, and Economic Development shall contract with~~
2875 ~~the organization and shall include in the contract that:~~

2876 (a) The department ~~office~~ may review the foundation's
2877 ~~organization's~~ articles of incorporation.

2878 (b) The foundation ~~organization~~ shall submit an annual
2879 budget proposal to the department ~~office~~, on a form provided by
2880 the department ~~office~~, in accordance with department ~~office~~
2881 procedures for filing budget proposals based upon the



964468

2882 recommendation of the department office.

2883 (c) Any funds that the foundation organization holds in
2884 trust will revert to the state upon the expiration or
2885 cancellation of the contract.

2886 (d) The foundation organization is subject to an annual
2887 financial and performance review by the department office to
2888 determine whether the foundation organization is complying with
2889 the terms of the contract and whether it is acting in a manner
2890 consistent with the goals of the department office and in the
2891 best interests of the state.

2892 (e) The fiscal year of the foundation begins organization
2893 ~~will begin~~ July 1 of each year and ends end June 30 of the next
2894 ensuing year.

2895 (4) The department Office of Tourism, Trade, and Economic
2896 Development may allow the foundation organization to use the
2897 property, facilities, personnel, and services of the department
2898 office if the foundation organization provides equal employment
2899 opportunities to all persons regardless of race, color,
2900 religion, sex, age, or national origin, subject to the approval
2901 of the executive director of the department office.

2902 (5) The foundation organization shall provide for an annual
2903 financial audit in accordance with s. 215.981.

2904 (6) The foundation organization is not granted any taxing
2905 power.

2906 (7) ~~In exercising the power provided in this section, the~~
2907 ~~Office of Tourism, Trade, and Economic Development may authorize~~
2908 ~~and contract with the direct-support organization existing on~~
2909 ~~June 30, 1996, and authorized by the former Florida Department~~
2910 ~~of Commerce to promote sports-related industries. An appointed~~



964468

2911 ~~member of the board of directors of such direct support~~
2912 ~~organization as of June 30, 1996, may serve the remainder of his~~
2913 ~~or her unexpired term.~~

2914 ~~(8)~~ To promote amateur sports and physical fitness, the
2915 ~~foundation direct-support organization~~ shall:

2916 (a) Develop, foster, and coordinate services and programs
2917 for amateur sports for the people of Florida.

2918 (b) Sponsor amateur sports workshops, clinics, conferences,
2919 and other similar activities.

2920 (c) Give recognition to outstanding developments and
2921 achievements in, and contributions to, amateur sports.

2922 (d) Encourage, support, and assist local governments and
2923 communities in the development of or hosting of local amateur
2924 athletic events and competitions.

2925 (e) Promote Florida as a host for national and
2926 international amateur athletic competitions.

2927 (f) Develop ~~a~~ statewide programs ~~program~~ of amateur
2928 athletic competition to be known as the "Florida Senior Games"
2929 and the "Sunshine State Games."

2930 (g) Continue the successful amateur sports programs
2931 previously conducted by the Florida Governor's Council on
2932 Physical Fitness and Amateur Sports created under former s.
2933 14.22.

2934 (h) Encourage and continue the use of volunteers in its
2935 amateur sports programs to the maximum extent possible.

2936 (i) Develop, foster, and coordinate services and programs
2937 designed to encourage the participation of Florida's youth in
2938 Olympic sports activities and competitions.

2939 (j) Foster and coordinate services and programs designed to



964468

2940 contribute to the physical fitness of the citizens of Florida.

2941 ~~(8)-(9)~~(a) The Sunshine State Games and Florida Senior Games
2942 shall both be patterned after the Summer Olympics with
2943 variations as necessitated by availability of facilities,
2944 equipment, and expertise. The games shall be designed to
2945 encourage the participation of athletes representing a broad
2946 range of age groups, skill levels, and Florida communities.
2947 ~~Participants shall be residents of this state. Regional~~
2948 ~~competitions shall be held throughout the state, and the top~~
2949 ~~qualifiers in each sport shall proceed to the final competitions~~
2950 ~~to be held at a site in the state with the necessary facilities~~
2951 ~~and equipment for conducting the competitions.~~

2952 (b) The department ~~Executive Office of the Governor~~ is
2953 authorized to permit the use of property, facilities, and
2954 personal services of or at any State University System facility
2955 or institution by the direct-support organization operating the
2956 Sunshine State Games and Florida Senior Games. For the purposes
2957 of this paragraph, personal services includes full-time or part-
2958 time personnel as well as payroll processing.

2959 Section 62. Section 288.125, Florida Statutes, is amended
2960 to read:

2961 288.125 Definition of "entertainment industry."—For the
2962 purposes of s. 288.1258 ~~ss. 288.1251-288.1258~~, the term
2963 "entertainment industry" means those persons or entities engaged
2964 in the operation of motion picture or television studios or
2965 recording studios; those persons or entities engaged in the
2966 preproduction, production, or postproduction of motion pictures,
2967 made-for-television movies, television programming, digital
2968 media projects, commercial advertising, music videos, or sound



964468

2969 recordings; and those persons or entities providing products or
2970 services directly related to the preproduction, production, or
2971 postproduction of motion pictures, made-for-television movies,
2972 television programming, digital media projects, commercial
2973 advertising, music videos, or sound recordings, including, but
2974 not limited to, the broadcast industry.

2975 Section 63. Section 288.1251, Florida Statutes, is
2976 repealed.

2977 Section 64. Section 288.1252, Florida Statutes, is
2978 repealed.

2979 Section 65. Section 288.1253, Florida Statutes, is
2980 repealed.

2981 Section 66. Section 288.1254, Florida Statutes, is
2982 repealed.

2983 Section 67. Section 288.1258, Florida Statutes, is amended
2984 to read:

2985 288.1258 Entertainment industry qualified production
2986 companies; application procedure; categories; duties of the
2987 Department of Revenue; records and reports.—

2988 (1) PRODUCTION COMPANIES AUTHORIZED TO APPLY.—

2989 (a) Any production company engaged in this state in the
2990 production of motion pictures, made-for-TV motion pictures,
2991 television series, commercial advertising, music videos, or
2992 sound recordings may submit an application to the Department of
2993 Revenue to be approved by the department ~~Office of Film and~~
2994 ~~Entertainment~~ as a qualified production company for the purpose
2995 of receiving a sales and use tax certificate of exemption from
2996 the Department of Revenue.

2997 (b) For the purposes of this section, "qualified production



964468

2998 company" means any production company that has submitted a
2999 properly completed application to the Department of Revenue and
3000 that is subsequently qualified by the department ~~Office of Film~~
3001 ~~and Entertainment~~.

3002 (2) APPLICATION PROCEDURE.—

3003 (a) The Department of Revenue will review all submitted
3004 applications for the required information. Within 10 working
3005 days after the receipt of a properly completed application, the
3006 Department of Revenue will forward the completed application to
3007 the department ~~Office of Film and Entertainment~~ for approval.

3008 (b)1. The department ~~Office of Film and Entertainment~~ shall
3009 establish a process by which an entertainment industry
3010 production company may be approved by the department ~~office~~ as a
3011 qualified production company and may receive a certificate of
3012 exemption from the Department of Revenue for the sales and use
3013 tax exemptions under ss. 212.031, 212.06, and 212.08.

3014 2. Upon determination by the department ~~Office of Film and~~
3015 ~~Entertainment~~ that a production company meets the established
3016 approval criteria and qualifies for exemption, the department
3017 ~~Office of Film and Entertainment~~ shall return the approved
3018 application or application renewal or extension to the
3019 Department of Revenue, which shall issue a certificate of
3020 exemption.

3021 3. The department ~~Office of Film and Entertainment~~ shall
3022 deny an application or application for renewal or extension from
3023 a production company if it determines that the production
3024 company does not meet the established approval criteria.

3025 (c) The department ~~Office of Film and Entertainment~~ shall
3026 develop, with the cooperation of the Department of Revenue and



964468

3027 local government entertainment industry promotion agencies, a
3028 standardized application form for use in approving qualified
3029 production companies.

3030 1. The application form shall include, but not be limited
3031 to, production-related information on employment, proposed
3032 budgets, planned purchases of items exempted from sales and use
3033 taxes under ss. 212.031, 212.06, and 212.08, a signed
3034 affirmation from the applicant that any items purchased for
3035 which the applicant is seeking a tax exemption are intended for
3036 use exclusively as an integral part of entertainment industry
3037 preproduction, production, or postproduction activities engaged
3038 in primarily in this state, and a signed affirmation from the
3039 department ~~Office of Film and Entertainment~~ that the information
3040 on the application form has been verified and is correct. In
3041 lieu of information on projected employment, proposed budgets,
3042 or planned purchases of exempted items, a production company
3043 seeking a 1-year certificate of exemption may submit summary
3044 historical data on employment, production budgets, and purchases
3045 of exempted items related to production activities in this
3046 state. Any information gathered from production companies for
3047 the purposes of this section shall be considered confidential
3048 taxpayer information and shall be disclosed only as provided in
3049 s. 213.053.

3050 2. The application form may be distributed to applicants by
3051 the department ~~Office of Film and Entertainment~~ or local film
3052 commissions.

3053 (d) All applications, renewals, and extensions for
3054 designation as a qualified production company shall be processed
3055 by the department ~~Office of Film and Entertainment~~.



964468

3056 (e) In the event that the Department of Revenue determines
3057 that a production company no longer qualifies for a certificate
3058 of exemption, or has used a certificate of exemption for
3059 purposes other than those authorized by this section and chapter
3060 212, the Department of Revenue shall revoke the certificate of
3061 exemption of that production company, and any sales or use taxes
3062 exempted on items purchased or leased by the production company
3063 during the time such company did not qualify for a certificate
3064 of exemption or improperly used a certificate of exemption shall
3065 become immediately due to the Department of Revenue, along with
3066 interest and penalty as provided by s. 212.12. In addition to
3067 the other penalties imposed by law, any person who knowingly and
3068 willfully falsifies an application, or uses a certificate of
3069 exemption for purposes other than those authorized by this
3070 section and chapter 212, commits a felony of the third degree,
3071 punishable as provided in ss. 775.082, 775.083, and 775.084.

3072 (3) CATEGORIES.—

3073 (a)1. A production company may be qualified for designation
3074 as a qualified production company for a period of 1 year if the
3075 company has operated a business in Florida at a permanent
3076 address for a period of 12 consecutive months. Such a qualified
3077 production company shall receive a single 1-year certificate of
3078 exemption from the Department of Revenue for the sales and use
3079 tax exemptions under ss. 212.031, 212.06, and 212.08, which
3080 certificate shall expire 1 year after issuance or upon the
3081 cessation of business operations in the state, at which time the
3082 certificate shall be surrendered to the Department of Revenue.

3083 2. The department ~~Office of Film and Entertainment~~ shall
3084 develop a method by which a qualified production company may



964468

3085 annually renew a 1-year certificate of exemption for a period of
3086 up to 5 years without requiring the production company to
3087 resubmit a new application during that 5-year period.

3088 3. Any qualified production company may submit a new
3089 application for a 1-year certificate of exemption upon the
3090 expiration of that company's certificate of exemption.

3091 (b)1. A production company may be qualified for designation
3092 as a qualified production company for a period of 90 days. Such
3093 production company shall receive a single 90-day certificate of
3094 exemption from the Department of Revenue for the sales and use
3095 tax exemptions under ss. 212.031, 212.06, and 212.08, which
3096 certificate shall expire 90 days after issuance, with extensions
3097 contingent upon approval of the department ~~Office of Film and~~
3098 ~~Entertainment~~. The certificate shall be surrendered to the
3099 Department of Revenue upon its expiration.

3100 2. Any production company may submit a new application for
3101 a 90-day certificate of exemption upon the expiration of that
3102 company's certificate of exemption.

3103 (4) DUTIES OF THE DEPARTMENT OF REVENUE.—

3104 (a) The Department of Revenue shall review the initial
3105 application and notify the applicant of any omissions and
3106 request additional information if needed. An application shall
3107 be complete upon receipt of all requested information. The
3108 Department of Revenue shall forward all complete applications to
3109 the department ~~Office of Film and Entertainment~~ within 10
3110 working days.

3111 (b) The Department of Revenue shall issue a numbered
3112 certificate of exemption to a qualified production company
3113 within 5 working days of the receipt of an approved application,



964468

3114 application renewal, or application extension from the
3115 department Office of Film and Entertainment.

3116 (c) The Department of Revenue may promulgate such rules and
3117 shall prescribe and publish such forms as may be necessary to
3118 effectuate the purposes of this section or any of the sales tax
3119 exemptions which are reasonably related to the provisions of
3120 this section.

3121 (d) The Department of Revenue is authorized to establish
3122 audit procedures in accordance with the provisions of ss.
3123 212.12, 212.13, and 213.34 which relate to the sales tax
3124 exemption provisions of this section.

3125 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO
3126 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The department
3127 ~~Office of Film and Entertainment~~ shall keep annual records from
3128 the information provided on taxpayer applications for tax
3129 exemption certificates. These records also must reflect a ratio
3130 of the annual amount of sales and use tax exemptions under this
3131 section, ~~plus the incentives awarded pursuant to s. 288.1254~~ to
3132 the estimated amount of funds expended by certified productions.
3133 In addition, the department office shall maintain data showing
3134 annual growth in Florida-based entertainment industry companies
3135 and entertainment industry employment and wages. ~~The employment~~
3136 ~~information must include an estimate of the full-time equivalent~~
3137 ~~positions created by each production that received tax credits~~
3138 ~~pursuant to s. 288.1254.~~ The department Office of Film and
3139 ~~Entertainment~~ shall annually report ~~include~~ this information in
3140 the annual report required under s. 20.60 ~~for the entertainment~~
3141 ~~industry financial incentive program required under s.~~
3142 ~~288.1254(10).~~



964468

3143 Section 68. Section 288.7015, Florida Statutes, is amended
3144 to read:

3145 288.7015 Appointment of rules ombudsman; duties.—The
3146 Governor shall appoint a rules ombudsman, as defined in s.
3147 288.703, in the Executive Office of the Governor, for
3148 considering the impact of agency rules on the state's citizens
3149 and businesses. ~~In carrying out duties as provided by law, the~~
3150 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~
3151 ~~point the department may recommend to improve the regulatory~~
3152 ~~environment of this state.~~ The duties of the rules ombudsman are
3153 to:

3154 (1) Carry out the responsibility provided in s.
3155 120.54(3)(b), with respect to small businesses.

3156 (2) Review state agency rules that adversely or
3157 disproportionately impact businesses, particularly those
3158 relating to small and minority businesses.

3159 (3) Make recommendations on any existing or proposed rules
3160 to alleviate unnecessary or disproportionate adverse effects to
3161 businesses.

3162 (4) Each state agency shall cooperate fully with the rules
3163 ombudsman in identifying such rules. Further, each agency shall
3164 take the necessary steps to waive, modify, or otherwise minimize
3165 such adverse effects of any such rules. However, nothing in this
3166 section authorizes any state agency to waive, modify, provide
3167 exceptions to, or otherwise alter any rule that is:

3168 (a) Expressly required to implement or enforce any
3169 statutory provision or the express legislative intent thereof;

3170 (b) Designed to protect persons against discrimination on
3171 the basis of race, color, national origin, religion, sex, age,



3172 handicap, or marital status; or

3173 (c) Likely to prevent a significant risk or danger to the
3174 public health, the public safety, or the environment of the
3175 state.

3176 (5) The modification or waiver of any such rule pursuant to
3177 this section must be accomplished in accordance with the
3178 provisions of chapter 120.

3179 Section 69. Subsection (11) of section 288.706, Florida
3180 Statutes, is amended to read:

3181 288.706 Florida Minority Business Loan Mobilization
3182 Program.—

3183 (11) The Department of Management Services shall
3184 collaborate with ~~Enterprise Florida, Inc.~~, and the department to
3185 assist in the development and enhancement of black business
3186 enterprises.

3187 Section 70. Subsection (1) of section 288.773, Florida
3188 Statutes, is amended to read:

3189 288.773 Florida Export Finance Corporation.—The Florida
3190 Export Finance Corporation is hereby created as a corporation
3191 not for profit, to be incorporated under the provisions of
3192 chapter 617 and approved by the Department of State. The
3193 corporation is organized on a nonstock basis. The purpose of the
3194 corporation is to expand employment and income opportunities for
3195 residents of this state through increased exports of goods and
3196 services, by providing businesses domiciled in this state
3197 information and technical assistance on export opportunities,
3198 exporting techniques, and financial assistance through
3199 guarantees and direct loan originations for sale in support of
3200 export transactions. The corporation shall have the power and



964468

3201 authority to carry out the following functions:

3202 (1) To coordinate the efforts of the corporation with
3203 programs and goals of the United States Export-Import Bank, the
3204 International Trade Administration of the United States
3205 Department of Commerce, the Foreign Credit Insurance
3206 Association, the department ~~Enterprise Florida, Inc.~~, and other
3207 private and public programs and organizations, domestic and
3208 foreign, designed to provide export assistance and export-
3209 related financing.

3210 Section 71. Paragraph (a) of subsection (1) and paragraphs
3211 (a), (c), and (g) of subsection (3) of section 288.776, Florida
3212 Statutes, are amended to read:

3213 288.776 Board of directors; powers and duties.—

3214 (1) (a) The corporation shall have a board of directors
3215 consisting of 15 members representing all geographic areas of
3216 the state. Minority and gender representation must be considered
3217 when making appointments to the board. The board membership must
3218 include:

3219 1. A representative of the following businesses, all of
3220 which must be registered to do business in this state: a foreign
3221 bank, a state bank, a federal bank, an insurance company
3222 involved in covering trade financing risks, and a small or
3223 medium-sized exporter.

3224 2. The following persons or their designee: the Secretary
3225 of Commerce ~~the President of Enterprise Florida, Inc.~~, the Chief
3226 Financial Officer, the Secretary of State, and a senior official
3227 of the United States Department of Commerce.

3228 (3) The board shall:

3229 (a) Prior to the expenditure of funds from the export



964468

3230 finance account, adopt bylaws and policies which are necessary
3231 to carry out the responsibilities under this part, particularly
3232 with respect to the implementation of the corporation's programs
3233 to insure, coinsure, lend, provide loan guarantees, and make
3234 direct, guaranteed, or collateralized loans by the corporation
3235 to support export transactions. The corporation's bylaws and
3236 policies shall be reviewed and approved by the department
3237 ~~Enterprise Florida, Inc.~~, prior to final adoption by the board.

3238 (c) Issue an annual report to the department ~~Enterprise~~
3239 ~~Florida, Inc.~~, on the activities of the corporation, including
3240 an evaluation of activities and recommendations for change. The
3241 evaluation shall include the corporation's impact on the
3242 following:

3243 1. Participation of private banks and other private
3244 organizations and individuals in the corporation's export
3245 financing programs.

3246 2. Access of small and medium-sized businesses in this
3247 state to federal export financing programs.

3248 3. Export volume of the small and medium-sized businesses
3249 in this state accessing the corporation's programs.

3250 4. Other economic and social benefits to international
3251 programs in this state.

3252 (g) Consult with the department ~~Enterprise Florida, Inc.~~,
3253 or any state or federal agency, to ensure that the respective
3254 loan guarantee or working capital loan origination programs are
3255 not duplicative and that each program makes full use of, to the
3256 extent practicable, the resources of the other.

3257 Section 72. Section 288.7771, Florida Statutes, is amended
3258 to read:



964468

3259 288.7771 Annual report of Florida Export Finance
3260 Corporation.—The corporation shall annually prepare and submit
3261 to the department ~~Enterprise Florida, Inc.~~, for inclusion in its
3262 annual report required under s. 20.60 ~~s. 288.906~~, a complete and
3263 detailed report setting forth:

3264 (1) The report required in s. 288.776(3).

3265 (2) Its assets and liabilities at the end of its most
3266 recent fiscal year.

3267 Section 73. Subsections (4) and (6) of section 288.816,
3268 Florida Statutes, are amended to read:

3269 288.816 Intergovernmental relations.—

3270 (4) The state protocol officer shall serve as a contact for
3271 the state with the Florida Washington Office, the Florida
3272 Congressional Delegation, and United States Government agencies
3273 with respect to laws or policies which may affect the interests
3274 of the state in the area of international relations. All
3275 inquiries received regarding international economic trade
3276 development or reverse investment opportunities shall be
3277 referred to the department ~~Enterprise Florida, Inc.~~ In addition,
3278 the state protocol officer shall serve as liaison with other
3279 states with respect to international programs of interest to
3280 Florida. The state protocol officer shall also investigate and
3281 make suggestions regarding possible areas of joint action or
3282 regional cooperation with these states.

3283 (6) The department ~~and Enterprise Florida, Inc.~~ shall help
3284 to contribute an international perspective to the state's
3285 development efforts.

3286 Section 74. Section 288.826, Florida Statutes, is amended
3287 to read:



964468

3288 288.826 Florida International Trade and Promotion Trust
3289 Fund.—There is hereby established in the State Treasury the
3290 Florida International Trade and Promotion Trust Fund. The moneys
3291 deposited into this trust fund shall be administered by the
3292 department for the operation of the direct-support organization
3293 created pursuant to s. 288.012 ~~Enterprise Florida, Inc.~~, and for
3294 the operation of Florida international offices under s. 288.012.

3295 Section 75. Section 288.901, Florida Statutes, is repealed.

3296 Section 76. Section 288.9015, Florida Statutes, is
3297 repealed.

3298 Section 77. Section 288.903, Florida Statutes, is repealed.

3299 Section 78. Section 288.904, Florida Statutes, is repealed.

3300 Section 79. Section 288.905, Florida Statutes, is repealed.

3301 Section 80. Section 288.906, Florida Statutes, is repealed.

3302 Section 81. Section 288.907, Florida Statutes, is
3303 renumbered as section 288.0065, Florida Statutes, and amended to
3304 read:

3305 288.0065 ~~288.907~~ Annual incentives report.—By December 30
3306 of each year, ~~Enterprise Florida, Inc.~~, in conjunction with the
3307 department, shall provide the Governor, the President of the
3308 Senate, and the Speaker of the House of Representatives a
3309 detailed incentives report quantifying the economic benefits for
3310 all of the economic development incentive programs administered
3311 by the department and its public-private partnerships ~~marketed~~
3312 by ~~Enterprise Florida, Inc.~~. The annual incentives report must
3313 include:

3314 (1) For each incentive program:

3315 (a) A brief description of the incentive program.

3316 (b) The amount of awards granted, by year, since inception



964468

3317 and the annual amount actually transferred from the state
3318 treasury to businesses or for the benefit of businesses for each
3319 of the previous 3 years.

3320 ~~(c) The actual amount of private capital invested, actual~~
3321 ~~number of jobs created, and actual wages paid for incentive~~
3322 ~~agreements completed during the previous 3 years for each target~~
3323 ~~industry sector.~~

3324 (2) For projects completed during the previous state fiscal
3325 year:

3326 (a) The number of economic development incentive
3327 applications received.

3328 ~~(b) The number of recommendations made to the department by~~
3329 ~~Enterprise Florida, Inc., including the number recommended for~~
3330 ~~approval and the number recommended for denial.~~

3331 ~~(c)~~ The number of final decisions issued by the department
3332 for approval and for denial.

3333 ~~(c)(d)~~ The projects for which a tax refund, tax credit, or
3334 cash grant agreement was executed, identifying for each project:

- 3335 1. The number of jobs committed to be created.
3336 2. The amount of capital investments committed to be made.
3337 3. The annual average wage committed to be paid.

3338 4. The amount of state economic development incentives
3339 committed to the project from each incentive program under the
3340 project's terms of agreement with the Department of Commerce
3341 ~~Economic Opportunity.~~

3342 5. The amount and type of local matching funds committed to
3343 the project.

3344 ~~(d)(e)~~ Tax refunds paid or other payments made funded out
3345 of the Economic Development Incentives Account for each project.



964468

- 3346 (e)~~(f)~~ The types of projects supported.
- 3347 (3) For economic development projects that received tax
- 3348 refunds, tax credits, or cash grants under the terms of an
- 3349 agreement for incentives:
- 3350 (a) The number of jobs actually created.
- 3351 (b) The amount of capital investments actually made.
- 3352 (c) The annual average wage paid.
- 3353 (4) For a project receiving economic development incentives
- 3354 approved by the department and receiving federal or local
- 3355 incentives, a description of the federal or local incentives, if
- 3356 available.
- 3357 (5) The number of withdrawn or terminated projects that did
- 3358 not fulfill the terms of their agreements with the department
- 3359 and, consequently, are not receiving incentives.
- 3360 ~~(6) For any agreements signed after July 1, 2010, findings~~
- 3361 ~~and recommendations on the efforts of the department to~~
- 3362 ~~ascertain the causes of any business's inability to complete its~~
- 3363 ~~agreement made under s. 288.106.~~
- 3364 ~~(7)~~ The amount of tax refunds, tax credits, or other
- 3365 payments made to projects locating or expanding in state
- 3366 enterprise zones, rural communities, brownfield areas, or
- 3367 distressed urban communities. The report must include a separate
- 3368 analysis of the impact of such tax refunds on state enterprise
- 3369 zones designated under s. 290.0065, rural communities,
- 3370 brownfield areas, and distressed urban communities.
- 3371 ~~(8) The name of and tax refund amount for each business~~
- 3372 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~
- 3373 ~~during the preceding fiscal year.~~
- 3374 (7)~~(9)~~ An identification of the target industry businesses



964468

3375 and high-impact businesses.

3376 ~~(8)-(10)~~ A description of the trends relating to business
3377 interest in, and usage of, the various incentives, and the
3378 number of minority-owned or woman-owned businesses receiving
3379 incentives.

3380 ~~(9)-(11)~~ An identification of incentive programs not used
3381 and recommendations for program changes or program elimination.

3382 ~~(10)-(12)~~ Information related to the validation of
3383 contractor performance required under s. 288.061.

3384 ~~(13) Beginning in 2014, A summation of the activities~~
3385 ~~related to the Florida Space Business Incentives Act.~~

3386 Section 82. Section 288.911, Florida Statutes, is repealed.

3387 Section 83. Section 288.912, Florida Statutes, is
3388 renumbered as section 288.007, Florida Statutes, and amended to
3389 read:

3390 288.007 ~~288.912~~ Inventory of communities seeking to recruit
3391 businesses.—By September 30 of each year, a county or
3392 municipality that has a population of at least 25,000 or its
3393 local economic development organization must submit to the
3394 department ~~Enterprise Florida, Inc.~~, a brief overview of the
3395 strengths, services, and economic development incentives that
3396 its community offers. The local government or its local economic
3397 development organization also must identify any industries that
3398 it is encouraging to locate or relocate to its area. A county or
3399 municipality having a population of 25,000 or fewer or its local
3400 economic development organization seeking to recruit businesses
3401 may submit information as required in this section and may
3402 participate in any activity or initiative resulting from the
3403 collection, analysis, and reporting of the information to the



964468

3404 ~~department Enterprise Florida, Inc.,~~ pursuant to this section.

3405 Section 84. Section 288.92, Florida Statutes, is repealed.

3406 Section 85. Section 288.923, Florida Statutes, is

3407 renumbered as section 288.12261, Florida Statutes, and is

3408 amended to read:

3409 288.12261 ~~288.923~~ ~~Division of~~ Tourism Marketing;

3410 definitions; responsibilities.-

3411 (1) ~~There is created within Enterprise Florida, Inc., the~~

3412 ~~Division of Tourism Marketing.~~

3413 ~~(2)~~ As used in this section, the term:

3414 (a) "Tourism marketing" means any effort exercised to
3415 attract domestic and international visitors from outside the
3416 state to destinations in this state and to stimulate Florida
3417 resident tourism to areas within the state.

3418 (b) "Tourist" means any person who participates in trade or
3419 recreation activities outside the county of his or her permanent
3420 residence or who rents or leases transient living quarters or
3421 accommodations as described in s. 125.0104(3) (a).

3422 (c) "County destination marketing organization" means a
3423 public or private agency that is funded by local option tourist
3424 development tax revenues under s. 125.0104, or local option
3425 convention development tax revenues under s. 212.0305, and is
3426 officially designated by a county commission to market and
3427 promote the area for tourism or convention business or, in any
3428 county that has not levied such taxes, a public or private
3429 agency that is officially designated by the county commission to
3430 market and promote the area for tourism or convention business.

3431 (d) "Direct-support organization" means the Florida Tourism
3432 Industry Marketing Corporation, doing business as VISIT Florida.



964468

3433 (2)~~(3)~~ The department ~~Enterprise Florida, Inc.,~~ shall
3434 contract with the Florida Tourism Industry Marketing
3435 Corporation, a direct-support organization established in s.
3436 288.1226, to execute tourism promotion and marketing services,
3437 functions, and programs for the state, including, but not
3438 limited to, the activities prescribed by the 4-year marketing
3439 plan. ~~The division shall assist to maintain and implement the~~
3440 ~~contract.~~

3441 (3)~~(4)~~ The corporation's ~~division's~~ responsibilities and
3442 duties include, but are not limited to:

3443 (a) ~~Maintaining and implementing the contract with the~~
3444 ~~Florida Tourism Industry Marketing Corporation.~~

3445 ~~(b)~~ ~~Advising the department and Enterprise Florida, Inc.,~~
3446 on development of domestic and international tourism marketing
3447 campaigns featuring Florida.

3448 (b)~~(e)~~ Developing a 4-year marketing plan.

3449 1. At a minimum, the marketing plan shall discuss the
3450 following:

3451 a. Continuation of overall tourism growth in this state.

3452 b. Expansion to new or under-represented tourist markets.

3453 c. Maintenance of traditional and loyal tourist markets.

3454 d. Coordination of efforts with county destination
3455 marketing organizations, other local government marketing
3456 groups, privately owned attractions and destinations, and other
3457 private sector partners to create a seamless, four-season
3458 advertising campaign for the state and its regions.

3459 e. Development of innovative techniques or promotions to
3460 build repeat visitation by targeted segments of the tourist
3461 population.



964468

3462 f. Consideration of innovative sources of state funding for
3463 tourism marketing.

3464 g. Promotion of nature-based tourism, including, but not
3465 limited to, promotion of the Florida Greenways and Trails System
3466 as described under s. 260.014, the Florida Shared-Use
3467 Nonmotorized Trail Network as described under s. 339.81, and
3468 heritage tourism.

3469 h. Coordination of efforts with the Office of Greenways and
3470 Trails of the Department of Environmental Protection and the
3471 department to promote and assist local communities, including,
3472 but not limited to, communities designated as trail towns by the
3473 Office of Greenways and Trails, to maximize use of nearby trails
3474 as economic assets, including specific promotion of trail-based
3475 tourism.

3476 i. Promotion of ~~and~~ heritage tourism.

3477 ~~j.h.~~ Development of a component to address emergency
3478 response to natural and manmade disasters from a marketing
3479 standpoint.

3480 2. The plan shall be annual in construction and ongoing in
3481 nature. Any annual revisions of the plan shall carry forward the
3482 concepts of the remaining 3-year portion of the plan and
3483 consider a continuum portion to preserve the 4-year timeframe of
3484 the plan. The plan also shall include recommendations for
3485 specific performance standards and measurable outcomes for the
3486 corporation ~~division~~ and direct-support organization. The
3487 department, ~~in consultation with the board of directors of~~
3488 ~~Enterprise Florida, Inc.,~~ shall base the actual performance
3489 metrics on these recommendations.

3490 3. The 4-year marketing plan shall be developed in



964468

3491 collaboration with the Florida Tourism Industry Marketing
3492 Corporation. The plan shall be annually reviewed and approved by
3493 the department ~~board of directors of Enterprise Florida, Inc.~~

3494 (c)(d) Drafting and submitting to the department for
3495 submittal to the Governor, the President of the Senate, and the
3496 Speaker of the House of Representatives by December 1 of each
3497 year an annual report required by s. 288.92. The annual report
3498 shall set forth ~~for the division and the direct-support~~
3499 ~~organization:~~

3500 1. Operations and accomplishments during the fiscal year,
3501 including the economic benefit of the state's investment and
3502 effectiveness of the marketing plan.

3503 2. The 4-year marketing plan, including recommendations on
3504 methods for implementing and funding the plan.

3505 3. The assets and liabilities of the direct-support
3506 organization at the end of its most recent fiscal year.

3507 4. A copy of the annual financial and compliance audit
3508 conducted under s. 288.1226(7).

3509 ~~(5) Notwithstanding s. 288.92, The division shall be~~
3510 ~~staffed by the Florida Tourism Industry Marketing Corporation.~~
3511 ~~Such staff shall not be considered to be employees of the~~
3512 ~~division and shall remain employees of the Florida Tourism~~
3513 ~~Industry Marketing Corporation. Section 288.905 does not apply~~
3514 ~~to the Florida Tourism Industry Marketing Corporation.~~

3515 (4)(6) This section is repealed October 1, 2028, unless
3516 reviewed and saved from repeal by the Legislature.

3517 Section 86. Section 288.95155, Florida Statutes, is
3518 repealed.

3519 Section 87. Section 288.9519, Florida Statutes, is



964468

3520 repealed.

3521 Section 88. Section 288.9520, Florida Statutes, is
3522 renumbered as section 288.002, Florida Statutes, and amended to
3523 read:

3524 288.002 ~~288.9520~~ Public records exemption for certain
3525 materials held by the former Enterprise Florida, Inc.—Materials
3526 that relate to methods of manufacture or production, potential
3527 trade secrets, potentially patentable material, actual trade
3528 secrets, business transactions, financial and proprietary
3529 information, and agreements or proposals to receive funding that
3530 are received, generated, ascertained, or discovered by the
3531 former Enterprise Florida, Inc., including its affiliates or
3532 subsidiaries and partnership participants, such as private
3533 enterprises, educational institutions, and other organizations,
3534 are confidential and exempt from the provisions of s. 119.07(1)
3535 and s. 24(a), Art. I of the State Constitution, except that a
3536 recipient of the former Enterprise Florida, Inc., research funds
3537 shall make available, upon request, the title and description of
3538 the research project, the name of the researcher, and the amount
3539 and source of funding provided for the project. Effective July
3540 1, 2023, the Department of Commerce is the custodian of any
3541 public records made confidential and exempt under this section.

3542 Section 89. Effective July 1, 2024, section 288.955,
3543 Florida Statutes, is repealed.

3544 Section 90. Subsection (10) of section 288.9603, Florida
3545 Statutes, is amended to read:

3546 288.9603 Definitions.—

3547 (10) "Partnership" means the department ~~Enterprise Florida,~~
3548 ~~Inc.~~



964468

3549 Section 91. Subsection (5) of section 288.9604, Florida
3550 Statutes, is amended to read:

3551 288.9604 Creation of the corporation.—

3552 ~~(5) This section is repealed July 1, 2023, and July 1 of~~
3553 ~~every fourth year thereafter, unless reviewed and saved from~~
3554 ~~repeal by the Legislature.~~

3555 Section 92. Paragraph (v) of subsection (2) of section
3556 288.9605, Florida Statutes, is amended to read:

3557 288.9605 Corporation powers.—

3558 (2) The corporation is authorized and empowered to:

3559 (v) Enter into investment agreements with the department
3560 ~~Enterprise Florida, Inc.,~~ concerning the issuance of bonds and
3561 other forms of indebtedness and capital.

3562 Section 93. Section 288.9614, Florida Statutes, is amended
3563 to read:

3564 288.9614 Authorized programs.—The department ~~Enterprise~~
3565 ~~Florida, Inc.,~~ may take any action that it deems necessary to
3566 achieve the purposes of this act in partnership with private
3567 enterprises, public agencies, and other organizations,
3568 including, but not limited to, efforts to address the long-term
3569 debt needs of small-sized and medium-sized firms, to address the
3570 needs of microenterprises, to expand availability of venture
3571 capital, and to increase international trade and export finance
3572 opportunities for firms critical to achieving the purposes of
3573 this act.

3574 Section 94. Paragraphs (a) and (b) of subsection (1) of
3575 section 288.9624, Florida Statutes, are amended to read:

3576 288.9624 Florida Opportunity Fund; creation; duties.—

3577 (1) (a) ~~Enterprise Florida, Inc., shall facilitate the~~



3578 ~~creation of~~ The Florida Opportunity Fund ~~is,~~ a private, not-for-
3579 profit corporation organized and operated under chapter 617.
3580 ~~Enterprise Florida, Inc., shall be the fund's sole shareholder~~
3581 ~~or member.~~ The fund is not a public corporation or
3582 instrumentality of the state. The fund shall manage its business
3583 affairs and conduct business consistent with its organizational
3584 documents and the purposes set forth in this section and under
3585 contract with the department. Notwithstanding the powers granted
3586 under chapter 617, the corporation may not amend, modify, or
3587 repeal a bylaw or article of incorporation without the express
3588 written consent of the department ~~Enterprise Florida, Inc.~~

3589 (b) The board of directors of the Florida Opportunity Fund
3590 shall have five members, appointed by the Governor ~~vote of the~~
3591 ~~board of directors of Enterprise Florida, Inc.~~ Board members
3592 shall serve terms as provided in the fund's organizational
3593 documents. Within 90 days before an anticipated vacancy by
3594 expiration of the term of a board member, the board of directors
3595 of the fund shall submit a list of three eligible nominees,
3596 which may include the incumbent, to the Governor. ~~The Governor~~
3597 ~~board of directors of Enterprise Florida, Inc.~~ ~~The board of~~
3598 ~~directors of Enterprise Florida, Inc.,~~ may appoint a board
3599 member from the nominee list or may request and appoint from a
3600 new list of three nominees not included on the previous list.

3601 Section 95. Subsection (2) and paragraph (a) of subsection
3602 (9) of section 288.9625, Florida Statutes, are amended to read:

3603 288.9625 Institute for Commercialization of Florida
3604 Technology.—

3605 (2) The purpose of the institute is to assist, without any
3606 financial support or specific appropriations from the state, in



964468

3607 the commercialization of products developed by the research and
3608 development activities of an innovation business, including, but
3609 not limited to, those defined in former s. 288.1089. The
3610 institute shall fulfill its purpose in the best interests of the
3611 state. The institute:

3612 (a) Is a corporation primarily acting as an instrumentality
3613 of the state pursuant to s. 768.28(2), for the purposes of
3614 sovereign immunity;

3615 (b) Is not an agency within the meaning of s. 20.03(11);

3616 (c) Is subject to the open records and meetings
3617 requirements of s. 24, Art. I of the State Constitution, chapter
3618 119, and s. 286.011;

3619 (d) Is not subject to chapter 287;

3620 (e) Is governed by the code of ethics for public officers
3621 and employees as set forth in part III of chapter 112;

3622 (f) May create corporate subsidiaries; and

3623 (g) May not receive any financial support or specific
3624 appropriations from the state.

3625 (9) By December 1 of each year, the institute shall issue
3626 an annual report concerning its activities to the Governor, the
3627 President of the Senate, and the Speaker of the House of
3628 Representatives. The annual report shall be considered a public
3629 record, as provided in paragraph (3)(b), subject to any
3630 appropriate exemptions under s. 288.9627. The annual report must
3631 include the following:

3632 (a) Information on any assistance provided by the institute
3633 to an innovation business, as defined in former s. 288.1089.

3634 Section 96. Subsection (4) of section 288.96255, Florida
3635 Statutes, is amended to read:



3636 288.96255 Florida Technology Seed Capital Fund; creation;
3637 duties.—

3638 (4) The private fund manager shall use a thorough and
3639 detailed process that is modeled after investment industry
3640 practices to evaluate a proposal. In order to approve a company
3641 for investment, the private fund manager, on behalf of the
3642 institute, must consider if:

3643 (a) The company has a strong intellectual property
3644 position, a capable management team, readily identifiable paths
3645 to market or commercialization, significant job-growth
3646 potential, the ability to provide other sources of capital to
3647 leverage the state's investment, and the potential to attract
3648 additional funding;

3649 (b) The private fund manager has had an opportunity to
3650 complete due diligence to its satisfaction;

3651 (c) The company is a target industry business as defined in
3652 s. 288.005 ~~s. 288.106(2)~~; and

3653 (d) An approved private-sector lead investor who has
3654 demonstrated due diligence typical of start-up investments in
3655 evaluating the potential of the company has identified the
3656 company.

3657 Section 97. Paragraph (b) of subsection (1) of section
3658 288.980, Florida Statutes, is amended to read:

3659 288.980 Military base retention; legislative intent; grants
3660 program.—

3661 (1)

3662 (b) The Florida Defense Alliance, an organization within
3663 the department ~~Enterprise Florida, Inc.~~, is designated as the
3664 organization to ensure that Florida, its resident military bases



964468

3665 and missions, and its military host communities are in
3666 competitive positions as the United States continues its defense
3667 realignment and downsizing. The defense alliance shall serve as
3668 an overall advisory body for defense-related activity of the
3669 department ~~Enterprise Florida, Inc.~~ The Florida Defense Alliance
3670 may receive funding from appropriations made for that purpose
3671 administered by the department.

3672 Section 98. Subsection (7) of section 288.987, Florida
3673 Statutes, is amended to read:

3674 288.987 Florida Defense Support Task Force.—

3675 (7) The department shall support the task force and
3676 contract with the task force for expenditure of appropriated
3677 funds, which may be used by the task force for economic and
3678 product research and development, joint planning with host
3679 communities to accommodate military missions and prevent base
3680 encroachment, advocacy on the state's behalf with federal
3681 civilian and military officials, assistance to school districts
3682 in providing a smooth transition for large numbers of additional
3683 military-related students, job training and placement for
3684 military spouses in communities with high proportions of active
3685 duty military personnel, and promotion of the state to military
3686 and related contractors and employers. The task force may
3687 annually spend up to \$250,000 of funds appropriated to the
3688 department for the task force for staffing and administrative
3689 expenses of the task force, including travel and per diem costs
3690 incurred by task force members who are not otherwise eligible
3691 for state reimbursement.

3692 Section 99. Section 288.991, Florida Statutes, is repealed.

3693 Section 100. Section 288.9912, Florida Statutes, is



964468

3694 repealed.
3695 Section 101. Section 288.9913, Florida Statutes, is
3696 repealed.
3697 Section 102. Section 288.9914, Florida Statutes, is
3698 repealed.
3699 Section 103. Section 288.9915, Florida Statutes, is
3700 repealed.
3701 Section 104. Section 288.9916, Florida Statutes, is
3702 repealed.
3703 Section 105. Section 288.9917, Florida Statutes, is
3704 repealed.
3705 Section 106. Section 288.9918, Florida Statutes, is
3706 repealed.
3707 Section 107. Section 288.9919, Florida Statutes, is
3708 repealed.
3709 Section 108. Section 288.9920, Florida Statutes, is
3710 repealed.
3711 Section 109. Section 288.9921, Florida Statutes, is
3712 repealed.
3713 Section 110. Section 288.9922, Florida Statutes, is
3714 repealed.
3715 Section 111. Subsection (2) of section 288.9932, Florida
3716 Statutes, is amended to read:
3717 288.9932 Definitions.—As used in this part, the term:
3718 ~~(2) "Domiciled in this state" means authorized to do~~
3719 ~~business in this state and located in this state.~~
3720 Section 112. Section 288.9934, Florida Statutes, is
3721 repealed.
3722 Section 113. Subsections (3) through (9) of section



964468

3723 288.9935, Florida Statutes, are amended to read:
3724 288.9935 Microfinance Guarantee Program.—
3725 (3) The department ~~must enter into a contract with~~
3726 ~~Enterprise Florida, Inc.,~~ to administer the Microfinance
3727 Guarantee Program. ~~In administering the program, Enterprise~~
3728 ~~Florida, Inc.,~~ must, at a minimum:
3729 (a) Establish lender and borrower eligibility requirements
3730 in addition to those provided in this section;
3731 (b) Determine a reasonable leverage ratio of loan amounts
3732 guaranteed to state funds; however, the leverage ratio may not
3733 exceed 3 to 1;
3734 (c) Establish reasonable fees and interest;
3735 (d) Promote the program to financial institutions that
3736 provide loans to entrepreneurs and small businesses in order to
3737 maximize the number of lenders throughout the state which
3738 participate in the program;
3739 (e) Enter into a memorandum of understanding with the
3740 network to promote the program to underserved entrepreneurs and
3741 small businesses;
3742 (f) Establish limits on the total amount of loan guarantees
3743 a single lender can receive;
3744 (g) Establish an average loan guarantee amount for loans
3745 guaranteed under this section;
3746 (h) Establish a risk-sharing strategy to be employed in the
3747 event of a loan failure; and
3748 (i) Establish financial performance measures and objectives
3749 for the program in order to maximize the state funds.
3750 (4) The department ~~Enterprise Florida, Inc.,~~ is limited to
3751 providing loan guarantees for loans with total loan amounts of



3752 at least \$50,000 and not more than \$250,000. A loan guarantee
3753 may not exceed 50 percent of the total loan amount.

3754 (5) The department ~~Enterprise Florida, Inc.~~, may not
3755 guarantee a loan if the direct or indirect purpose or result of
3756 the loan would be to:

3757 (a) Pay off any creditors of the applicant, including the
3758 refund of a debt owed to a small business investment company
3759 organized pursuant to 15 U.S.C. s. 681;

3760 (b) Provide funds, directly or indirectly, for payment,
3761 distribution, or as a loan to owners, partners, or shareholders
3762 of the applicant's business, except as ordinary compensation for
3763 services rendered;

3764 (c) Finance the acquisition, construction, improvement, or
3765 operation of real property which is, or will be, held primarily
3766 for sale or investment;

3767 (d) Pay for lobbying activities; or

3768 (e) Replenish funds used for any of the purposes specified
3769 in paragraphs (a)-(d).

3770 (6) The department ~~Enterprise Florida, Inc.~~, may not use
3771 funds appropriated from the state for costs associated with
3772 administering the guarantee program.

3773 (7) To be eligible to receive a loan guarantee under the
3774 Microfinance Guarantee Program, a borrower must, at a minimum:

3775 (a) Be an entrepreneur or small business located in this
3776 state;

3777 (b) Employ 25 or fewer people;

3778 (c) Generate average annual gross revenues of \$1.5 million
3779 or less per year for the last 2 years; and

3780 (d) Meet any additional requirements established by the



964468

3781 ~~department Enterprise Florida, Inc.~~

3782 (8) ~~The department must, By October 1 of each year,~~
3783 ~~Enterprise Florida, Inc., shall submit a complete and detailed~~
3784 ~~annual report to the department for inclusion in the~~
3785 ~~department's report required under s. 20.60(10), include an~~
3786 ~~annual report on the program.~~ The report must, at a minimum,
3787 provide:

3788 (a) A comprehensive description of the program, including
3789 an evaluation of its application and guarantee activities,
3790 recommendations for change, and identification of any other
3791 state programs that overlap with the program;

3792 (b) An assessment of the current availability of and access
3793 to credit for entrepreneurs and small businesses in this state;

3794 (c) A summary of the financial and employment results of
3795 the entrepreneurs and small businesses receiving loan
3796 guarantees, including the number of full-time equivalent jobs
3797 created as a result of the guaranteed loans and the amount of
3798 wages paid to employees in the newly created jobs;

3799 (d) Industry data about the borrowers, including the six-
3800 digit North American Industry Classification System (NAICS)
3801 code;

3802 (e) The name and location of lenders that receive loan
3803 guarantees;

3804 (f) ~~The amount of state funds received by Enterprise~~
3805 ~~Florida, Inc.;~~

3806 ~~(g)~~ The number of loan guarantee applications received;

3807 (g) ~~(h)~~ The number, duration, location, and amount of
3808 guarantees made;

3809 (h) ~~(i)~~ The number and amount of guaranteed loans



964468

3810 outstanding, if any;
3811 (i)~~(j)~~ The number and amount of guaranteed loans with
3812 payments overdue, if any;
3813 (j)~~(k)~~ The number and amount of guaranteed loans in
3814 default, if any;
3815 (k)~~(l)~~ The repayment history of the guaranteed loans made;
3816 and
3817 (l)~~(m)~~ An evaluation of the program's ability to meet the
3818 financial performance measures and objectives specified in
3819 subsection (3).
3820 (9) The credit of the state ~~or Enterprise Florida, Inc.,~~
3821 may not be pledged except for funds appropriated by law to the
3822 Microfinance Guarantee Program. The state is not liable or
3823 obligated in any way for claims on the program or against
3824 ~~Enterprise Florida, Inc.,~~ or the department.
3825 Section 114. Section 288.9936, Florida Statutes, is
3826 repealed.
3827 Section 115. Section 288.9937, Florida Statutes, is
3828 repealed.
3829 Section 116. Subsection (3) of section 288.9961, Florida
3830 Statutes, is amended to read:
3831 288.9961 Promotion of broadband adoption; Florida Office of
3832 Broadband.—
3833 (3) STATE AGENCY.—The department is designated as the lead
3834 state agency to facilitate the expansion of broadband Internet
3835 service in this state. The department shall work collaboratively
3836 with private businesses and receive staffing support and other
3837 resources from ~~Enterprise Florida, Inc.,~~ state agencies, local
3838 governments, and community organizations.



964468

3839 Section 117. Paragraph (h) of subsection (8) of section
3840 290.0056, Florida Statutes, is amended to read:

3841 290.0056 Enterprise zone development agency.—

3842 (8) The enterprise zone development agency shall have the
3843 following powers and responsibilities:

3844 (h) To work with the department ~~and Enterprise Florida,~~
3845 ~~Inc.~~, to ensure that the enterprise zone coordinator receives
3846 training on an annual basis.

3847 Section 118. Paragraph (b) of subsection (4) and subsection
3848 (7) of section 290.0065, Florida Statutes, are amended to read:

3849 290.0065 State designation of enterprise zones.—

3850 (4)

3851 (b) ~~In consultation with Enterprise Florida, Inc.~~, The
3852 department shall, based on the enterprise zone profile and the
3853 grounds for redesignation expressed in the resolution, determine
3854 whether the enterprise zone merits redesignation. The department
3855 may also examine and consider the following:

3856 1. Progress made, if any, in the enterprise zone's
3857 strategic plan.

3858 2. Use of enterprise zone incentives during the life of the
3859 enterprise zone.

3860

3861 If the department determines that the enterprise zone merits
3862 redesignation, the department shall notify the governing body in
3863 writing of its approval of redesignation.

3864 (7) Upon approval by the department of a resolution
3865 authorizing an area to be an enterprise zone pursuant to this
3866 section, the department shall assign a unique identifying number
3867 to that resolution. The department shall provide the Department



964468

3868 of Revenue ~~and Enterprise Florida, Inc.~~, with a copy of each
3869 resolution approved, together with its identifying number.

3870 Section 119. Section 290.00677, Florida Statutes, is
3871 amended to read:

3872 290.00677 Rural enterprise zones; special qualifications.—

3873 (1) Notwithstanding the enterprise zone residency
3874 requirements set out in s. 212.096(1)(c), eligible businesses as
3875 defined in s. 212.096(1)(a) located in rural enterprise zones as
3876 defined in s. 290.004 may receive the basic minimum credit
3877 provided under s. 212.096 for creating a new job and hiring a
3878 person residing within the jurisdiction of a rural community as
3879 defined in former s. 288.106(2). All other provisions of s.
3880 212.096, including, but not limited to, those relating to the
3881 award of enhanced credits, apply to such businesses.

3882 (2) Notwithstanding the enterprise zone residency
3883 requirements set out in s. 220.03(1)(q), businesses as defined
3884 in s. 220.03(1)(c) located in rural enterprise zones as defined
3885 in s. 290.004 may receive the basic minimum credit provided
3886 under s. 220.181 for creating a new job and hiring a person
3887 residing within the jurisdiction of a rural community as defined
3888 in former s. 288.106(2). All other provisions of s. 220.181,
3889 including, but not limited to, those relating to the award of
3890 enhanced credits, apply to such businesses.

3891 Section 120. Subsections (3) and (4) of section 290.053,
3892 Florida Statutes, are amended to read:

3893 290.053 Response to economic emergencies in small
3894 communities.—

3895 (3) A local government entity shall notify the Governor
3896 ~~and~~ the Department of Commerce ~~Economic Opportunity~~, and



964468

3897 ~~Enterprise Florida, Inc.~~, when one or more of the conditions
3898 specified in subsection (2) have occurred or will occur if
3899 action is not taken to assist the local governmental entity or
3900 the affected community.

3901 (4) Upon notification that one or more of the conditions
3902 described in subsection (2) exist, the Governor or his or her
3903 designee shall contact the local governmental entity to
3904 determine what actions have been taken by the local governmental
3905 entity or the affected community to resolve the economic
3906 emergency. The Governor may waive the eligibility criteria of
3907 any program or activity administered by the Department of
3908 Commerce ~~Economic Opportunity or Enterprise Florida, Inc.~~, to
3909 provide economic relief to the affected community by granting
3910 participation in such programs or activities. The Governor shall
3911 consult with the President of the Senate and the Speaker of the
3912 House of Representatives and shall take other action, as
3913 necessary, to resolve the economic emergency in the most
3914 expedient manner possible. All actions taken pursuant to this
3915 section shall be within current appropriations and shall have no
3916 annualized impact beyond normal growth.

3917 Section 121. Paragraph (d) of subsection (3) and subsection
3918 (4) of section 295.22, Florida Statutes, are amended to read:

3919 295.22 Veterans Employment and Training Services Program.—

3920 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall
3921 administer the Veterans Employment and Training Services Program
3922 and perform all of the following functions:

3923 (d) Create a grant program to provide funding to assist
3924 veterans in meeting the workforce-skill needs of businesses
3925 seeking to hire, promote, or generally improve specialized



964468

3926 skills of veterans, establish criteria for approval of requests
3927 for funding, and maximize the use of funding for this program.
3928 Grant funds may be used only in the absence of available
3929 veteran-specific federally funded programs. Grants may fund
3930 specialized training specific to a particular business.

3931 1. If grant funds are used to provide a technical
3932 certificate, a licensure, or a degree, funds may be allocated
3933 only upon a review that includes, but is not limited to,
3934 documentation of accreditation and licensure. Instruction funded
3935 through the program terminates when participants demonstrate
3936 competence at the level specified in the request but may not
3937 exceed 12 months. Preference shall be given to target industry
3938 businesses, as defined in s. 288.005 ~~s. 288.106~~, and to
3939 businesses in the defense supply, cloud virtualization, or
3940 commercial aviation manufacturing industries.

3941 2. Costs and expenditures shall be limited to \$8,000 per
3942 veteran trainee. Qualified businesses must cover the entire cost
3943 for all of the training provided before receiving reimbursement
3944 from the corporation equal to 50 percent of the cost to train a
3945 veteran who is a permanent, full-time employee. Eligible costs
3946 and expenditures include:

- 3947 a. Tuition and fees.
- 3948 b. Books and classroom materials.
- 3949 c. Rental fees for facilities.

3950 3. Before funds are allocated for a request pursuant to
3951 this section, the corporation shall prepare a grant agreement
3952 between the business requesting funds and the corporation. Such
3953 agreement must include, but need not be limited to:

- 3954 a. Identification of the personnel necessary to conduct the



3955 instructional program, instructional program description, and
3956 any vendors used to conduct the instructional program.

3957 b. Identification of the estimated duration of the
3958 instructional program.

3959 c. Identification of all direct, training-related costs.

3960 d. Identification of special program requirements that are
3961 not otherwise addressed in the agreement.

3962 e. Permission to access aggregate information specific to
3963 the wages and performance of participants upon the completion of
3964 instruction for evaluation purposes. The agreement must specify
3965 that any evaluation published subsequent to the instruction may
3966 not identify the employer or any individual participant.

3967 4. A business may receive a grant under the Quick-Response
3968 Training Program created under s. 288.047 and a grant under this
3969 section for the same veteran trainee. If a business receives
3970 funds under both programs, one grant agreement may be entered
3971 into with CareerSource Florida, Inc., as the grant
3972 administrator.

3973 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~
3974 ~~Inc., shall provide information about the corporation and its~~
3975 ~~services to prospective, new, expanding, and relocating~~
3976 ~~businesses seeking to conduct business in this state. Enterprise~~
3977 ~~Florida, Inc., shall, to the greatest extent possible,~~
3978 ~~collaborate with the corporation to meet the employment needs,~~
3979 ~~including meeting the job creation requirements, of any business~~
3980 ~~receiving assistance or services from Enterprise Florida, Inc.~~

3981 Section 122. Paragraph (a) of subsection (6), paragraph (b)
3982 of subsection (9), paragraph (a) of subsection (34), subsection
3983 (57), and paragraph (b) of subsection (61) of section 320.08058,



964468

3984 Florida Statutes, are amended to read:

3985 320.08058 Specialty license plates.—

3986 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
3987 PLATES.—

3988 (a) Because the United States Olympic Committee has
3989 selected this state to participate in a combined fundraising
3990 program that provides for one-half of all money raised through
3991 volunteer giving to stay in this state and be administered by
3992 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, to
3993 support amateur sports, and because the United States Olympic
3994 Committee and the Florida Sports Foundation ~~Enterprise Florida,~~
3995 ~~Inc.~~, are nonprofit organizations dedicated to providing
3996 athletes with support and training and preparing athletes of all
3997 ages and skill levels for sports competition, and because the
3998 Florida Sports Foundation ~~Enterprise Florida, Inc.~~, assists in
3999 the bidding for sports competitions that provide significant
4000 impact to the economy of this state, and the Legislature
4001 supports the efforts of the United States Olympic Committee and
4002 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, the
4003 Legislature establishes a Florida United States Olympic
4004 Committee license plate for the purpose of providing a
4005 continuous funding source to support this worthwhile effort.
4006 Florida United States Olympic Committee license plates must
4007 contain the official United States Olympic Committee logo and
4008 must bear a design and colors that are approved by the
4009 department. The word "Florida" must be centered at the top of
4010 the plate.

4011 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

4012 (b) The license plate annual use fees are to be annually



964468

4013 distributed as follows:

4014 1. Fifty-five percent of the proceeds from the Florida
4015 Professional Sports Team plate must be deposited into the
4016 Professional Sports Development Trust Fund within the Department
4017 of Commerce ~~Economic Opportunity~~. These funds must be used
4018 solely to attract and support major sports events in this state.
4019 As used in this subparagraph, the term "major sports events"
4020 means, but is not limited to, championship or all-star contests
4021 of Major League Baseball, the National Basketball Association,
4022 the National Football League, the National Hockey League, Major
4023 League Soccer, the men's and women's National Collegiate
4024 Athletic Association Final Four basketball championship, or a
4025 horseracing or dogracing Breeders' Cup. All funds must be used
4026 to support and promote major sporting events, and the uses must
4027 be approved by the Department of Commerce ~~Economic Opportunity~~.

4028 2. The remaining proceeds of the Florida Professional
4029 Sports Team license plate must be allocated to the Florida
4030 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be
4031 deposited into the Professional Sports Development Trust Fund
4032 within the Department of Commerce ~~Economic Opportunity~~. These
4033 funds must be used by the Florida Sports Foundation ~~Enterprise~~
4034 ~~Florida, Inc.~~, to promote the economic development of the sports
4035 industry; to distribute licensing and royalty fees to
4036 participating professional sports teams; to promote education
4037 programs in Florida schools that provide an awareness of the
4038 benefits of physical activity and nutrition standards; to
4039 partner with the Department of Education and the Department of
4040 Health to develop a program that recognizes schools whose
4041 students demonstrate excellent physical fitness or fitness



964468

4042 improvement; to institute a grant program for communities
4043 bidding on minor sporting events that create an economic impact
4044 for the state; to distribute funds to Florida-based charities
4045 designated by the Florida Sports Foundation ~~Enterprise Florida,~~
4046 ~~Inc.~~, and the participating professional sports teams; and to
4047 fulfill the sports promotion responsibilities of the Department
4048 of Commerce ~~Economic Opportunity~~.

4049 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.~~,
4050 shall provide an annual financial audit in accordance with s.
4051 215.981 of its financial accounts and records by an independent
4052 certified public accountant pursuant to the contract established
4053 by the Department of Commerce as specified in s. 288.1229(5)
4054 ~~Economic Opportunity~~. The auditor shall submit the audit report
4055 to the Department of Commerce ~~Economic Opportunity~~ for review
4056 and approval. If the audit report is approved, the Department of
4057 Commerce ~~Economic Opportunity~~ shall certify the audit report to
4058 the Auditor General for review.

4059 4. Notwithstanding the provisions of subparagraphs 1. and
4060 2., proceeds from the Professional Sports Development Trust Fund
4061 may also be used for operational expenses of the Florida Sports
4062 Foundation ~~Enterprise Florida, Inc.~~, and financial support of
4063 the Sunshine State Games and Florida Senior Games.

4064 (34) FLORIDA GOLF LICENSE PLATES.—

4065 (a) The Department of Highway Safety and Motor Vehicles
4066 shall develop a Florida Golf license plate as provided in this
4067 section. The word "Florida" must appear at the bottom of the
4068 plate. The Dade Amateur Golf Association, following consultation
4069 with the Florida Sports Foundation, the PGA TOUR, ~~Enterprise~~
4070 ~~Florida, Inc.~~, the LPGA, and the PGA of America, may submit a



964468

4071 revised sample plate for consideration by the department.
4072 (57) FLORIDA NASCAR LICENSE PLATES.—
4073 (a) The department shall develop a Florida NASCAR license
4074 plate as provided in this section. Florida NASCAR license plates
4075 must bear the colors and design approved by the department. The
4076 word “Florida” must appear at the top of the plate, and the term
4077 “NASCAR” must appear at the bottom of the plate. The National
4078 Association for Stock Car Auto Racing, following consultation
4079 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
4080 submit a sample plate for consideration by the department.
4081 (b) The license plate annual use fees shall be distributed
4082 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The
4083 license plate annual use fees shall be annually allocated as
4084 follows:
4085 1. Up to 5 percent of the proceeds from the annual use fees
4086 may be used by the Florida Sports Foundation ~~Enterprise Florida,~~
4087 ~~Inc.~~, for the administration of the NASCAR license plate
4088 program.
4089 2. The National Association for Stock Car Auto Racing shall
4090 receive up to \$60,000 in proceeds from the annual use fees to be
4091 used to pay startup costs, including costs incurred in
4092 developing and issuing the plates. Thereafter, 10 percent of the
4093 proceeds from the annual use fees shall be provided to the
4094 association for the royalty rights for the use of its marks.
4095 3. The remaining proceeds from the annual use fees shall be
4096 distributed to the Florida Sports Foundation ~~Enterprise Florida,~~
4097 ~~Inc.~~ The Florida Sports Foundation ~~Enterprise Florida, Inc.~~,
4098 will retain 15 percent to support its regional grant program,
4099 attracting sporting events to Florida; 20 percent to support the



964468

4100 marketing of motorsports-related tourism in the state; and 50
4101 percent to be paid to the NASCAR Foundation, a s. 501(c)(3)
4102 charitable organization, to support Florida-based charitable
4103 organizations.

4104 (c) The Florida Sports Foundation ~~Enterprise Florida, Inc.~~,
4105 shall provide an annual financial audit in accordance with s.
4106 215.981 of its financial accounts and records by an independent
4107 certified public accountant pursuant to the contract established
4108 by the Department of Commerce as specified in s. 288.1229(5)
4109 ~~Economic Opportunity~~. The auditor shall submit the audit report
4110 to the Department of Commerce ~~Economic Opportunity~~ for review
4111 and approval. If the audit report is approved, the Department of
4112 Commerce ~~Economic Opportunity~~ shall certify the audit report to
4113 the Auditor General for review.

4114 (61) FLORIDA TENNIS LICENSE PLATES.—

4115 (b) The department shall distribute the annual use fees to
4116 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The
4117 license plate annual use fees shall be annually allocated as
4118 follows:

4119 1. Up to 5 percent of the proceeds from the annual use fees
4120 may be used by the Florida Sports Foundation ~~Enterprise Florida,~~
4121 ~~Inc.~~ to administer the license plate program.

4122 2. The United States Tennis Association Florida Section
4123 Foundation shall receive the first \$60,000 in proceeds from the
4124 annual use fees to reimburse it for startup costs,
4125 administrative costs, and other costs it incurs in the
4126 development and approval process.

4127 3. Up to 5 percent of the proceeds from the annual use fees
4128 may be used for promoting and marketing the license plates. The



4129 remaining proceeds shall be available for grants by the United
4130 States Tennis Association Florida Section Foundation to
4131 nonprofit organizations to operate youth tennis programs and
4132 adaptive tennis programs for special populations of all ages,
4133 and for building, renovating, and maintaining public tennis
4134 courts.

4135 Section 123. Paragraph (a) of subsection (1) of section
4136 339.2821, Florida Statutes, is amended to read:

4137 339.2821 Economic development transportation projects.—

4138 (1) (a) The department, in consultation with the Department
4139 of Commerce ~~Economic Opportunity and Enterprise Florida, Inc.~~,
4140 may make and approve expenditures and contract with the
4141 appropriate governmental body for the direct costs of
4142 transportation projects. The Department of Commerce ~~Economic~~
4143 ~~Opportunity~~ and the Department of Environmental Protection may
4144 formally review and comment on recommended transportation
4145 projects, although the department has final approval authority
4146 for any project authorized under this section.

4147 Section 124. Paragraph (h) of subsection (2) of section
4148 377.703, Florida Statutes, is amended to read:

4149 377.703 Additional functions of the Department of
4150 Agriculture and Consumer Services.—

4151 (2) DUTIES.—The department shall perform the following
4152 functions, unless as otherwise provided, consistent with the
4153 development of a state energy policy:

4154 (h) The department shall promote the development and use of
4155 renewable energy resources, in conformance with chapter 187 and
4156 s. 377.601, by:

4157 1. Establishing goals and strategies for increasing the use



964468

4158 of renewable energy in this state.

4159 2. Aiding and promoting the commercialization of renewable
4160 energy resources, in cooperation with the Florida Energy Systems
4161 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~
4162 ~~Inc.,~~ and any other federal, state, or local governmental agency
4163 that may seek to promote research, development, and the
4164 demonstration of renewable energy equipment and technology.

4165 3. Identifying barriers to greater use of renewable energy
4166 resources in this state, and developing specific recommendations
4167 for overcoming identified barriers, with findings and
4168 recommendations to be submitted annually in the report to the
4169 Governor and Legislature required under paragraph (f).

4170 4. In cooperation with the Department of Environmental
4171 Protection, the Department of Transportation, the Department of
4172 Commerce Economic Opportunity, ~~Enterprise Florida, Inc.,~~ the
4173 Florida Energy Systems Consortium, the Florida Solar Energy
4174 Center, and the Florida Solar Energy Industries Association,
4175 investigating opportunities, pursuant to the national Energy
4176 Policy Act of 1992, the Housing and Community Development Act of
4177 1992, and any subsequent federal legislation, for renewable
4178 energy resources, electric vehicles, and other renewable energy
4179 manufacturing, distribution, installation, and financing efforts
4180 that enhance this state's position as the leader in renewable
4181 energy research, development, and use.

4182 5. Undertaking other initiatives to advance the development
4183 and use of renewable energy resources in this state.

4184

4185 In the exercise of its responsibilities under this paragraph,
4186 the department shall seek the assistance of the renewable energy



964468

4187 industry in this state and other interested parties and may
4188 enter into contracts, retain professional consulting services,
4189 and expend funds appropriated by the Legislature for such
4190 purposes.

4191 Section 125. Subsection (5) of section 377.804, Florida
4192 Statutes, is amended to read:

4193 377.804 Renewable Energy and Energy-Efficient Technologies
4194 Grants Program.—

4195 (5) The department shall solicit the expertise of state
4196 agencies, ~~Enterprise Florida, Inc.,~~ and state universities, and
4197 may solicit the expertise of other public and private entities
4198 it deems appropriate, in evaluating project proposals. State
4199 agencies shall cooperate with the department and provide such
4200 assistance as requested.

4201 Section 126. Paragraph (a) of subsection (4) of section
4202 377.809, Florida Statutes, is amended to read:

4203 377.809 Energy Economic Zone Pilot Program.—

4204 (4) (a) Beginning July 1, 2012, all the incentives and
4205 benefits provided for enterprise zones pursuant to state law
4206 shall be available to the energy economic zones designated
4207 pursuant to this section on or before July 1, 2010. In order to
4208 provide incentives, by March 1, 2012, each local governing body
4209 that has jurisdiction over an energy economic zone must, by
4210 local ordinance, establish the boundary of the energy economic
4211 zone, specify applicable energy-efficiency standards, and
4212 determine eligibility criteria for the application of state and
4213 local incentives and benefits in the energy economic zone.
4214 ~~However, in order to receive benefits provided under s. 288.106,~~
4215 ~~a business must be a qualified target industry business under s.~~



964468

4216 ~~288.106 for state purposes.~~ An energy economic zone's boundary
4217 may be revised by local ordinance. Such incentives and benefits
4218 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,
4219 ~~288.106,~~ and 624.5105 and the public utility discounts provided
4220 in s. 290.007(8). The exemption provided in s. 212.08(5)(c)
4221 shall be for renewable energy as defined in s. 377.803. For
4222 purposes of this section, any applicable requirements for
4223 employee residency for higher refund or credit thresholds must
4224 be based on employee residency in the energy economic zone or an
4225 enterprise zone. A business in an energy economic zone may also
4226 be eligible for funding under ss. 288.047 and 445.003, and a
4227 transportation project in an energy economic zone shall be
4228 provided priority in funding under s. 339.2821. Other projects
4229 shall be given priority ranking to the extent practicable for
4230 grants administered under state energy programs.

4231 Section 127. Subsections (1) and (5) of section 380.0657,
4232 Florida Statutes, are amended to read:

4233 380.0657 Expedited permitting process for economic
4234 development projects.-

4235 (1) The Department of Environmental Protection and, as
4236 appropriate, the water management districts created under
4237 chapter 373 shall adopt programs to expedite the processing of
4238 wetland resource and environmental resource permits for economic
4239 development projects that have been identified by a municipality
4240 or county as meeting the definition of target industry
4241 businesses under s. 288.005 ~~s. 288.106~~, or any intermodal
4242 logistics center receiving or sending cargo to or from Florida
4243 ports, with the exception of those projects requiring approval
4244 by the Board of Trustees of the Internal Improvement Trust Fund.



964468

4245 (5) Notwithstanding the provisions of this section, permit
4246 applications for projects to be located in a charter county that
4247 has a population of 1.2 million or more and has entered into a
4248 delegation agreement with the Department of Environmental
4249 Protection or the applicable water management district to
4250 process environmental resource permits, wetland resource
4251 management permits, or surface water management permits pursuant
4252 to chapter 373 are eligible for expedited permitting under this
4253 section only upon designation by resolution of the charter
4254 county's governing board. Before the governing board decides
4255 that a project is eligible for expedited permitting, it may
4256 require the county's economic development agency, or such other
4257 agency that provides advice to the governing board on economic
4258 matters, to review and recommend whether the project meets the
4259 definition of a target industry business as defined in s.
4260 288.005 ~~s. 288.106~~ and to identify the tangible benefits and
4261 impacts of the project. The governing board's decision shall be
4262 made without consideration of the project's geographic location
4263 within the charter county. If the governing board designates the
4264 project as a target industry business, the permit application
4265 for the project shall be approved or denied within the timeframe
4266 provided in subsection (4).

4267 Section 128. Subsection (5) of section 403.7032, Florida
4268 Statutes, is amended to read:

4269 403.7032 Recycling.—

4270 (5) The Department of Environmental Protection shall create
4271 the Recycling Business Assistance Center by December 1, 2010. In
4272 carrying out its duties under this subsection, the department
4273 shall consult with state agency personnel appointed to serve as



964468

4274 economic development liaisons under s. 288.021 ~~and seek~~
4275 ~~technical assistance from Enterprise Florida, Inc.,~~ to ensure
4276 the Recycling Business Assistance Center is positioned to
4277 succeed. The purpose of the center shall be to serve as the
4278 mechanism for coordination among state agencies and the private
4279 sector in order to coordinate policy and overall strategic
4280 planning for developing new markets and expanding and enhancing
4281 existing markets for recyclable materials in this state, other
4282 states, and foreign countries. The duties of the center must
4283 include, at a minimum:

4284 (a) Identifying and developing new markets and expanding
4285 and enhancing existing markets for recyclable materials.

4286 (b) Pursuing expanded end uses for recycled materials.

4287 (c) Targeting materials for concentrated market development
4288 efforts.

4289 (d) Developing proposals for new incentives for market
4290 development, particularly focusing on targeted materials.

4291 (e) Providing guidance on issues such as permitting,
4292 finance options for recycling market development, site location,
4293 research and development, grant program criteria for recycled
4294 materials markets, recycling markets education and information,
4295 and minimum content.

4296 (f) Coordinating the efforts of various governmental
4297 entities having market development responsibilities in order to
4298 optimize supply and demand for recyclable materials.

4299 (g) Evaluating source-reduced products as they relate to
4300 state procurement policy. The evaluation shall include, but is
4301 not limited to, the environmental and economic impact of source-
4302 reduced product purchases to the state. For the purposes of this



964468

4303 paragraph, the term "source-reduced" means any method, process,
4304 product, or technology that significantly or substantially
4305 reduces the volume or weight of a product while providing, at a
4306 minimum, equivalent or generally similar performance and service
4307 to and for the users of such materials.

4308 (h) Providing evaluation of solid waste management grants,
4309 pursuant to s. 403.7095, to reduce the flow of solid waste to
4310 disposal facilities and encourage the sustainable recovery of
4311 materials from Florida's waste stream.

4312 (i) Providing below-market financing for companies that
4313 manufacture products from recycled materials or convert
4314 recyclable materials into raw materials for use in manufacturing
4315 pursuant to the Florida Recycling Loan Program as administered
4316 by the Florida First Capital Finance Corporation.

4317 (j) Maintaining a continuously updated online directory
4318 listing the public and private entities that collect, transport,
4319 broker, process, or remanufacture recyclable materials in the
4320 state.

4321 (k) Providing information on the availability and benefits
4322 of using recycled materials to private entities and industries
4323 in the state.

4324 (l) Distributing any materials prepared in implementing
4325 this subsection to the public, private entities, industries,
4326 governmental entities, or other organizations upon request.

4327 (m) Coordinating with the Department of Commerce ~~Economic~~
4328 ~~Opportunity~~ and its partners to provide job placement and job
4329 training services to job seekers through the state's workforce
4330 services programs.

4331 Section 129. Effective July 1, 2024, paragraph (e) of



964468

4332 subsection (3) and paragraph (b) of subsection (14) of section
4333 403.973, Florida Statutes, are amended to read:

4334 403.973 Expedited permitting; amendments to comprehensive
4335 plans.—

4336 (3)

4337 ~~(c) Projects that are part of the state-of-the-art~~
4338 ~~biomedical research institution and campus to be established in~~
4339 ~~this state by the grantee under s. 288.955 are eligible for the~~
4340 ~~expedited permitting process, if the projects are designated as~~
4341 ~~part of the institution or campus by the board of county~~
4342 ~~commissioners of the county in which the institution and campus~~
4343 ~~are established.~~

4344 (14)

4345 (b) Projects identified in paragraphs (3) (e), (f), and (g)
4346 ~~(3) (f) - (h) or challenges to state agency action in the expedited~~
4347 ~~permitting process for establishment of a state-of-the-art~~
4348 ~~biomedical research institution and campus in this state by the~~
4349 ~~grantee under s. 288.955 are subject to the same requirements as~~
4350 ~~challenges brought under paragraph (a), except that,~~
4351 ~~notwithstanding s. 120.574, summary proceedings must be~~
4352 ~~conducted within 30 days after a party files the motion for~~
4353 ~~summary hearing, regardless of whether the parties agree to the~~
4354 ~~summary proceeding.~~

4355 Section 130. Subsections (15) and (17) of section 403.973,
4356 Florida Statutes, are amended to read:

4357 403.973 Expedited permitting; amendments to comprehensive
4358 plans.—

4359 ~~(15) The Department of Economic Opportunity, working with~~
4360 ~~the agencies providing cooperative assistance and input~~



964468

4361 ~~regarding the memoranda of agreement, shall review sites~~
4362 ~~proposed for the location of facilities that the Department of~~
4363 ~~Economic Opportunity has certified to be eligible for the~~
4364 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~
4365 ~~after the request for the review by the Department of Economic~~
4366 ~~Opportunity, the agencies shall provide to the Department of~~
4367 ~~Economic Opportunity a statement as to each site's necessary~~
4368 ~~permits under local, state, and federal law and an~~
4369 ~~identification of significant permitting issues, which if~~
4370 ~~unresolved, may result in the denial of an agency permit or~~
4371 ~~approval or any significant delay caused by the permitting~~
4372 ~~process.~~

4373 ~~(16)-(17)~~ The Department of Commerce ~~Economic Opportunity~~
4374 shall be responsible for certifying a business as eligible for
4375 undergoing expedited review under this section. ~~Enterprise~~
4376 ~~Florida, Inc.~~, A county or municipal government, or the Rural
4377 Economic Development Initiative may recommend to the Department
4378 of Commerce ~~Economic Opportunity~~ that a project meeting the
4379 minimum job creation threshold undergo expedited review.

4380 Section 131. Paragraph (c) of subsection (1) of section
4381 443.091, Florida Statutes, is amended to read:

4382 443.091 Benefit eligibility conditions.—

4383 (1) An unemployed individual is eligible to receive
4384 benefits for any week only if the Department of Commerce
4385 ~~Economic Opportunity~~ finds that:

4386 (c) To make continued claims for benefits, she or he is
4387 reporting to the department in accordance with this paragraph
4388 and department rules. Department rules may not conflict with s.
4389 443.111(1)(b), which requires that each claimant continue to



964468

4390 report regardless of any pending appeal relating to her or his
4391 eligibility or disqualification for benefits.

4392 1. For each week of unemployment claimed, each report must,
4393 at a minimum, include the name and address of each prospective
4394 employer contacted, or the date the claimant reported to a one-
4395 stop career center, pursuant to paragraph (d). For the purposes
4396 of this subparagraph, the term "address" means a website
4397 address, a physical address, or an e-mail address.

4398 2. The department shall offer an online assessment aimed at
4399 identifying an individual's skills, abilities, and career
4400 aptitude. The skills assessment must be voluntary, and the
4401 department shall allow a claimant to choose whether to take the
4402 skills assessment. The online assessment shall be made available
4403 to any person seeking services from a local workforce
4404 development board or a one-stop career center.

4405 a. If the claimant chooses to take the online assessment,
4406 the outcome of the assessment shall be made available to the
4407 claimant, local workforce development board, and one-stop career
4408 center. The department, local workforce development board, or
4409 one-stop career center shall use the assessment to develop a
4410 plan for referring individuals to training and employment
4411 opportunities. Aggregate data on assessment outcomes may be made
4412 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~
4413 ~~Inc.,~~ for use in the development of policies related to
4414 education and training programs that will ensure that businesses
4415 in this state have access to a skilled and competent workforce.

4416 b. Individuals shall be informed of and offered services
4417 through the one-stop delivery system, including career
4418 counseling, the provision of skill match and job market



4419 information, and skills upgrade and other training
4420 opportunities, and shall be encouraged to participate in such
4421 services at no cost to the individuals. The department shall
4422 coordinate with CareerSource Florida, Inc., the local workforce
4423 development boards, and the one-stop career centers to identify,
4424 develop, and use best practices for improving the skills of
4425 individuals who choose to participate in skills upgrade and
4426 other training opportunities. The department may contract with
4427 an entity to create the online assessment in accordance with the
4428 competitive bidding requirements in s. 287.057. The online
4429 assessment must work seamlessly with the Reemployment Assistance
4430 Claims and Benefits Information System.

4431 Section 132. Paragraph (h) of subsection (1) of section
4432 443.191, Florida Statutes, is amended to read:

4433 443.191 Unemployment Compensation Trust Fund; establishment
4434 and control.—

4435 (1) There is established, as a separate trust fund apart
4436 from all other public funds of this state, an Unemployment
4437 Compensation Trust Fund, which shall be administered by the
4438 Department of Commerce ~~Economic Opportunity~~ exclusively for the
4439 purposes of this chapter. The fund must consist of:

4440 (h) All money deposited in this account as a distribution
4441 pursuant to s. 212.20(6)(d)6.e. ~~s. 212.20(6)(d)6.g.~~

4442
4443 Except as otherwise provided in s. 443.1313(4), all moneys in
4444 the fund must be mingled and undivided.

4445 Section 133. Paragraph (d) of subsection (3), paragraph (b)
4446 of subsection (5), and paragraph (a) of subsection (6) of
4447 section 445.004, Florida Statutes, are amended to read:



964468

4448 445.004 CareerSource Florida, Inc., and the state board;
4449 creation; purpose; membership; duties and powers.—

4450 (3)

4451 (d) The state board must include the Secretary of Commerce
4452 ~~Economic Opportunity~~ or his or her designee, ~~the vice~~
4453 ~~chairperson of the board of directors of Enterprise Florida,~~
4454 ~~Inc.~~, and one member representing each of the Workforce
4455 Innovation and Opportunity Act partners, including the Division
4456 of Career and Adult Education, the Division of Vocational
4457 Rehabilitation, the Division of Blind Services, the Department
4458 of Children and Families, and other entities representing
4459 programs identified in the Workforce Innovation and Opportunity
4460 Act, as determined necessary.

4461 (5) The state board has all the powers and authority not
4462 explicitly prohibited by statute which are necessary or
4463 convenient to carry out and effectuate its purposes as
4464 determined by statute, Pub. L. No. 113-128, and the Governor, as
4465 well as its functions, duties, and responsibilities, including,
4466 but not limited to, the following:

4467 (b) Providing policy direction to ensure that the following
4468 programs are administered by the department consistent with
4469 approved plans:

4470 1. Programs authorized under Title I of the Workforce
4471 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
4472 exception of programs funded directly by the United States
4473 Department of Labor under Title I, s. 167.

4474 2. Programs authorized under the Wagner-Peyser Act of 1933,
4475 as amended, 29 U.S.C. ss. 49 et seq.

4476 3. Activities authorized under Title II of the Trade Act of



964468

4477 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
4478 Adjustment Assistance Program.

4479 4. Activities authorized under 38 U.S.C. chapter 41,
4480 including job counseling, training, and placement for veterans.

4481 5. Employment and training activities carried out under
4482 funds awarded to this state by the United States Department of
4483 Housing and Urban Development.

4484 6. Welfare transition services funded by the Temporary
4485 Assistance for Needy Families Program, created under the
4486 Personal Responsibility and Work Opportunity Reconciliation Act
4487 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
4488 of the Social Security Act, as amended.

4489 7. The Florida Bonding Program, provided under Pub. L. No.
4490 97-300, s. 164(a)(1).

4491 8. The Food Assistance Employment and Training Program,
4492 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
4493 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
4494 the Hunger Prevention Act, Pub. L. No. 100-435; and the
4495 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

4496 9. The Quick-Response Training Program, provided under ss.
4497 288.046-288.047. ~~Matching funds and in-kind contributions that~~
4498 ~~are provided by clients of the Quick-Response Training Program~~
4499 ~~count toward the requirements of s. 288.904, pertaining to the~~
4500 ~~return on investment from activities of Enterprise Florida, Inc.~~

4501 10. The Work Opportunity Tax Credit, provided under the Tax
4502 and Trade Relief Extension Act of 1998, Pub. L. No. 105-277, and
4503 the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

4504 11. Offender placement services, provided under ss.
4505 944.707-944.708.



964468

4506 (6) The state board shall achieve the purposes of this
4507 section by:

4508 (a) Creating a state employment, education, and training
4509 policy that ensures workforce related programs are responsive to
4510 present and future business and industry needs ~~and complement~~
4511 ~~the initiatives of Enterprise Florida, Inc.~~

4512 Section 134. Subsection (5) of section 445.045, Florida
4513 Statutes, is amended to read:

4514 445.045 Development of an Internet-based system for
4515 information technology industry promotion and workforce
4516 recruitment.-

4517 (5) In furtherance of the requirements of this section that
4518 the website promote and market the information technology
4519 industry by communicating information on the scope of the
4520 industry in this state, CareerSource Florida, Inc., shall
4521 ~~coordinate its efforts with the high technology industry~~
4522 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~
4523 ~~Through links or actual content, the website developed under~~
4524 ~~this section shall serve as a forum for distributing the~~
4525 ~~marketing campaign developed by Enterprise Florida, Inc., under~~
4526 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~
4527 solicit input from the not-for-profit corporation created to
4528 advocate on behalf of the information technology industry as an
4529 outgrowth of the Information Service Technology Development Task
4530 Force created under chapter 99-354, Laws of Florida.

4531 Section 135. Subsections (2) and (5) of section 446.44,
4532 Florida Statutes, are amended to read:

4533 446.44 Duties of Rural Workforce Services Program.-It shall
4534 be the direct responsibility of the Rural Workforce Services



964468

4535 Program to promote and deliver employment and workforce services
4536 and resources to the rural undeveloped and underdeveloped
4537 counties of the state in an effort to:

4538 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~
4539 ~~pollution-free industry to the rural counties.~~

4540 (4)~~(5)~~ Develop rural workforce programs that will be
4541 evaluated, planned, and implemented through communications and
4542 planning with appropriate:

4543 (a) Departments of state and federal governments.

4544 ~~(b) Units of Enterprise Florida, Inc.~~

4545 (b)~~(c)~~ Agencies and organizations of the public and private
4546 sectors at the state, regional, and local levels.

4547 Section 136. Subsection (5) of section 477.0135, Florida
4548 Statutes, is amended to read:

4549 477.0135 Exemptions.—

4550 (5) A license is not required of any individual providing
4551 makeup, special effects, or cosmetology services to an actor,
4552 stunt person, musician, extra, or other talent during a
4553 theatrical, film, or other entertainment production ~~recognized~~
4554 ~~by the Office of Film and Entertainment as a qualified~~
4555 ~~production as defined in s. 288.1254(1).~~ Such services are not
4556 required to be performed in a licensed salon. Individuals exempt
4557 under this subsection may not provide such services to the
4558 general public.

4559 Section 137. Subsection (1) of section 570.81, Florida
4560 Statutes, is amended to read:

4561 570.81 Agricultural Economic Development Project Review
4562 Committee; powers and duties.—

4563 (1) There is created an Agricultural Economic Development



964468

4564 Project Review Committee consisting of five members appointed by
4565 the commissioner. The members shall be appointed based upon the
4566 recommendations submitted by each entity represented on the
4567 committee and shall include:

- 4568 (a) The commissioner or the commissioner's designee.
- 4569 (b) One representative from the Farm Credit Service.
- 4570 (c) One representative from the Department of Commerce
4571 ~~Enterprise Florida, Inc.~~

4572 (d) One representative from the Florida Farm Bureau
4573 Federation.

4574 (e) One agricultural economist from the Institute of Food
4575 and Agricultural Sciences or from Florida Agricultural and
4576 Mechanical University.

4577 Section 138. Subsection (2) of section 570.85, Florida
4578 Statutes, is amended to read:

4579 570.85 Agritourism.—

4580 (2) The Department of Agriculture and Consumer Services may
4581 provide marketing advice, technical expertise, promotional
4582 support, and product development related to agritourism to
4583 assist the following in their agritourism initiatives: Florida
4584 Tourism Industry Marketing Corporation, ~~Enterprise Florida,~~
4585 ~~Inc.~~ + convention and visitor bureaus, + tourist development
4586 councils, + economic development organizations, + and local
4587 governments. In carrying out this responsibility, the department
4588 shall focus its agritourism efforts on rural and urban
4589 communities.

4590 Section 139. Section 625.3255, Florida Statutes, is amended
4591 to read:

4592 625.3255 Capital participation instrument.—An insurer may



4593 invest in any capital participation instrument or evidence of
4594 indebtedness issued by the Department of Commerce Enterprise
4595 Florida, Inc., pursuant to the Florida Small and Minority
4596 Business Assistance Act.

4597 Section 140. Paragraph (b) of subsection (4) of section
4598 657.042, Florida Statutes, is amended to read:

4599 657.042 Investment powers and limitations.—A credit union
4600 may invest its funds subject to the following definitions,
4601 restrictions, and limitations:

4602 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF
4603 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of
4604 the credit union may be invested in any of the following:

4605 (b) Any capital participation instrument or evidence of
4606 indebtedness issued by the Department of Commerce Enterprise
4607 Florida, Inc., pursuant to the Florida Small and Minority
4608 Business Assistance Act.

4609 Section 141. Paragraph (f) of subsection (4) of section
4610 658.67, Florida Statutes, is amended to read:

4611 658.67 Investment powers and limitations.—A bank may invest
4612 its funds, and a trust company may invest its corporate funds,
4613 subject to the following definitions, restrictions, and
4614 limitations:

4615 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR
4616 LESS OF CAPITAL ACCOUNTS.—

4617 (f) Up to 10 percent of the capital accounts of a bank or
4618 trust company may be invested in any capital participation
4619 instrument or evidence of indebtedness issued by the Department
4620 of Commerce Enterprise Florida, Inc., pursuant to the Florida
4621 Small and Minority Business Assistance Act.



964468

4622 Section 142. Paragraph (e) of subsection (2) of section
4623 1004.015, Florida Statutes, is amended to read:

4624 1004.015 Florida Talent Development Council.—

4625 (2) Members of the council shall include:

4626 ~~(c) The president of Enterprise Florida, Inc.~~

4627 Section 143. Paragraph (d) of subsection (5) of section
4628 1004.65, Florida Statutes, is amended to read:

4629 1004.65 Florida College System institutions; governance,
4630 mission, and responsibilities.—

4631 (5) The primary mission and responsibility of Florida
4632 College System institutions is responding to community needs for
4633 postsecondary academic education and career degree education.
4634 This mission and responsibility includes being responsible for:

4635 (d) Promoting economic development for the state within
4636 each Florida College System institution district through the
4637 provision of special programs, including, but not limited to,
4638 the:

4639 1. ~~Enterprise Florida-related programs.~~

4640 ~~2.~~ Technology transfer centers.

4641 ~~2.3.~~ Economic development centers.

4642 ~~3.4.~~ Workforce literacy programs.

4643 Section 144. Paragraph (b) of subsection (10) of section
4644 1004.78, Florida Statutes, is amended to read:

4645 1004.78 Technology transfer centers at Florida College
4646 System institutions.—

4647 (10) The State Board of Education may award grants to
4648 Florida College System institutions, or consortia of public and
4649 private colleges and universities and other public and private
4650 entities, for the purpose of supporting the objectives of this



964468

4651 section. Grants awarded pursuant to this subsection shall be in
4652 accordance with rules of the State Board of Education. Such
4653 rules shall include the following provisions:

4654 (b) Grants to centers funded with state revenues
4655 appropriated specifically for technology transfer activities
4656 shall be reviewed and approved by the State Board of Education
4657 using proposal solicitation, evaluation, and selection
4658 procedures established by the state board in consultation with
4659 the Department of Commerce ~~Enterprise Florida, Inc.~~ Such
4660 procedures may include designation of specific areas or
4661 applications of technology as priorities for the receipt of
4662 funding.

4663 Section 145. Subsection (4) of section 1011.76, Florida
4664 Statutes, is amended to read:

4665 1011.76 Small School District Stabilization Program.—

4666 (4) The Department of Education may award the school
4667 district a stabilization grant intended to protect the district
4668 from continued financial reductions. The amount of the grant
4669 will be determined by the Department of Education and may be
4670 equivalent to the amount of the decline in revenues projected
4671 for the next fiscal year. In addition, the Department of
4672 Commerce ~~Economic Opportunity~~ may implement a rural economic
4673 development initiative to identify the economic factors that are
4674 negatively impacting the community to develop ~~and may consult~~
4675 ~~with Enterprise Florida, Inc., in developing~~ a plan to assist
4676 the county with its economic transition. The grant will be
4677 available to the school district for a period of up to 5 years
4678 to the extent that funding is provided for such purpose in the
4679 General Appropriations Act.



4680 Section 146. The Division of Law Revision is directed to
4681 prepare a reviser's bill for the 2024 Regular Session of the
4682 Legislature to change the terms "Department of Economic
4683 Opportunity" and "Secretary of Economic Opportunity" to
4684 "Department of Commerce" and "Secretary of Commerce,"
4685 respectively, wherever the terms appear in the Florida Statutes
4686 and to make such further changes as are necessary to conform the
4687 Florida Statutes to the organizational changes effected by this
4688 act.

4689 Section 147. Except as otherwise expressly provided in this
4690 act, this act shall take effect July 1, 2023.

4691
4692 ===== T I T L E A M E N D M E N T =====

4693 And the title is amended as follows:

4694 Delete everything before the enacting clause
4695 and insert:

4696 A bill to be entitled
4697 An act relating to economic programs; providing for a
4698 type two transfer of the duties and functions of
4699 Enterprise Florida, Inc., to the Department of
4700 Commerce; providing legislative intent; providing for
4701 a transition period; requiring the department and
4702 Enterprise Florida, Inc., to coordinate the
4703 development and implementation of a transition plan;
4704 providing requirements for the transition plan;
4705 specifying that certain binding contracts remain
4706 binding; requiring the transfer of specified funds;
4707 requiring the department to submit specified
4708 amendments and information to the Federal Government



4709 and seek specified waivers; requiring the Division of
4710 Law Revision to provide assistance to specified
4711 committees for certain purposes; prohibiting certain
4712 actions from being taken relating to specified
4713 programs; specifying that existing contracts or
4714 agreements authorized under such programs continue in
4715 full force and effect; providing appropriations;
4716 amending ss. 11.45, 14.32, 15.18, 15.182, and 20.435,
4717 F.S.; conforming provisions to changes made by the
4718 act; amending s. 20.60, F.S.; renaming the Department
4719 of Economic Opportunity as the Department of Commerce;
4720 designating the head of the department as the
4721 Secretary of Commerce; requiring the secretary to
4722 serve as the Governor's chief negotiator for certain
4723 purposes; renaming the Division of Strategic Business
4724 Development as the Division of Economic Development;
4725 revising the duties and purposes of the department;
4726 revising the duties of the Division of Workforce
4727 Services; conforming provisions to changes made by the
4728 act; repealing s. 20.601, F.S., relating to review of
4729 the Department of Economic Opportunity; amending s.
4730 159.803, F.S.; requiring the department to develop
4731 certain protocols and measures; conforming provisions
4732 to changes made by the act; amending ss. 189.033,
4733 196.012, and 212.08, F.S.; conforming provisions to
4734 changes made by the act; amending ss. 212.098, 212.20,
4735 212.205, 213.053, 220.02, 220.13, and 220.16, F.S.;
4736 conforming provisions to changes made by the act;
4737 repealing s. 220.1899, F.S., relating to an



4738 entertainment industry tax credit; amending s.
4739 220.191, F.S.; defining the term "average private
4740 sector wage in the area"; conforming provisions to
4741 changes made by the act; repealing s. 220.194, F.S.,
4742 relating to corporate income tax credits for
4743 spaceflight projects; amending ss. 220.196, 272.11,
4744 287.0947, and 287.137, F.S.; conforming provisions to
4745 changes made by the act; amending s. 288.0001, F.S.;
4746 revising required analyses provided by the Office of
4747 Economic and Demographic Research and OPPAGA;
4748 conforming provisions to changes made by the act;
4749 amending ss. 288.001 and 288.005, F.S.; conforming
4750 provisions to changes made by the act; amending s.
4751 288.012, F.S.; requiring the department to establish a
4752 direct-support organization for a specified purpose;
4753 specifying the Secretary of Commerce is the head of
4754 such direct-support organization; authorizing the
4755 Secretary to provide for the appointment of a director
4756 and other staff; providing requirements and
4757 authorizations relating to the direct-support
4758 organization; providing requirements for an agreement
4759 between the direct-support organization and the
4760 department; requiring the department to submit a
4761 proposed operating budget for the direct-service
4762 organization to the Governor and the Legislature;
4763 providing for a future repeal; conforming provisions
4764 to changes made by the act; amending s. 288.017, F.S.;
4765 providing authority to the Florida Tourism Industry
4766 Marketing Corporation, rather than Enterprise Florida,



4767 Inc., to establish and administer a cooperative
4768 advertising matching grants program ; conforming
4769 provisions to changes made by the act; amending ss.
4770 288.018, 288.047, 288.061, 288.0655, 288.0656,
4771 288.0658, and 288.075, and 288.076, F.S.; conforming
4772 provisions to changes made by the act; amending s.
4773 288.095, F.S.; requiring the department to issue
4774 quarterly reports relating to the status of certain
4775 payments and escrow activity to specified entities;
4776 requiring the department to create a separate account
4777 for specified transferred funds; requiring the
4778 department to transfer payments to the General Revenue
4779 Fund; conforming provisions to changes made by the
4780 act; amending s. 288.101, F.S.; revising
4781 authorizations relating to the Florida Job Growth
4782 Grand Fund; repealing ss. 288.1045 and 288.106, F.S.,
4783 relating to the qualified defense contractor and space
4784 flight business tax refund program and a tax refund
4785 program for qualified target industry businesses;
4786 amending 288.107, F.S.; revising requirements relating
4787 to brownfield redevelopment bonus refunds; authorizing
4788 the department to adopt rules; conforming provisions
4789 to changes made by the act; amending s. 288.108, F.S.;
4790 conforming provisions to changes made by the act;
4791 repealing ss. 288.1081, 288.1082, 288.1088, and
4792 288.1089, F.S., relating to the Economic Gardening
4793 Business Loan Pilot Program, the Economic Gardening
4794 Technical Assistance Pilot Program, the Quick Action
4795 Closing Fund, and the Innovation Incentive Program,



4796 respectively; amending ss. 288.111, 288.11621, and
4797 288.11631, F.S.; conforming provisions to changes made
4798 by the act; repealing ss. 288.1168 and 288.1169, F.S.,
4799 relating to the professional golf hall of fame
4800 facility and the International Game Fish Association
4801 World Center facility, respectively; amending s.
4802 288.122, F.S.; conforming a provision to changes made
4803 by the act; amending s. 288.1226, F.S.; revising the
4804 composition of the board of directors of the Florida
4805 Tourism Industry Marketing Corporation; conforming
4806 provisions to changes made by the act; amending s.
4807 288.12265, F.S.; transferring responsibility for
4808 administering and operating welcome centers from
4809 Enterprise Florida, Inc., to the Florida Tourism
4810 Industry Marketing Corporation; reviving, readopting,
4811 and amending s. 288.1229, F.S., relating to promotion
4812 and development of sports-related industries and
4813 amateur athletics; requiring the department to
4814 establish the Florida Sports Foundation direct-support
4815 organization; providing requirements for the
4816 foundation, including development of the Florida
4817 Senior Games; providing and revising requirements for
4818 the Florida Senior Games and the Sunshine State Games,
4819 respectively; conforming provisions to changes made by
4820 the act; amending s. 288.125, F.S.; conforming a
4821 provision to changes made by the act; repealing ss.
4822 288.1251, 288.1252, 288.1253, and 288.1254, F.S.,
4823 relating to the promotion and development of the
4824 entertainment industry by the Office of Film and



4825 Entertainment, the Florida Film and Entertainment
4826 Advisory Council, certain travel and entertainment
4827 expenses, and an entertainment industry financial
4828 incentive program, respectively; amending ss.
4829 288.1258, 288.7015, 288.706, 288.773, 288.776,
4830 288.7771, 288.816, and 288.826, F.S.; conforming
4831 provisions to changes made by the act; repealing ss.
4832 288.901, 288.9015, 288.903, 288.904, 288.905, and
4833 288.906, F.S., relating to Enterprise Florida, Inc.,
4834 powers of board of directors of Enterprise Florida,
4835 Inc., duties of Enterprise Florida, Inc., funding for
4836 Enterprise Florida, Inc., the president and employees
4837 of Enterprise Florida, Inc., and the annual report and
4838 audits of Enterprise Florida, Inc., and its divisions,
4839 respectively; renumbering and amending s. 288.907,
4840 F.S.; conforming provisions to changes made by the
4841 act; repealing s. 288.911, F.S., relating to the
4842 creation and implementation of a marketing and image
4843 campaign; renumbering and amending s. 288.912, F.S.;
4844 conforming provisions to changes made by the act;
4845 repealing s. 288.92, F.S., relating to the divisions
4846 of Enterprise Florida, Inc.; renumbering and amending
4847 s. 288.923, F.S.; revising the responsibilities and
4848 duties of the Florida Tourism Industry Marketing
4849 Corporation; conforming provisions to changes made by
4850 the act; repealing ss. 288.95155 and 288.9519, F.S.,
4851 relating to the Florida Small Business Technology
4852 Growth Program and a not-for-profit corporation
4853 intended to promote the competitiveness and



4854 profitability of high-technology business and
4855 industry, respectively; renumbering and amending s.
4856 288.9520, F.S.; specifying that the department is the
4857 custodian of certain public records; conforming
4858 provisions to changes made by the act; repealing s.
4859 288.955, F.S., relating to Scripps Florida Funding
4860 Corporation; amending s. 288.9603, F.S.; conforming a
4861 provision to changes made by the act; amending s.
4862 288.9604, F.S.; removing the future repeal of the
4863 Florida Development Finance Corporation; amending ss.
4864 288.9605, 288.9614, 288.9624, 288.9625, 288.96255,
4865 288.980, and 288.987, F.S.; conforming provisions to
4866 changes made by the act; repealing ss. 288.991,
4867 288.9912, 288.9913, 288.9914, 288.9915, 288.9916,
4868 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, and
4869 288.9922, F.S., relating to the New Markets
4870 Development Program Act; amending s. 288.9932, F.S.;
4871 deleting the definition of the term "domiciled in this
4872 state; repealing s. 288.9934, F.S., relating to the
4873 Microfinance Loan Program; amending s. 288.9935, F.S.;
4874 conforming provisions to changes made by the act;
4875 repealing ss. 288.9936 and 288.9937, F.S., relating to
4876 the annual report of the Microfinance Loan Program and
4877 the evaluation of certain programs, respectively;
4878 amending ss. 288.9961, 290.0056, 290.0065, 290.00677,
4879 290.053, and 295.22, F.S.; conforming provisions to
4880 changes made by the act; conforming cross-references;
4881 amending ss. 320.08058, 339.2821, 377.703, 377.804,
4882 377.809, 380.0657, 403.7032, 403.973, 443.091,



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4883 443.191, 445.004, 445.045, 446.44, 477.0135, 570.81,
4884 570.85, 625.3255, 657.042, 658.67, 1004.015, 1004.65,
4885 1004.78, and 1011.76, F.S.; conforming provisions to
4886 changes made by the act; directing the Division of Law
4887 Revision to prepare a reviser's bill for a specified
4888 purpose; providing effective dates.