

By the Committee on Fiscal Policy; the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Commerce and Tourism; and Senator Hooper

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1 A bill to be entitled
2 An act relating to economic programs; providing for a
3 type two transfer of the duties and functions of
4 Enterprise Florida, Inc., to the Department of
5 Commerce; providing legislative intent; providing for
6 a transition period; requiring the department and
7 Enterprise Florida, Inc., to coordinate the
8 development and implementation of a transition plan;
9 providing requirements for the transition plan;
10 specifying that certain binding contracts remain
11 binding; requiring the transfer of specified funds;
12 requiring the department to submit specified
13 amendments and information to the Federal Government
14 and seek specified waivers; requiring the Division of
15 Law Revision to provide assistance to specified
16 committees for certain purposes; prohibiting certain
17 actions from being taken relating to specified
18 programs; specifying that existing contracts or
19 agreements authorized under such programs continue in
20 full force and effect; providing appropriations;
21 amending ss. 11.45, 14.32, 15.18, 15.182, and 20.435,
22 F.S.; conforming provisions to changes made by the
23 act; amending s. 20.60, F.S.; renaming the Department
24 of Economic Opportunity as the Department of Commerce;
25 designating the head of the department as the
26 Secretary of Commerce; requiring the secretary to
27 serve as the Governor's chief negotiator for certain
28 purposes; renaming the Division of Strategic Business
29 Development as the Division of Economic Development;

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30 revising the duties and purposes of the department;
31 revising the duties of the Division of Workforce
32 Services; conforming provisions to changes made by the
33 act; repealing s. 20.601, F.S., relating to review of
34 the Department of Economic Opportunity; amending s.
35 159.803, F.S.; requiring the department to develop
36 certain protocols and measures; conforming provisions
37 to changes made by the act; amending ss. 189.033,
38 196.012, and 212.08, 212.098, 212.20, 212.205,
39 213.053, 220.02, 220.13, and 220.16, F.S.; conforming
40 provisions to changes made by the act; repealing s.
41 220.1899, F.S., relating to an entertainment industry
42 tax credit; amending s. 220.191, F.S.; defining the
43 term "average private sector wage in the area";
44 conforming provisions to changes made by the act;
45 repealing s. 220.194, F.S., relating to corporate
46 income tax credits for spaceflight projects; amending
47 ss. 220.196, 272.11, 287.0947, and 287.137, F.S.;
48 conforming provisions to changes made by the act;
49 amending s. 288.0001, F.S.; revising required analyses
50 provided by the Office of Economic and Demographic
51 Research and Office of Program Policy Analysis and
52 Government Accountability; conforming provisions to
53 changes made by the act; amending ss. 288.001 and
54 288.005, F.S.; conforming provisions to changes made
55 by the act; amending s. 288.012, F.S.; requiring the
56 department to establish a direct-support organization
57 for a specified purpose; specifying the Secretary of
58 Commerce is the head of such direct-support

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59 organization; authorizing the secretary to provide for
60 the appointment of a director and other staff;
61 providing requirements and authorizations relating to
62 the direct-support organization; providing
63 requirements for an agreement between the direct-
64 support organization and the department; requiring the
65 department to submit a proposed operating budget for
66 the direct-support organization to the Governor and
67 the Legislature; providing for a future repeal;
68 conforming provisions to changes made by the act;
69 amending s. 288.017, F.S.; providing authority to the
70 Florida Tourism Industry Marketing Corporation, rather
71 than Enterprise Florida, Inc., to establish and
72 administer a cooperative advertising matching grants
73 program; conforming provisions to changes made by the
74 act; amending ss. 288.018, 288.047, 288.061, 288.0655,
75 288.0656, 288.0658, 288.075, and 288.076, F.S.;
76 conforming provisions to changes made by the act;
77 amending s. 288.095, F.S.; requiring the department to
78 issue quarterly reports relating to the status of
79 certain payments and escrow activity to specified
80 entities; requiring the department to create a
81 separate account for specified transferred funds;
82 requiring the department to transfer payments to the
83 General Revenue Fund; conforming provisions to changes
84 made by the act; amending s. 288.101, F.S.; revising
85 authorizations relating to the Florida Job Growth
86 Grant Fund; repealing ss. 288.1045 and 288.106, F.S.,
87 relating to the qualified defense contractor and space

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88 flight business tax refund program and a tax refund
89 program for qualified target industry businesses,
90 respectively; amending 288.107, F.S.; revising
91 requirements relating to brownfield redevelopment
92 bonus refunds; authorizing the department to adopt
93 rules; conforming provisions to changes made by the
94 act; amending s. 288.108, F.S.; conforming provisions
95 to changes made by the act; repealing ss. 288.1081,
96 288.1082, 288.1088, and 288.1089, F.S., relating to
97 the Economic Gardening Business Loan Pilot Program,
98 the Economic Gardening Technical Assistance Pilot
99 Program, the Quick Action Closing Fund, and the
100 Innovation Incentive Program, respectively; amending
101 ss. 288.111, 288.11621, and 288.11631, F.S.;
102 conforming provisions to changes made by the act;
103 repealing ss. 288.1168 and 288.1169, F.S., relating to
104 the professional golf hall of fame facility and the
105 International Game Fish Association World Center
106 facility, respectively; amending s. 288.122, F.S.;
107 conforming a provision to changes made by the act;
108 amending s. 288.1226, F.S.; revising the composition
109 of the board of directors of the Florida Tourism
110 Industry Marketing Corporation; conforming provisions
111 to changes made by the act; amending s. 288.12265,
112 F.S.; transferring responsibility for administering
113 and operating welcome centers from Enterprise Florida,
114 Inc., to the Florida Tourism Industry Marketing
115 Corporation; reviving, readopting, and amending s.
116 288.1229, F.S., relating to promotion and development

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117 of sports-related industries and amateur athletics;
118 requiring the department to establish the Florida
119 Sports Foundation direct-support organization;
120 providing requirements for the foundation, including
121 development of the Florida Senior Games; providing and
122 revising requirements for the Florida Senior Games and
123 the Sunshine State Games, respectively; conforming
124 provisions to changes made by the act; amending s.
125 288.125, F.S.; conforming a provision to changes made
126 by the act; repealing ss. 288.1251, 288.1252,
127 288.1253, and 288.1254, F.S., relating to the
128 promotion and development of the entertainment
129 industry by the Office of Film and Entertainment, the
130 Florida Film and Entertainment Advisory Council,
131 certain travel and entertainment expenses, and an
132 entertainment industry financial incentive program,
133 respectively; amending ss. 288.1258, 288.7015,
134 288.706, 288.773, 288.776, 288.7771, 288.816, and
135 288.826, F.S.; conforming provisions to changes made
136 by the act; repealing ss. 288.901, 288.9015, 288.903,
137 288.904, 288.905, and 288.906, F.S., relating to
138 Enterprise Florida, Inc., powers of board of directors
139 of Enterprise Florida, Inc., duties of Enterprise
140 Florida, Inc., funding for Enterprise Florida, Inc.,
141 the president and employees of Enterprise Florida,
142 Inc., and the annual report and audits of Enterprise
143 Florida, Inc., and its divisions, respectively;
144 renumbering and amending s. 288.907, F.S.; conforming
145 provisions to changes made by the act; repealing s.

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146 288.911, F.S., relating to the creation and
147 implementation of a marketing and image campaign;
148 renumbering and amending s. 288.912, F.S.; conforming
149 provisions to changes made by the act; repealing s.
150 288.92, F.S., relating to the divisions of Enterprise
151 Florida, Inc.; renumbering and amending s. 288.923,
152 F.S.; revising the responsibilities and duties of the
153 Florida Tourism Industry Marketing Corporation;
154 conforming provisions to changes made by the act;
155 repealing ss. 288.95155 and 288.9519, F.S., relating
156 to the Florida Small Business Technology Growth
157 Program and a not-for-profit corporation intended to
158 promote the competitiveness and profitability of high-
159 technology business and industry, respectively;
160 renumbering and amending s. 288.9520, F.S.; specifying
161 that the department is the custodian of certain public
162 records; conforming provisions to changes made by the
163 act; repealing s. 288.955, F.S., relating to Scripps
164 Florida Funding Corporation; amending s. 288.9603,
165 F.S.; conforming a provision to changes made by the
166 act; amending s. 288.9604, F.S.; removing the future
167 repeal of the Florida Development Finance Corporation;
168 amending ss. 288.9605, 288.9614, 288.9624, 288.9625,
169 288.96255, 288.980, and 288.987, F.S.; conforming
170 provisions to changes made by the act; repealing ss.
171 288.991, 288.9912, 288.9913, 288.9914, 288.9915,
172 288.9916, 288.9917, 288.9918, 288.9919, 288.9920,
173 288.9921, and 288.9922, F.S., relating to the New
174 Markets Development Program Act; amending s. 288.9932,

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175 F.S.; deleting the definition of the term "domiciled
176 in this state"; repealing s. 288.9934, F.S., relating
177 to the Microfinance Loan Program; amending s.
178 288.9935, F.S.; conforming provisions to changes made
179 by the act; repealing ss. 288.9936 and 288.9937, F.S.,
180 relating to the annual report of the Microfinance Loan
181 Program and the evaluation of certain programs,
182 respectively; amending ss. 288.9961, 290.0056,
183 290.0065, 290.00677, 290.053, and 295.22, F.S.;
184 conforming provisions to changes made by the act;
185 amending ss. 320.08058, 339.2821, 377.703, 377.804,
186 377.809, 380.0657, 403.7032, 403.973, 443.091,
187 443.191, 445.004, 445.045, 446.44, 477.0135, 570.81,
188 570.85, 625.3255, 657.042, 658.67, 1004.015, 1004.65,
189 1004.78, and 1011.76, F.S.; conforming provisions to
190 changes made by the act; directing the Division of Law
191 Revision to prepare a reviser's bill for a specified
192 purpose; providing effective dates.

193

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

195

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

203

(2) It is the intent of the Legislature that the changes

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204 made by this act be accomplished with minimal disruption of
205 services provided to the public and with minimal disruption to
206 employees of any organization. To that end, the Legislature
207 directs all applicable units of state government to contribute
208 to the successful implementation of this act, and the
209 Legislature believes that a transition period between the
210 effective date of this act and December 1, 2023, is appropriate
211 and warranted.

212 (3) (a) The Department of Commerce, as created by this act,
213 and Enterprise Florida, Inc., shall each coordinate the
214 development and implementation of a transition plan by August 1,
215 2023, that supports the implementation of this act. The
216 department shall coordinate the submission of any budget
217 amendments, in accordance with chapter 216, Florida Statutes,
218 which may be necessary to implement this act.

219 (b) The Legislature directs that notwithstanding the
220 changes made by this act, Enterprise Florida, Inc., may continue
221 with such powers, duties, functions, records, offices,
222 personnel, property, pending issues, and existing contracts as
223 provided in Florida Statutes 2022 until December 1, 2023, except
224 that the board of directors shall stand repealed on October 1,
225 2023. The president of Enterprise Florida, Inc., shall continue
226 the operations of the direct-support organization until full
227 implementation of the transition plan. The transition plan shall
228 provide for transfer of powers, duties, functions, records,
229 offices, personnel, property, pending issues, and existing
230 contracts related to international business development and
231 trade to the direct-support organization created under s.
232 288.012, Florida Statutes.

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233 (4) The transfer of any program, activity, duty, or
234 function under this act includes the transfer of any records and
235 unexpended balances of appropriations, allocations, or other
236 funds related to such program, activity, duty, or function.
237 Unless otherwise provided, the successor organization to any
238 program, activity, duty, or function transferred under this act
239 shall become the custodian of any property of the organization
240 that was responsible for the program, activity, duty, or
241 function immediately prior to the transfer.

242 (5) Any binding contract or interagency agreement existing
243 before December 1, 2023, between Enterprise Florida, Inc., and
244 any other agency, entity, or person shall continue as a binding
245 contract or agreement for the remainder of the term of such
246 contract or agreement on the successor department, agency, or
247 entity responsible for the program, activity, or functions
248 relative to the contract or agreement.

249 (6) Any funds held in trust which were donated to or earned
250 by the Division of International Trade and Business Development,
251 the Division of Sports Industry Development, or the Division of
252 Tourism Marketing of Enterprise Florida, Inc., shall be
253 transferred to the direct-support organization created under s.
254 288.012, Florida Statutes, the Florida Tourism Industry
255 Marketing Corporation, or the Florida Sports Foundation, as
256 appropriate, for the original purposes of the funds.

257 (7) The department shall submit in a timely manner to the
258 applicable federal departments or agencies any necessary
259 amendments or supplemental information concerning plans which
260 the state or one of the entities is required to submit to the
261 Federal Government in connection with any federal or state

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262 program. The department shall seek any waivers from the
263 requirements of federal law or rules which may be necessary to
264 administer the provisions of this act.

265 Section 2. The Legislature recognizes that there is a need
266 to conform the Florida Statutes to the policy decisions
267 reflected in this act and that there is a need to resolve
268 apparent conflicts between any other legislation that has been
269 or may be enacted during the 2023 Regular Session of the
270 Legislature and the transfer of duties made by this act.

271 Therefore, in the interim between this act becoming law and the
272 2024 Regular Session of the Legislature or an earlier special
273 session addressing this issue, the Division of Law Revision
274 shall provide the relevant substantive committees of the Senate
275 and the House of Representatives with assistance, upon request,
276 to enable such committees to prepare draft legislation to
277 conform the Florida Statutes and any legislation enacted during
278 2023 to the provisions of this act.

279 Section 3. For programs established pursuant to s.
280 220.1899, s. 220.194, s. 288.1045, s. 288.106, s. 288.1081, s.
281 288.1082, s. 288.1088, s. 288.1089, s. 288.95155, s. 288.9916,
282 or s. 288.9934, Florida Statutes, no new or additional
283 applications or certifications shall be approved, no new letters
284 of certification may be issued, no new contracts or agreements
285 may be executed, and no new awards may be made. Any existing
286 contracts or agreements authorized under any of these programs
287 shall continue in full force and effect in accordance with the
288 statutory requirements in effect when the contract or agreement
289 was executed or last modified. However, no further
290 modifications, extensions, or waivers may be made or granted

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291 relating to such contracts or agreements except computations by
292 the Department of Revenue of the income generated by or arising
293 out of the qualifying project.

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

298 (2) For the 2023-2024 fiscal year, 20 full-time equivalent
299 positions with associated salary rate of 1,406,860 are
300 authorized and the sum of \$5 million in recurring funds from the
301 State Economic Enhancement and Development Trust Fund is
302 appropriated to the Department of Economic Opportunity to carry-
303 out the provisions of this act. The remaining funds are
304 appropriated to the department to carry-out the provisions of
305 this act.

306 (3) For the 2023-2024 fiscal year, the sum of \$2 million in
307 nonrecurring funds from the State Economic Enhancement and
308 Development Trust Fund is appropriated to Enterprise Florida,
309 Inc., to facilitate the transition plan and transfers required
310 by this act. The unexpended balance of funds as of December 31,
311 2023, shall revert.

312 Section 5. Paragraph (i) of subsection (3) of section
313 11.45, Florida Statutes, is amended to read:

314 11.45 Definitions; duties; authorities; reports; rules.—

315 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor
316 General may, pursuant to his or her own authority, or at the
317 direction of the Legislative Auditing Committee, conduct audits
318 or other engagements as determined appropriate by the Auditor
319 General of:

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320 ~~(i) Enterprise Florida, Inc., including any of its boards,~~
321 ~~advisory committees, or similar groups created by Enterprise~~
322 ~~Florida, Inc., and programs. The audit report may not reveal the~~
323 ~~identity of any person who has anonymously made a donation to~~
324 ~~Enterprise Florida, Inc., pursuant to this paragraph. The~~
325 ~~identity of a donor or prospective donor to Enterprise Florida,~~
326 ~~Inc., who desires to remain anonymous and all information~~
327 ~~identifying such donor or prospective donor are confidential and~~
328 ~~exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I~~
329 ~~of the State Constitution. Such anonymity shall be maintained in~~
330 ~~the auditor's report.~~

331 Section 6. Paragraph (a) of subsection (3) of section
332 14.32, Florida Statutes, is amended to read:

333 14.32 Office of Chief Inspector General.—

334 (3) Related to public-private partnerships, the Chief
335 Inspector General:

336 (a) Shall advise public-private partnerships, ~~including~~
337 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and
338 improvement of internal control measures necessary to ensure
339 fiscal accountability.

340 Section 7. Section 15.18, Florida Statutes, is amended to
341 read:

342 15.18 International and cultural relations.—The Divisions
343 of Arts and Culture, Historical Resources, and Library and
344 Information Services of the Department of State promote programs
345 having substantial cultural, artistic, and indirect economic
346 significance that emphasize American creativity. The Secretary
347 of State, as the head administrator of these divisions, shall
348 hereafter be known as "Florida's Chief Arts and Culture

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349 Officer." As this officer, the Secretary of State is encouraged
350 to initiate and develop relationships between the state and
351 foreign cultural officers, their representatives, and other
352 foreign governmental officials in order to promote Florida as
353 the center of American creativity. The Secretary of State shall
354 coordinate international activities pursuant to this section
355 with the Department of Commerce ~~Enterprise Florida, Inc.~~, and
356 any other organization the secretary deems appropriate. For the
357 accomplishment of this purpose, the Secretary of State shall
358 have the power and authority to:

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

361 (2) Plan and carry out activities designed to cause
362 improved cultural and governmental programs and exchanges with
363 foreign countries.

364 (3) Plan and implement cultural and social activities for
365 visiting foreign heads of state, diplomats, dignitaries, and
366 exchange groups.

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

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

373 (6) Provide, arrange, and make expenditures for the
374 achievement of any or all of the purposes specified in this
375 section.

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

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378 15.182 International travel by state-funded musical,
379 cultural, or artistic organizations; notification to the
380 Department of State.—

381 (2) The Department of State, in conjunction with the
382 Department of Commerce ~~Economic Opportunity and Enterprise~~
383 ~~Florida, Inc.~~, shall act as an intermediary between performing
384 musical, cultural, and artistic organizations and Florida
385 businesses to encourage and coordinate joint undertakings. Such
386 coordination may include, but is not limited to, encouraging
387 business and industry to sponsor cultural events, assistance
388 with travel of such organizations, and coordinating travel
389 schedules of cultural performance groups and international trade
390 missions.

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

394 20.435 Department of Health; trust funds.—The following
395 trust funds shall be administered by the Department of Health:

396 (7) Biomedical Research Trust Fund.

397 (a) Funds to be credited to the trust fund shall consist of
398 funds appropriated by the Legislature. Funds shall be used for
399 the purposes of the James and Esther King Biomedical Research
400 Program, the Casey DeSantis Cancer Research Program, and the
401 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research
402 Program as specified in ss. 215.5602, ~~288.955~~, 381.915, and
403 381.922. The trust fund is exempt from the service charges
404 imposed by s. 215.20.

405 Section 10. Section 20.60, Florida Statutes, is amended to
406 read:

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407 20.60 Department of Commerce ~~Economic Opportunity~~;
408 creation; powers and duties.—

409 (1) There is created the Department of Commerce ~~Economic~~
410 ~~Opportunity~~.

411 (2) The head of the department is the Secretary of Commerce
412 ~~Economic Opportunity~~, who shall be appointed by the Governor,
413 subject to confirmation by the Senate. The secretary shall serve
414 at the pleasure of and report to the Governor and shall serve as
415 the Governor's chief negotiator for business recruitment and
416 expansion and economic development. The secretary may appoint
417 deputy and assistant secretaries as necessary to aid the
418 secretary in fulfilling his or her statutory obligations.

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

- 421 1. The Division of Economic ~~Strategic Business~~ Development.
- 422 2. The Division of Community Development.
- 423 3. The Division of Workforce Services.
- 424 4. The Division of Finance and Administration.
- 425 5. The Division of Information Technology.
- 426 6. The Office of the Secretary.
- 427 7. The Office of Economic Accountability and Transparency,

428 which shall:

429 a. Oversee the department's critical objectives as
430 determined by the secretary and make sure that the department's
431 key objectives are clearly communicated to the public.

432 b. Organize department resources, expertise, data, and
433 research to focus on and solve the complex economic challenges
434 facing the state.

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

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436 that require integration of policy, management, and critical
437 objectives from multiple programs and organizations internal and
438 external to the department; and organize and manage external
439 communication on such priority issues.

440 d. Promote and facilitate key department initiatives to
441 address priority economic issues and explore data and identify
442 opportunities for innovative approaches to address such economic
443 issues.

444 e. Promote strategic planning for the department.

445 (b) The secretary:

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

449 2. Shall appoint a director for each division, who shall
450 directly administer his or her division and be responsible to
451 the secretary.

452 (4) The purpose of the department is to assist the Governor
453 in working with the Legislature, state agencies, business
454 leaders, and economic development professionals to formulate and
455 implement coherent and consistent policies and strategies
456 designed to promote economic opportunities for all Floridians.
457 The department is the state's chief agency for business
458 recruitment and expansion and economic development. To
459 accomplish such purposes, the department shall:

460 (a) Facilitate the direct involvement of the Governor and
461 the Lieutenant Governor in economic development and workforce
462 development projects designed to create, expand, and retain
463 businesses in this state, to recruit business from around the
464 world, to promote the state as a pro-business location for new

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465 investment, and to facilitate other job-creating efforts.

466 (b) Recruit new businesses to this state and promote the
467 expansion of existing businesses by expediting permitting and
468 location decisions, worker placement and training, and incentive
469 awards.

470 (c) Promote viable, sustainable communities by providing
471 technical assistance and guidance on growth and development
472 issues, grants, and other assistance to local communities.

473 (d) Ensure that the state's goals and policies relating to
474 economic development, workforce development, community planning
475 and development, and affordable housing are fully integrated
476 with appropriate implementation strategies.

477 (e) Manage the activities of public-private partnerships
478 and state agencies in order to avoid duplication and promote
479 coordinated and consistent implementation of programs in areas
480 including, but not limited to, tourism; international trade and
481 investment; business recruitment, creation, retention, and
482 expansion; minority and small business development; defense,
483 space, and aerospace development; rural community development;
484 and the development and promotion of professional and amateur
485 sporting events.

486 (f) Coordinate with state agencies on the processing of
487 state development approvals or permits to minimize the
488 duplication of information provided by the applicant and the
489 time before approval or disapproval.

490 (g) Notwithstanding part I of chapter 287, contract with
491 the direct-support organization created under s. 288.1229 to
492 guide, stimulate, and promote the sports industry in this state,
493 to promote the participation of residents of this state in

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494 amateur athletic competition, and to promote this state as a
495 host for national and international amateur athletic
496 competitions.

497 (h) Encourage and oversee the coordination of international
498 trade development efforts of public institutions, business
499 associations, economic development councils, and private
500 industry. Notwithstanding part I of chapter 287, the department
501 shall contract with the direct-support organization created
502 under s. 288.012 to assist with coordination, provide services
503 through State of Florida international offices, and assist in
504 developing and carrying out the 5-year statewide strategic plan
505 as it relates to foreign investment, international partnerships,
506 and other international business and trade development.

507 (i) Support Florida's defense, space, and aerospace
508 industries, including research and development, and strengthen
509 this state's existing leadership in defense, space, and
510 aerospace activity and economic growth.

511 (5) The divisions within the department have specific
512 responsibilities to achieve the duties, responsibilities, and
513 goals of the department. Specifically:

514 (a) The Division of Economic ~~Strategic Business~~ Development
515 shall:

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

518 2. Administer certain tax refund, tax credit, and grant
519 programs created in law. Notwithstanding any other provision of
520 law, the department may expend interest earned from the
521 investment of program funds deposited in the Grants and
522 Donations Trust Fund to contract for the administration of those

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523 programs, or portions of the programs, assigned to the
524 department by law, by the appropriations process, or by the
525 Governor. Such expenditures shall be subject to review under
526 chapter 216.

527 3. Develop measurement protocols for the state incentive
528 programs and for the contracted entities which will be used to
529 determine their performance and competitive value to the state.
530 Performance measures, benchmarks, and sanctions must be
531 developed in consultation with the legislative appropriations
532 committees and the appropriate substantive committees, and are
533 subject to the review and approval process provided in s.
534 216.177. The approved performance measures, standards, and
535 sanctions shall be included and made a part of the strategic
536 plan for contracts entered into for delivery of programs
537 authorized by this section.

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

540 a. Strategies for the promotion of business formation,
541 expansion, recruitment, and retention through aggressive
542 marketing, attraction of venture capital and finance
543 development, domestic trade, international development, and
544 export assistance, which lead to more and better jobs and higher
545 wages for all geographic regions, disadvantaged communities, and
546 populations of the state, including rural areas, minority
547 businesses, and urban core areas.

548 b. The development of realistic policies and programs to
549 further the economic diversity of the state, its regions, and
550 their associated industrial clusters.

551 c. Specific provisions for the stimulation of economic

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552 development and job creation in rural areas and midsize cities
553 and counties of the state, including strategies for rural
554 marketing and the development of infrastructure in rural areas.

555 d. Provisions for the promotion of the successful long-term
556 economic development of the state with increased emphasis in
557 market research and information.

558 e. Plans for the generation of foreign investment in the
559 state which create jobs paying above-average wages and which
560 result in reverse investment in the state, including programs
561 that establish viable overseas markets, assist in meeting the
562 financing requirements of export-ready firms, broaden
563 opportunities for international joint venture relationships, use
564 the resources of academic and other institutions, coordinate
565 trade assistance and facilitation services, and facilitate
566 availability of and access to education and training programs
567 that assure requisite skills and competencies necessary to
568 compete successfully in the global marketplace.

569 f. The identification of business sectors that are of
570 current or future importance to the state's economy and to the
571 state's global business image, and development of specific
572 strategies to promote the development of such sectors.

573 g. Strategies for talent development necessary in the state
574 to encourage economic development growth, taking into account
575 factors such as the state's talent supply chain, education and
576 training opportunities, and available workforce.

577 h. Strategies and plans to support this state's defense,
578 space, and aerospace industries and the emerging complementary
579 business activities and industries that support the development
580 and growth of defense, space, and aerospace in this state.

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581 5. Update the strategic plan every 5 years.

582 6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
583 Inc.; direct-support organizations of the department; local
584 governments; the general public; local and regional economic
585 development organizations; other local, state, and federal
586 economic, international, and workforce development entities; the
587 business community; and educational institutions to assist with
588 the strategic plan.

589 7. Coordinate with the Florida Tourism Industry Marketing
590 Corporation in the development of the 4-year marketing plan
591 required by s. 288.12261.

592 (b) The Division of Community Development shall:

593 1. Assist local governments and their communities in
594 finding creative planning solutions to help them foster vibrant,
595 healthy communities, while protecting the functions of important
596 state resources and facilities.

597 2. Administer state and federal grant programs as provided
598 by law to provide community development and project planning
599 activities to maintain viable communities, revitalize existing
600 communities, and expand economic development and employment
601 opportunities, including:

602 a. The Community Services Block Grant Program.

603 b. The Community Development Block Grant Program in chapter
604 290.

605 c. The Low-Income Home Energy Assistance Program in chapter
606 409.

607 d. The Weatherization Assistance Program in chapter 409.

608 e. The Neighborhood Stabilization Program.

609 f. The local comprehensive planning process and the

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610 development of regional impact process.

611 g. The Front Porch Florida Initiative through the Office of
612 Urban Opportunity, which is created within the division. The
613 purpose of the office is to administer the Front Porch Florida
614 initiative, a comprehensive, community-based urban core
615 redevelopment program that enables urban core residents to craft
616 solutions to the unique challenges of each designated community.

617 3. Assist in developing the 5-year statewide strategic plan
618 required by this section.

619 (c) The Division of Workforce Services shall:

620 1. Prepare and submit a unified budget request for
621 workforce development in accordance with chapter 216 for, and in
622 conjunction with, the state board as defined in s. 445.002.

623 2. Ensure that the state appropriately administers federal
624 and state workforce funding by administering plans and policies
625 of the state board as defined in s. 445.002. The operating
626 budget and midyear amendments thereto must be part of such
627 contract.

628 a. All program and fiscal instructions to local workforce
629 development boards shall emanate from the Department of Commerce
630 ~~Economic Opportunity~~ pursuant to plans and policies of the state
631 board as defined in s. 445.002, which shall be responsible for
632 all policy directions to the local workforce development boards.

633 b. Unless otherwise provided by agreement with the state
634 board as defined in s. 445.002, administrative and personnel
635 policies of the Department of Commerce ~~Economic Opportunity~~
636 apply.

637 3. Implement the state's reemployment assistance program.
638 The Department of Commerce ~~Economic Opportunity~~ shall ensure

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639 that the state appropriately administers the reemployment
640 assistance program pursuant to state and federal law.

641 4. Assist in developing the 5-year statewide strategic plan
642 required by this section, including identifying education and
643 training programs to ensure that the state has the skilled and
644 competent workforce necessary to attract and grow business in
645 this state and allow them to compete successfully in domestic
646 and global markets.

647 (6) (a) The Department of Commerce ~~Economic Opportunity~~ is
648 the administrative agency designated for receipt of federal
649 workforce development grants and other federal funds. The
650 department shall administer the duties and responsibilities
651 assigned by the Governor under each federal grant assigned to
652 the department. The department shall expend each revenue source
653 as provided by federal and state law and as provided in plans
654 developed by and agreements with the state board as defined in
655 s. 445.002. The department may serve as the contract
656 administrator for contracts entered into by the state board
657 under s. 445.004(5).

658 (b) The Department of Commerce ~~Economic Opportunity~~ shall
659 serve as the designated agency for purposes of each federal
660 workforce development grant assigned to it for administration.
661 The department shall carry out the duties assigned to it by the
662 Governor, under the terms and conditions of each grant. The
663 department shall have the level of authority and autonomy
664 necessary to be the designated recipient of each federal grant
665 assigned to it and shall disburse such grants pursuant to the
666 plans and policies of the state board as defined in s. 445.002.
667 The secretary may, upon delegation from the Governor and

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668 pursuant to agreement with the state board, sign contracts,
669 grants, and other instruments as necessary to execute functions
670 assigned to the department. Notwithstanding other provisions of
671 law, the department shall administer other programs funded by
672 federal or state appropriations, as determined by the
673 Legislature in the General Appropriations Act or other law.

674 (7) The department may provide or contract for training for
675 employees of administrative entities and case managers of any
676 contracted providers to ensure they have the necessary
677 competencies and skills to provide adequate administrative
678 oversight and delivery of the full array of client services.

679 (8) The Reemployment Assistance Appeals Commission,
680 authorized by s. 443.012, is not subject to control,
681 supervision, or direction by the department in the performance
682 of its powers and duties but shall receive any and all support
683 and assistance from the department which is required for the
684 performance of its duties.

685 (9) The secretary shall:

686 (a) Manage all activities and responsibilities of the
687 department.

688 (b) Serve as the manager for the state with respect to
689 contracts with ~~Enterprise Florida, Inc.~~, and all applicable
690 direct-support organizations. To accomplish the provisions of
691 this section and applicable provisions of chapter 288, and
692 notwithstanding the provisions of part I of chapter 287, the
693 secretary shall enter into specific contracts with ~~Enterprise~~
694 ~~Florida, Inc.~~, and other appropriate direct-support
695 organizations. Such contracts may be for multiyear terms and
696 must include specific performance measures for each year. For

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697 purposes of this section, ~~the Florida Tourism Industry Marketing~~
698 ~~Corporation~~ and the Institute for Commercialization of Florida
699 Technology is are not an appropriate direct-support organization
700 ~~organizations~~.

701 (c) Serve as a member of the board of directors of the
702 Florida Development Finance Corporation. The secretary may
703 designate an employee of the department to serve in this
704 capacity.

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

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

712 (b) The department shall collect and maintain data on the
713 development and utilization of the international trade
714 development program for inclusion in the report.

715 (c) The report must incorporate annual reports of other
716 programs, including:

717 1. ~~Information provided by the Department of Revenue under~~
718 ~~s. 290.014.~~

719 2. ~~Information provided by enterprise zone development~~
720 ~~agencies under s. 290.0056 and an analysis of the activities and~~
721 ~~accomplishments of each enterprise zone.~~

722 3. ~~The Economic Gardening Business Loan Pilot Program~~
723 ~~established under s. 288.1081 and the Economic Gardening~~
724 ~~Technical Assistance Pilot Program established under s.~~
725 ~~288.1082.~~

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726 ~~1.4.~~ A detailed report of the performance of the Black
727 Business Loan Program and a cumulative summary of quarterly
728 report data required under s. 288.714.

729 ~~2.5.~~ The Rural Economic Development Initiative established
730 under s. 288.0656.

731 ~~3.6.~~ The Florida Unique Abilities Partner Program.

732 ~~4.7.~~ A detailed report of the performance of the Florida
733 Development Finance Corporation and a summary of the
734 corporation's report required under s. 288.9610.

735 (11) The department shall establish annual performance
736 standards for ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
737 Inc.; the Florida Tourism Industry Marketing Corporation; Space
738 Florida; ~~and~~ the Florida Development Finance Corporation; and
739 any other direct-support organization of the department and
740 report annually on how these performance measures are being met
741 in the annual report required under subsection (10).

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

745 (13) The department shall administer the role of state
746 government under part I of chapter 421, relating to public
747 housing; chapter 422, relating to housing cooperation law; and
748 chapter 423, tax exemption of housing authorities. The
749 department is the agency of state government responsible for the
750 state's role in housing and urban development.

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

752 Section 12. Subsection (11) of section 159.803, Florida
753 Statutes, is amended to read:

754 159.803 Definitions.—As used in this part, the term:

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755 (11) "Florida First Business project" means any project
756 which is certified by the Department of Commerce ~~Economic~~
757 ~~Opportunity~~ as eligible to receive an allocation from the
758 Florida First Business allocation pool established pursuant to
759 s. 159.8083. The Department of Commerce ~~Economic Opportunity~~ may
760 certify those projects proposed by a business which qualify as a
761 target industry business as defined in s. 288.005 meeting the
762 criteria set forth in s. 288.106(4)(b) or any project providing
763 a substantial economic benefit to this state. The department
764 shall develop measurement protocols and performance measures to
765 determine what competitive value a project by a target industry
766 business will bring to the state pursuant to ss. 20.60(5)(a)3.
767 and 288.061(2).

768 Section 13. Section 189.033, Florida Statutes, is amended
769 to read:

770 189.033 Independent special district services in
771 disproportionally affected county; rate reduction for providers
772 providing economic benefits.—If the governing body of an
773 independent special district that provides water, wastewater,
774 and sanitation services in a disproportionally affected county~~7~~
775 ~~as defined in s. 288.106(8)~~, determines that a new user or the
776 expansion of an existing user of one or more of its utility
777 systems will provide a significant benefit to the community in
778 terms of increased job opportunities, economies of scale, or
779 economic development in the area, the governing body may
780 authorize a reduction of its rates, fees, or charges for that
781 user for a specified period of time. A governing body that
782 exercises this power must do so by resolution that states the
783 anticipated economic benefit justifying the reduction as well as

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784 the period of time that the reduction will remain in place. As
785 used in this section, the term "disproportionally affected
786 county" means Bay County, Escambia County, Franklin County, Gulf
787 County, Okaloosa County, Santa Rosa County, Walton County, or
788 Wakulla County.

789 Section 14. Paragraph (a) of subsection (14) of section
790 196.012, Florida Statutes, is amended, to read:

791 196.012 Definitions.—For the purpose of this chapter, the
792 following terms are defined as follows, except where the context
793 clearly indicates otherwise:

794 (14) "New business" means:

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

800 a. Manufactures, processes, compounds, fabricates, or
801 produces for sale items of tangible personal property at a fixed
802 location and which comprises an industrial or manufacturing
803 plant; or

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

806 2. A business or organization establishing 25 or more new
807 jobs to employ 25 or more full-time employees in this state, the
808 sales factor of which, as defined by s. 220.15(5), for the
809 facility with respect to which it requests an economic
810 development ad valorem tax exemption is less than 0.50 for each
811 year the exemption is claimed; or

812 3. An office space in this state owned and used by a

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813 business or organization newly domiciled in this state; provided
814 such office space houses 50 or more full-time employees of such
815 business or organization; provided that such business or
816 organization office first begins operation on a site clearly
817 separate from any other commercial or industrial operation owned
818 by the same business or organization.

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

821 212.08 Sales, rental, use, consumption, distribution, and
822 storage tax; specified exemptions.—The sale at retail, the
823 rental, the use, the consumption, the distribution, and the
824 storage to be used or consumed in this state of the following
825 are hereby specifically exempt from the tax imposed by this
826 chapter.

827 (5) EXEMPTIONS; ACCOUNT OF USE.—

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

830 1.a. Industrial machinery and equipment used in
831 semiconductor technology facilities certified under subparagraph
832 5. to manufacture, process, compound, or produce semiconductor
833 technology products for sale or for use by these facilities are
834 exempt from the tax imposed by this chapter. For purposes of
835 this paragraph, industrial machinery and equipment includes
836 molds, dies, machine tooling, other appurtenances or accessories
837 to machinery and equipment, testing equipment, test beds,
838 computers, and software, whether purchased or self-fabricated,
839 and, if self-fabricated, includes materials and labor for
840 design, fabrication, and assembly.

841 b. Industrial machinery and equipment used in defense or

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842 space technology facilities certified under subparagraph 5. to
843 design, manufacture, assemble, process, compound, or produce
844 defense technology products or space technology products for
845 sale or for use by these facilities are exempt from the tax
846 imposed by this chapter.

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

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

854 4. For items purchased tax-exempt pursuant to this
855 paragraph, possession of a written certification from the
856 purchaser, certifying the purchaser's entitlement to the
857 exemption, relieves the seller of the responsibility of
858 collecting the tax on the sale of such items, and the department
859 shall look solely to the purchaser for recovery of the tax if it
860 determines that the purchaser was not entitled to the exemption.

861 5.a. To be eligible to receive the exemption provided by
862 subparagraph 1. or subparagraph 2., a qualifying business entity
863 shall initially apply to the Department of Commerce ~~Enterprise~~
864 ~~Florida, Inc.~~ The original certification is valid for a period
865 of 2 years. In lieu of submitting a new application, the
866 original certification may be renewed biennially by submitting
867 to the Department of Commerce ~~Economic Opportunity~~ a statement,
868 certified under oath, that there has not been a material change
869 in the conditions or circumstances entitling the business entity
870 to the original certification. The initial application and the

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871 certification renewal statement shall be developed by the
872 Department of Commerce ~~Economic Opportunity~~.

873 b. The Division of Economic ~~Strategic Business~~ Development
874 of the Department of Commerce ~~Economic Opportunity~~ shall review
875 each submitted initial application and determine whether or not
876 the application is complete within 5 working days. Once
877 complete, the division shall, within 10 working days, evaluate
878 the application and recommend approval or disapproval to the
879 Department of Commerce ~~Economic Opportunity~~.

880 c. Upon receipt of the initial application and
881 recommendation from the division or upon receipt of a
882 certification renewal statement, the Department of Commerce
883 ~~Economic Opportunity~~ shall certify within 5 working days those
884 applicants who are found to meet the requirements of this
885 section and notify the applicant of the original certification
886 or certification renewal. If the Department of Commerce ~~Economic~~
887 ~~Opportunity~~ finds that the applicant does not meet the
888 requirements, it shall notify the applicant ~~and Enterprise~~
889 ~~Florida, Inc.~~, within 10 working days that the application for
890 certification has been denied and the reasons for denial. The
891 Department of Commerce ~~Economic Opportunity~~ has final approval
892 authority for certification under this section.

893 d. The initial application and certification renewal
894 statement must indicate, for program evaluation purposes only,
895 the average number of full-time equivalent employees at the
896 facility over the preceding calendar year, the average wage and
897 benefits paid to those employees over the preceding calendar
898 year, the total investment made in real and tangible personal
899 property over the preceding calendar year, and the total value

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900 of tax-exempt purchases and taxes exempted during the previous
901 year. The department shall assist the Department of Commerce
902 ~~Economic Opportunity~~ in evaluating and verifying information
903 provided in the application for exemption.

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

907 6. A business certified to receive this exemption may elect
908 to designate one or more state universities or community
909 colleges as recipients of up to 100 percent of the amount of the
910 exemption. To receive these funds, the institution must agree to
911 match the funds with equivalent cash, programs, services, or
912 other in-kind support on a one-to-one basis for research and
913 development projects requested by the certified business. The
914 rights to any patents, royalties, or real or intellectual
915 property must be vested in the business unless otherwise agreed
916 to by the business and the university or community college.

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

918 a. "Semiconductor technology products" means raw
919 semiconductor wafers or semiconductor thin films that are
920 transformed into semiconductor memory or logic wafers, including
921 wafers containing mixed memory and logic circuits; related
922 assembly and test operations; active-matrix flat panel displays;
923 semiconductor chips; semiconductor lasers; optoelectronic
924 elements; and related semiconductor technology products as
925 determined by the Department of Commerce ~~Economic Opportunity~~.

926 b. "Clean rooms" means manufacturing facilities enclosed in
927 a manner that meets the clean manufacturing requirements
928 necessary for high-technology semiconductor-manufacturing

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929 environments.

930 c. "Defense technology products" means products that have a
931 military application, including, but not limited to, weapons,
932 weapons systems, guidance systems, surveillance systems,
933 communications or information systems, munitions, aircraft,
934 vessels, or boats, or components thereof, which are intended for
935 military use and manufactured in performance of a contract with
936 the United States Department of Defense or the military branch
937 of a recognized foreign government or a subcontract thereunder
938 which relates to matters of national defense.

939 d. "Space technology products" means products that are
940 specifically designed or manufactured for application in space
941 activities, including, but not limited to, space launch
942 vehicles, space flight vehicles, missiles, satellites or
943 research payloads, avionics, and associated control systems and
944 processing systems and components of any of the foregoing. The
945 term does not include products that are designed or manufactured
946 for general commercial aviation or other uses even though those
947 products may also serve an incidental use in space applications.

948 ~~(q) Entertainment industry tax credit; authorization;~~
949 ~~eligibility for credits. The credits against the state sales tax~~
950 ~~authorized pursuant to s. 288.1254 shall be deducted from any~~
951 ~~sales and use tax remitted by the dealer to the department by~~
952 ~~electronic funds transfer and may only be deducted on a sales~~
953 ~~and use tax return initiated through electronic data~~
954 ~~interchange. The dealer shall separately state the credit on the~~
955 ~~electronic return. The net amount of tax due and payable must be~~
956 ~~remitted by electronic funds transfer. If the credit for the~~
957 ~~qualified expenditures is larger than the amount owed on the~~

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958 ~~sales and use tax return that is eligible for the credit, the~~
959 ~~unused amount of the credit may be carried forward to a~~
960 ~~succeeding reporting period as provided in s. 288.1254(4)(e). A~~
961 ~~dealer may only obtain a credit using the method described in~~
962 ~~this subparagraph. A dealer is not authorized to obtain a credit~~
963 ~~by applying for a refund.~~

964 Section 16. Paragraph (a) of subsection (1) of section
965 212.098, Florida Statutes, is amended to read:

966 212.098 Rural Job Tax Credit Program.—

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

968 (a) "Eligible business" means any sole proprietorship,
969 firm, partnership, or corporation that is located in a qualified
970 county and is predominantly engaged in, or is headquarters for a
971 business predominantly engaged in, activities usually provided
972 for consideration by firms classified within the following
973 standard industrial classifications: SIC 01-SIC 09 (agriculture,
974 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422
975 (public warehousing and storage); SIC 70 (hotels and other
976 lodging places); SIC 7391 (research and development); SIC 781
977 (motion picture production and allied services); SIC 7992
978 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~
979 ~~targeted industry eligible for the qualified target industry~~
980 ~~business tax refund under s. 288.106. A call center or similar~~
981 ~~customer service operation that services a multistate market or~~
982 ~~an international market is also an eligible business. In~~
983 ~~addition, the Department of Commerce ~~Economic Opportunity~~ may,~~
984 ~~as part of its final budget request submitted pursuant to s.~~
985 ~~216.023, recommend additions to or deletions from the list of~~
986 ~~standard industrial classifications used to determine an~~

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987 eligible business, and the Legislature may implement such
988 recommendations. Excluded from eligible receipts are receipts
989 from retail sales, except such receipts for hotels and other
990 lodging places classified in SIC 70, public golf courses in SIC
991 7992, and amusement parks in SIC 7996. For purposes of this
992 paragraph, the term "predominantly" means that more than 50
993 percent of the business's gross receipts from all sources is
994 generated by those activities usually provided for consideration
995 by firms in the specified standard industrial classification.
996 The determination of whether the business is located in a
997 qualified county and the tier ranking of that county must be
998 based on the date of application for the credit under this
999 section. Commonly owned and controlled entities are to be
1000 considered a single business entity.

1001 Section 17. Paragraph (d) of subsection (6) of section
1002 212.20, Florida Statutes, is amended to read:

1003 212.20 Funds collected, disposition; additional powers of
1004 department; operational expense; refund of taxes adjudicated
1005 unconstitutionally collected.—

1006 (6) Distribution of all proceeds under this chapter and ss.
1007 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1008 (d) The proceeds of all other taxes and fees imposed
1009 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
1010 and (2)(b) shall be distributed as follows:

1011 1. In any fiscal year, the greater of \$500 million, minus
1012 an amount equal to 4.6 percent of the proceeds of the taxes
1013 collected pursuant to chapter 201, or 5.2 percent of all other
1014 taxes and fees imposed pursuant to this chapter or remitted
1015 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in

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1016 monthly installments into the General Revenue Fund.

1017 2. After the distribution under subparagraph 1., 8.9744
1018 percent of the amount remitted by a sales tax dealer located
1019 within a participating county pursuant to s. 218.61 shall be
1020 transferred into the Local Government Half-cent Sales Tax
1021 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
1022 transferred shall be reduced by 0.1 percent, and the department
1023 shall distribute this amount to the Public Employees Relations
1024 Commission Trust Fund less \$5,000 each month, which shall be
1025 added to the amount calculated in subparagraph 3. and
1026 distributed accordingly.

1027 3. After the distribution under subparagraphs 1. and 2.,
1028 0.0966 percent shall be transferred to the Local Government
1029 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
1030 to s. 218.65.

1031 4. After the distributions under subparagraphs 1., 2., and
1032 3., 2.0810 percent of the available proceeds shall be
1033 transferred monthly to the Revenue Sharing Trust Fund for
1034 Counties pursuant to s. 218.215.

1035 5. After the distributions under subparagraphs 1., 2., and
1036 3., 1.3653 percent of the available proceeds shall be
1037 transferred monthly to the Revenue Sharing Trust Fund for
1038 Municipalities pursuant to s. 218.215. If the total revenue to
1039 be distributed pursuant to this subparagraph is at least as
1040 great as the amount due from the Revenue Sharing Trust Fund for
1041 Municipalities and the former Municipal Financial Assistance
1042 Trust Fund in state fiscal year 1999-2000, no municipality shall
1043 receive less than the amount due from the Revenue Sharing Trust
1044 Fund for Municipalities and the former Municipal Financial

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1045 Assistance Trust Fund in state fiscal year 1999-2000. If the
1046 total proceeds to be distributed are less than the amount
1047 received in combination from the Revenue Sharing Trust Fund for
1048 Municipalities and the former Municipal Financial Assistance
1049 Trust Fund in state fiscal year 1999-2000, each municipality
1050 shall receive an amount proportionate to the amount it was due
1051 in state fiscal year 1999-2000.

1052 6. Of the remaining proceeds:

1053 a. In each fiscal year, the sum of \$29,915,500 shall be
1054 divided into as many equal parts as there are counties in the
1055 state, and one part shall be distributed to each county. The
1056 distribution among the several counties must begin each fiscal
1057 year on or before January 5th and continue monthly for a total
1058 of 4 months. If a local or special law required that any moneys
1059 accruing to a county in fiscal year 1999-2000 under the then-
1060 existing provisions of s. 550.135 be paid directly to the
1061 district school board, special district, or a municipal
1062 government, such payment must continue until the local or
1063 special law is amended or repealed. The state covenants with
1064 holders of bonds or other instruments of indebtedness issued by
1065 local governments, special districts, or district school boards
1066 before July 1, 2000, that it is not the intent of this
1067 subparagraph to adversely affect the rights of those holders or
1068 relieve local governments, special districts, or district school
1069 boards of the duty to meet their obligations as a result of
1070 previous pledges or assignments or trusts entered into which
1071 obligated funds received from the distribution to county
1072 governments under then-existing s. 550.135. This distribution
1073 specifically is in lieu of funds distributed under s. 550.135

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1074 before July 1, 2000.

1075 b. The department shall distribute \$166,667 monthly to each
1076 applicant certified as a facility for a new or retained
1077 professional sports franchise pursuant to s. 288.1162. Up to
1078 \$41,667 shall be distributed monthly by the department to each
1079 certified applicant as defined in s. 288.11621 for a facility
1080 for a spring training franchise. However, not more than \$416,670
1081 may be distributed monthly in the aggregate to all certified
1082 applicants for facilities for spring training franchises.
1083 Distributions begin 60 days after such certification and
1084 continue for not more than 30 years, except as otherwise
1085 provided in s. 288.11621. A certified applicant identified in
1086 this sub-subparagraph may not receive more in distributions than
1087 expended by the applicant for the public purposes provided in s.
1088 288.1162(5) or s. 288.11621(3).

1089 ~~e. Beginning 30 days after notice by the Department of~~
1090 ~~Economic Opportunity to the Department of Revenue that an~~
1091 ~~applicant has been certified as the professional golf hall of~~
1092 ~~fame pursuant to s. 288.1168 and is open to the public, \$166,667~~
1093 ~~shall be distributed monthly, for up to 300 months, to the~~
1094 ~~applicant.~~

1095 ~~d. Beginning 30 days after notice by the Department of~~
1096 ~~Economic Opportunity to the Department of Revenue that the~~
1097 ~~applicant has been certified as the International Game Fish~~
1098 ~~Association World Center facility pursuant to s. 288.1169, and~~
1099 ~~the facility is open to the public, \$83,333 shall be distributed~~
1100 ~~monthly, for up to 168 months, to the applicant. This~~
1101 ~~distribution is subject to reduction pursuant to s. 288.1169.~~

1102 c.e. The department shall distribute up to \$83,333 monthly

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1103 to each certified applicant as defined in s. 288.11631 for a
1104 facility used by a single spring training franchise, or up to
1105 \$166,667 monthly to each certified applicant as defined in s.
1106 288.11631 for a facility used by more than one spring training
1107 franchise. Monthly distributions begin 60 days after such
1108 certification or July 1, 2016, whichever is later, and continue
1109 for not more than 20 years to each certified applicant as
1110 defined in s. 288.11631 for a facility used by a single spring
1111 training franchise or not more than 25 years to each certified
1112 applicant as defined in s. 288.11631 for a facility used by more
1113 than one spring training franchise. A certified applicant
1114 identified in this sub-subparagraph may not receive more in
1115 distributions than expended by the applicant for the public
1116 purposes provided in s. 288.11631(3).

1117 ~~d.f.~~ The Department shall distribute \$15,333 monthly to the
1118 State Transportation Trust Fund.

1119 ~~e.g.~~ (I) On or before July 25, 2021, August 25, 2021, and
1120 September 25, 2021, the department shall distribute \$324,533,334
1121 in each of those months to the Unemployment Compensation Trust
1122 Fund, less an adjustment for refunds issued from the General
1123 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the
1124 distribution. The adjustments made by the department to the
1125 total distributions shall be equal to the total refunds made
1126 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be
1127 subtracted from any single distribution exceeds the
1128 distribution, the department may not make that distribution and
1129 must subtract the remaining balance from the next distribution.

1130 (II) Beginning July 2022, and on or before the 25th day of
1131 each month, the department shall distribute \$90 million monthly

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1132 to the Unemployment Compensation Trust Fund.

1133 (III) If the ending balance of the Unemployment
1134 Compensation Trust Fund exceeds \$4,071,519,600 on the last day
1135 of any month, as determined from United States Department of the
1136 Treasury data, the Office of Economic and Demographic Research
1137 shall certify to the department that the ending balance of the
1138 trust fund exceeds such amount.

1139 (IV) This sub-subparagraph is repealed, and the department
1140 shall end monthly distributions under sub-sub-subparagraph (II),
1141 on the date the department receives certification under sub-sub-
1142 subparagraph (III).

1143 7. All other proceeds must remain in the General Revenue
1144 Fund.

1145 Section 18. Section 212.205, Florida Statutes, is amended
1146 to read:

1147 212.205 Sales tax distribution reporting.—By March 15 of
1148 each year, each person who received a distribution pursuant to
1149 s. 212.20(6)(d)6.b. and c. ~~s. 212.20(6)(d)6.b. e.~~ in the
1150 preceding calendar year shall report to the Office of Economic
1151 and Demographic Research the following information:

1152 (1) An itemized accounting of all expenditures of the funds
1153 distributed in the preceding calendar year, including amounts
1154 spent on debt service.

1155 (2) A statement indicating what portion of the distributed
1156 funds have been pledged for debt service.

1157 (3) The original principal amount and current debt service
1158 schedule of any bonds or other borrowing for which the
1159 distributed funds have been pledged for debt service.

1160 Section 19. Paragraph (aa) of subsection (8) of section

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1161 213.053, Florida Statutes, is amended to read:

1162 213.053 Confidentiality and information sharing.—

1163 (8) Notwithstanding any other provision of this section,
1164 the department may provide:

1165 ~~(aa) Information relating to tax credits taken under s.~~
1166 ~~220.194 to Space Florida.~~

1167

1168 Disclosure of information under this subsection shall be
1169 pursuant to a written agreement between the executive director
1170 and the agency. Such agencies, governmental or nongovernmental,
1171 shall be bound by the same requirements of confidentiality as
1172 the Department of Revenue. Breach of confidentiality is a
1173 misdemeanor of the first degree, punishable as provided by s.
1174 775.082 or s. 775.083.

1175 Section 20. Subsection (8) of section 220.02, Florida
1176 Statutes, is amended to read:

1177 220.02 Legislative intent.—

1178 (8) It is the intent of the Legislature that credits
1179 against either the corporate income tax or the franchise tax be
1180 applied in the following order: those enumerated in s. 631.828,
1181 those enumerated in s. 220.191, those enumerated in s. 220.181,
1182 those enumerated in s. 220.183, those enumerated in s. 220.182,
1183 those enumerated in s. 220.1895, those enumerated in s. 220.195,
1184 those enumerated in s. 220.184, those enumerated in s. 220.186,
1185 those enumerated in s. 220.1845, those enumerated in s. 220.19,
1186 those enumerated in s. 220.185, those enumerated in s. 220.1875,
1187 those enumerated in s. 220.1876, those enumerated in s.
1188 220.1877, those enumerated in s. 220.193, those enumerated in
1189 former s. 288.9916, ~~those enumerated in s. 220.1899, those~~

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1190 ~~enumerated in s. 220.194,~~ those enumerated in s. 220.196, those
1191 enumerated in s. 220.198, and those enumerated in s. 220.1915.

1192 Section 21. Paragraphs (a) and (b) of subsection (1) of
1193 section 220.13, Florida Statutes, are amended to read:

1194 220.13 "Adjusted federal income" defined.—

1195 (1) The term "adjusted federal income" means an amount
1196 equal to the taxpayer's taxable income as defined in subsection
1197 (2), or such taxable income of more than one taxpayer as
1198 provided in s. 220.131, for the taxable year, adjusted as
1199 follows:

1200 (a) *Additions.*—There shall be added to such taxable income:

1201 1.a. The amount of any tax upon or measured by income,
1202 excluding taxes based on gross receipts or revenues, paid or
1203 accrued as a liability to the District of Columbia or any state
1204 of the United States which is deductible from gross income in
1205 the computation of taxable income for the taxable year.

1206 b. Notwithstanding sub-subparagraph a., if a credit taken
1207 under s. 220.1875, s. 220.1876, or s. 220.1877 is added to
1208 taxable income in a previous taxable year under subparagraph 11.
1209 and is taken as a deduction for federal tax purposes in the
1210 current taxable year, the amount of the deduction allowed shall
1211 not be added to taxable income in the current year. The
1212 exception in this sub-subparagraph is intended to ensure that
1213 the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is
1214 added in the applicable taxable year and does not result in a
1215 duplicate addition in a subsequent year.

1216 2. The amount of interest which is excluded from taxable
1217 income under s. 103(a) of the Internal Revenue Code or any other
1218 federal law, less the associated expenses disallowed in the

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1219 computation of taxable income under s. 265 of the Internal
1220 Revenue Code or any other law, excluding 60 percent of any
1221 amounts included in alternative minimum taxable income, as
1222 defined in s. 55(b)(2) of the Internal Revenue Code, if the
1223 taxpayer pays tax under s. 220.11(3).

1224 3. In the case of a regulated investment company or real
1225 estate investment trust, an amount equal to the excess of the
1226 net long-term capital gain for the taxable year over the amount
1227 of the capital gain dividends attributable to the taxable year.

1228 4. That portion of the wages or salaries paid or incurred
1229 for the taxable year which is equal to the amount of the credit
1230 allowable for the taxable year under s. 220.181. This
1231 subparagraph shall expire on the date specified in s. 290.016
1232 for the expiration of the Florida Enterprise Zone Act.

1233 5. That portion of the ad valorem school taxes paid or
1234 incurred for the taxable year which is equal to the amount of
1235 the credit allowable for the taxable year under s. 220.182. This
1236 subparagraph shall expire on the date specified in s. 290.016
1237 for the expiration of the Florida Enterprise Zone Act.

1238 6. The amount taken as a credit under s. 220.195 which is
1239 deductible from gross income in the computation of taxable
1240 income for the taxable year.

1241 7. That portion of assessments to fund a guaranty
1242 association incurred for the taxable year which is equal to the
1243 amount of the credit allowable for the taxable year.

1244 8. In the case of a nonprofit corporation which holds a
1245 pari-mutuel permit and which is exempt from federal income tax
1246 as a farmers' cooperative, an amount equal to the excess of the
1247 gross income attributable to the pari-mutuel operations over the

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attributable expenses for the taxable year.

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

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

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

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

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

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

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

14.16. The amount taken as a credit for the taxable year under s. 220.196. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. The addition is not intended to result

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1277 in adding the same expense back to income more than once.

1278 15.17. The amount taken as a credit for the taxable year
1279 pursuant to s. 220.198.

1280 16.18. The amount taken as a credit for the taxable year
1281 pursuant to s. 220.1915.

1282 (b) *Subtractions.*—

1283 1. There shall be subtracted from such taxable income:

1284 a. The net operating loss deduction allowable for federal
1285 income tax purposes under s. 172 of the Internal Revenue Code
1286 for the taxable year, ~~except that any net operating loss that is~~
1287 ~~transferred pursuant to s. 220.194(6) may not be deducted by the~~
1288 ~~seller,~~

1289 b. The net capital loss allowable for federal income tax
1290 purposes under s. 1212 of the Internal Revenue Code for the
1291 taxable year,

1292 c. The excess charitable contribution deduction allowable
1293 for federal income tax purposes under s. 170(d)(2) of the
1294 Internal Revenue Code for the taxable year, and

1295 d. The excess contributions deductions allowable for
1296 federal income tax purposes under s. 404 of the Internal Revenue
1297 Code for the taxable year.

1298
1299 However, a net operating loss and a capital loss shall never be
1300 carried back as a deduction to a prior taxable year, but all
1301 deductions attributable to such losses shall be deemed net
1302 operating loss carryovers and capital loss carryovers,
1303 respectively, and treated in the same manner, to the same
1304 extent, and for the same time periods as are prescribed for such
1305 carryovers in ss. 172 and 1212, respectively, of the Internal

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1306 Revenue Code.

1307 2. There shall be subtracted from such taxable income any
1308 amount to the extent included therein the following:

1309 a. Dividends treated as received from sources without the
1310 United States, as determined under s. 862 of the Internal
1311 Revenue Code.

1312 b. All amounts included in taxable income under s. 78, s.
1313 951, or s. 951A of the Internal Revenue Code.

1314

1315 However, any amount subtracted under this subparagraph is
1316 allowed only to the extent such amount is not deductible in
1317 determining federal taxable income. As to any amount subtracted
1318 under this subparagraph, there shall be added to such taxable
1319 income all expenses deducted on the taxpayer's return for the
1320 taxable year which are attributable, directly or indirectly, to
1321 such subtracted amount. Further, no amount shall be subtracted
1322 with respect to dividends paid or deemed paid by a Domestic
1323 International Sales Corporation.

1324 3. In computing "adjusted federal income" for taxable years
1325 beginning after December 31, 1976, there shall be allowed as a
1326 deduction the amount of wages and salaries paid or incurred
1327 within this state for the taxable year for which no deduction is
1328 allowed pursuant to s. 280C(a) of the Internal Revenue Code
1329 (relating to credit for employment of certain new employees).

1330 4. There shall be subtracted from such taxable income any
1331 amount of nonbusiness income included therein.

1332 5. There shall be subtracted any amount of taxes of foreign
1333 countries allowable as credits for taxable years beginning on or
1334 after September 1, 1985, under s. 901 of the Internal Revenue

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1335 Code to any corporation which derived less than 20 percent of
1336 its gross income or loss for its taxable year ended in 1984 from
1337 sources within the United States, as described in s.
1338 861(a)(2)(A) of the Internal Revenue Code, not including credits
1339 allowed under ss. 902 and 960 of the Internal Revenue Code,
1340 withholding taxes on dividends within the meaning of sub-
1341 subparagraph 2.a., and withholding taxes on royalties, interest,
1342 technical service fees, and capital gains.

1343 6. Notwithstanding any other provision of this code, except
1344 with respect to amounts subtracted pursuant to subparagraphs 1.
1345 and 3., any increment of any apportionment factor which is
1346 directly related to an increment of gross receipts or income
1347 which is deducted, subtracted, or otherwise excluded in
1348 determining adjusted federal income shall be excluded from both
1349 the numerator and denominator of such apportionment factor.
1350 Further, all valuations made for apportionment factor purposes
1351 shall be made on a basis consistent with the taxpayer's method
1352 of accounting for federal income tax purposes.

1353 Section 22. Subsection (5) of section 220.16, Florida
1354 Statutes, is amended to read:

1355 220.16 Allocation of nonbusiness income.—Nonbusiness income
1356 shall be allocated as follows:

1357 ~~(5) The amount of payments received in exchange for~~
1358 ~~transferring a net operating loss authorized by s. 220.194 is~~
1359 ~~allocable to the state.~~

1360 Section 23. Section 220.1899, Florida Statutes, is
1361 repealed.

1362 Section 24. Present paragraphs (a) through (g) of
1363 subsection (1) of section 220.191, Florida Statutes, are

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1364 redesignated as paragraphs (b) through (h), respectively, a new
1365 paragraph (a) is added to that subsection, and present paragraph
1366 (g) of subsection (1), paragraph (a) of subsection (3), and
1367 subsections (5) and (6) of that section are amended, to read:

1368 220.191 Capital investment tax credit.—

1369 (1) DEFINITIONS.—For purposes of this section:

1370 (a) “Average private sector wage in the area” means the
1371 statewide private sector average wage or the average of all
1372 private sector wages and salaries in the county or in the
1373 standard metropolitan area in which a business is located.

1374 (h) ~~(g)~~ “Qualifying project” means a facility in this state
1375 meeting one or more of the following criteria:

1376 1. A new or expanding facility in this state which creates
1377 at least 100 new jobs in this state and is in one of the high-
1378 impact sectors identified by ~~Enterprise Florida, Inc.~~, and
1379 certified by the former Department of Economic Opportunity
1380 pursuant to former s. 288.108(6), including, but not limited to,
1381 aviation, aerospace, automotive, and silicon technology
1382 industries. However, between July 1, 2011, and June 30, 2014,
1383 the requirement that a facility be in a high-impact sector is
1384 waived for any otherwise eligible business from another state
1385 which locates all or a portion of its business to a
1386 Disproportionally Affected County. For purposes of this section,
1387 the term “Disproportionally Affected County” means Bay County,
1388 Escambia County, Franklin County, Gulf County, Okaloosa County,
1389 Santa Rosa County, Walton County, or Wakulla County.

1390 2. A new or expanded facility in this state which is
1391 engaged in a target industry designated pursuant to the
1392 procedure specified in s. 288.005(6) ~~s. 288.106(2)~~ and which is

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1393 induced by this credit to create or retain at least 1,000 jobs
1394 in this state, provided that at least 100 of those jobs are new,
1395 pay an annual average wage of at least 130 percent of the
1396 average private sector wage in the area ~~as defined in s.~~
1397 ~~288.106(2)~~, and make a cumulative capital investment of at least
1398 \$100 million. Jobs may be considered retained only if there is
1399 significant evidence that the loss of jobs is imminent.
1400 Notwithstanding subsection (2), annual credits against the tax
1401 imposed by this chapter may not exceed 50 percent of the
1402 increased annual corporate income tax liability or the premium
1403 tax liability generated by or arising out of a project
1404 qualifying under this subparagraph. A facility that qualifies
1405 under this subparagraph for an annual credit against the tax
1406 imposed by this chapter may take the tax credit for a period not
1407 to exceed 5 years.

1408 3. A new or expanded headquarters facility in this state
1409 which locates in an enterprise zone and brownfield area and is
1410 induced by this credit to create at least 1,500 jobs which on
1411 average pay at least 200 percent of the statewide average annual
1412 private sector wage, as published by the Department of Commerce
1413 ~~Economic Opportunity~~, and which new or expanded headquarters
1414 facility makes a cumulative capital investment in this state of
1415 at least \$250 million.

1416 (3) (a) Notwithstanding subsection (2), an annual credit
1417 against the tax imposed by this chapter shall be granted to a
1418 qualifying business which establishes a qualifying project
1419 pursuant to subparagraph (1) (h) 3. ~~(1) (g) 3.~~, in an amount equal
1420 to the lesser of \$15 million or 5 percent of the eligible
1421 capital costs made in connection with a qualifying project, for

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1422 a period not to exceed 20 years beginning with the commencement
1423 of operations of the project. The tax credit shall be granted
1424 against the corporate income tax liability of the qualifying
1425 business and as further provided in paragraph (c). The total tax
1426 credit provided pursuant to this subsection shall be equal to no
1427 more than 100 percent of the eligible capital costs of the
1428 qualifying project.

1429 (5) Applications shall be reviewed and certified pursuant
1430 to s. 288.061. The Department of Commerce ~~Economic Opportunity,~~
1431 ~~upon a recommendation by Enterprise Florida, Inc.,~~ shall first
1432 certify a business as eligible to receive tax credits pursuant
1433 to this section prior to the commencement of operations of a
1434 qualifying project, and such certification shall be transmitted
1435 to the Department of Revenue. Upon receipt of the certification,
1436 the Department of Revenue shall enter into a written agreement
1437 with the qualifying business specifying, at a minimum, the
1438 method by which income generated by or arising out of the
1439 qualifying project will be determined.

1440 (6) The Department of Commerce ~~Economic Opportunity,~~ in
1441 ~~consultation with Enterprise Florida, Inc.,~~ is authorized to
1442 develop the necessary guidelines and application materials for
1443 the certification process described in subsection (5).

1444 Section 25. Section 220.194, Florida Statutes, is repealed.

1445 Section 26. Paragraph (b) of subsection (1) and paragraph
1446 (a) of subsection (2) of section 220.196, Florida Statutes, are
1447 amended to read:

1448 220.196 Research and development tax credit.—

1449 (1) DEFINITIONS.—As used in this section, the term:

1450 (b) "Business enterprise" means any corporation as defined

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1451 in s. 220.03 which meets the definition of a target industry
1452 business as defined in s. 288.005 ~~s. 288.106~~.

1453 (2) TAX CREDIT.—

1454 (a) As provided in this section, a business enterprise is
1455 eligible for a credit against the tax imposed by this chapter if
1456 it:

1457 1. Has qualified research expenses in this state in the
1458 taxable year exceeding the base amount;

1459 2. Claims and is allowed a research credit for such
1460 qualified research expenses under 26 U.S.C. s. 41 for the same
1461 taxable year as subparagraph 1.; and

1462 3. Is a qualified target industry business as defined in
1463 former s. 288.106(2)(n). Only qualified target industry
1464 businesses in the manufacturing, life sciences, information
1465 technology, aviation and aerospace, homeland security and
1466 defense, cloud information technology, marine sciences,
1467 materials science, and nanotechnology industries may qualify for
1468 a tax credit under this section. A business applying for a
1469 credit pursuant to this section shall include a letter from the
1470 Department of Commerce ~~Economic Opportunity~~ certifying whether
1471 the business meets the requirements of this subparagraph with
1472 its application for credit. The Department of Commerce ~~Economic~~
1473 ~~Opportunity~~ shall provide such a letter upon receiving a
1474 request.

1475 Section 27. Section 272.11, Florida Statutes, is amended to
1476 read:

1477 272.11 Capitol information center.—The Florida Tourism
1478 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, shall
1479 establish, maintain, and operate a Capitol information center

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1480 somewhere within the area of the Capitol Center and employ
1481 personnel or enter into contracts to maintain same.

1482 Section 28. Paragraph (f) of subsection (1) of section
1483 287.0947, Florida Statutes, is amended to read:

1484 287.0947 Florida Advisory Council on Small and Minority
1485 Business Development; creation; membership; duties.—

1486 (1) The Secretary of Management Services may create the
1487 Florida Advisory Council on Small and Minority Business
1488 Development with the purpose of advising and assisting the
1489 secretary in carrying out the secretary's duties with respect to
1490 minority businesses and economic and business development. It is
1491 the intent of the Legislature that the membership of such
1492 council include practitioners, laypersons, financiers, and
1493 others with business development experience who can provide
1494 invaluable insight and expertise for this state in the
1495 diversification of its markets and networking of business
1496 opportunities. The council shall initially consist of 19
1497 persons, each of whom is or has been actively engaged in small
1498 and minority business development, either in private industry,
1499 in governmental service, or as a scholar of recognized
1500 achievement in the study of such matters. Initially, the council
1501 shall consist of members representing all regions of the state
1502 and shall include at least one member from each group identified
1503 within the definition of "minority person" in s. 288.703(4),
1504 considering also gender and nationality subgroups, and shall
1505 consist of the following:

1506 (f) The Secretary of Commerce or his or her designee A
1507 ~~member from the board of directors of Enterprise Florida, Inc.~~
1508

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1509 A candidate for appointment may be considered if eligible to be
1510 certified as an owner of a minority business enterprise, or if
1511 otherwise qualified under the criteria above. Vacancies may be
1512 filled by appointment of the secretary, in the manner of the
1513 original appointment.

1514 Section 29. Paragraph (e) of subsection (1) of section
1515 287.137, Florida Statutes, is amended to read:

1516 287.137 Antitrust violations; denial or revocation of the
1517 right to transact business with public entities; denial of
1518 economic benefits.—

1519 (1) As used in this section, the term:

1520 (e) "Economic incentives" means state grants, cash grants,
1521 tax exemptions, tax refunds, tax credits, state funds, and other
1522 state incentives under chapter 288 or administered by the
1523 Department of Commerce ~~Enterprise Florida, Inc.~~

1524 Section 30. Subsections (2) and (4) of section 288.0001,
1525 Florida Statutes, are amended to read:

1526 288.0001 Economic Development Programs Evaluation.—The
1527 Office of Economic and Demographic Research and the Office of
1528 Program Policy Analysis and Government Accountability (OPPAGA)
1529 shall develop and present to the Governor, the President of the
1530 Senate, the Speaker of the House of Representatives, and the
1531 chairs of the legislative appropriations committees the Economic
1532 Development Programs Evaluation.

1533 (2) The Office of Economic and Demographic Research and
1534 OPPAGA shall provide a detailed analysis of economic development
1535 programs as provided in the following schedule:

1536 (a) By January 1, 2026 ~~January 1, 2014~~, and every 3 years
1537 thereafter, an analysis of the following:

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- 1. The capital investment tax credit established under s. 220.191.
- 2. Space Florida established under s. 331.302.
- 3. The research and development tax credit established under 220.196.
- 4. The Urban High-Crime Area Job Tax Credit Program established under s. 212.097 and authorized under s. 220.1895.
- 5. The Rural Job Tax Credit Program established under s. 212.098 and authorized under s. 220.1895.
- 6. The Florida Job Growth Grant Fund established under s. 288.101 ~~The qualified target industry tax refund established under s. 288.106.~~
- ~~7.3. The brownfield redevelopment bonus refund established under s. 288.107.~~
- ~~4. High-impact business performance grants established under s. 288.108.~~
- ~~5. The Quick Action Closing Fund established under s. 288.1088.~~
- ~~6. The Innovation Incentive Program established under s. 288.1089.~~
- ~~7. Enterprise Zone Program incentives established under ss. 212.08(5) and (15), 212.096, 220.181, and 220.182.~~
- ~~8. The New Markets Development Program established under ss. 288.991-288.9922.~~
- (b) By January 1, 2024 ~~January 1, 2015~~, and every 3 years thereafter, an analysis of the following:
 - 1. ~~The entertainment industry financial incentive program established under s. 288.1254.~~
 - 2. The entertainment industry sales tax exemption program

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1567 established under s. 288.1258.

1568 ~~2.3.~~ VISIT Florida and its programs established or funded
1569 under ss. 288.122, 288.1226, 288.12261, 288.12265, and 288.124.

1570 ~~3.4.~~ The Florida Sports Foundation and related programs,
1571 including those established under ss. 288.1162, 288.11621,
1572 288.1166, 288.1167, ~~288.1168, 288.1169,~~ and 288.1171.

1573 (c) By January 1, 2025 ~~January 1, 2016,~~ and every 3 years
1574 thereafter, an analysis of the following:

1575 1. ~~The qualified defense contractor and space flight~~
1576 ~~business tax refund program established under s. 288.1045.~~

1577 ~~2.~~ The tax exemption for semiconductor, defense, or space
1578 technology sales established under s. 212.08(5)(j).

1579 ~~2.3.~~ The Military Base Protection Program established under
1580 s. 288.980.

1581 ~~3.4.~~ The Quick Response Training Program established under
1582 s. 288.047.

1583 ~~4.5.~~ The Incumbent Worker Training Program established
1584 under s. 445.003.

1585 ~~5.6.~~ International trade and business development programs
1586 established or funded under s. 288.826.

1587 ~~6.(d) By January 1, 2019, and every 3 years thereafter, an~~
1588 ~~analysis of~~ The grant and entrepreneur initiative programs
1589 established under s. 295.22(3)(d) and (e).

1590 (4) Pursuant to the schedule established in subsection (2),
1591 OPPAGA shall evaluate each program over the previous 3 years for
1592 its effectiveness and value to the taxpayers of this state and
1593 include recommendations on each program for consideration by the
1594 Legislature. The analysis may include relevant economic
1595 development reports or analyses prepared by the department ~~of~~

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1596 ~~Economic Opportunity, Enterprise Florida, Inc.,~~ or local or
1597 regional economic development organizations, + interviews with
1598 the parties involved, + or any other relevant data.

1599 Section 31. Paragraph (b) of subsection (4) of section
1600 288.001, Florida Statutes, is amended to read:

1601 288.001 The Florida Small Business Development Center
1602 Network.—

1603 (4) STATEWIDE ADVISORY BOARD.—

1604 (b) The statewide advisory board shall consist of 19
1605 members from across the state. At least 12 members must be
1606 representatives of the private sector who are knowledgeable of
1607 the needs and challenges of small businesses. The members must
1608 represent various segments and industries of the economy in this
1609 state and must bring knowledge and skills to the statewide
1610 advisory board which would enhance the board's collective
1611 knowledge of small business assistance needs and challenges.
1612 Minority and gender representation must be considered when
1613 making appointments to the board. The board must include the
1614 following members:

1615 1. Three members appointed from the private sector by the
1616 President of the Senate.

1617 2. Three members appointed from the private sector by the
1618 Speaker of the House of Representatives.

1619 3. Three members appointed from the private sector by the
1620 Governor.

1621 4. Three members appointed from the private sector by the
1622 network's statewide director.

1623 5. One member appointed by the host institution.

1624 6. The Secretary of Commerce ~~President of Enterprise~~

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1625 ~~Florida, Inc.,~~ or his or her designee.

1626 7. The Chief Financial Officer or his or her designee.

1627 8. The President of the Florida Chamber of Commerce or his
1628 or her designee.

1629 9. The Small Business Development Center Project Officer
1630 from the U.S. Small Business Administration at the South Florida
1631 District Office or his or her designee.

1632 10. The executive director of the National Federation of
1633 Independent Businesses, Florida, or his or her designee.

1634 11. The executive director of the Florida United Business
1635 Association or his or her designee.

1636 Section 32. Present subsections (1) and (2) of section
1637 288.005, Florida Statutes, are redesignated as subsections (2)
1638 and (1), respectively, and subsection (6) is added to that
1639 section, to read:

1640 288.005 Definitions.—As used in this chapter, the term:

1641 (6) "Target industry business" means a corporate
1642 headquarters business or any business that is engaged in one of
1643 the target industries identified pursuant to the following
1644 criteria developed by the Department of Commerce:

1645 (a) Future growth.—The industry forecast indicates strong
1646 expectation for future growth in employment and output,
1647 according to the most recent available data. Special
1648 consideration should be given to businesses that export goods
1649 to, or provide services in, international markets and businesses
1650 that onshore business operations to replace domestic and
1651 international imports of goods or services.

1652 (b) Stability.—The industry is not subject to periodic
1653 layoffs, whether due to seasonality or sensitivity to volatile

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1654 economic variables such as weather. The industry is also
1655 relatively resistant to recession, so that the demand for
1656 products of this industry is not typically subject to decline
1657 during an economic downturn.

1658 (c) High wage.—The industry pays relatively high wages
1659 compared to statewide or area averages.

1660 (d) Market and resource independent.—The industry business
1661 location is not dependent on markets or resources in the state
1662 as indicated by industry analysis, except for businesses in the
1663 renewable energy industry.

1664 (e) Industrial base diversification and strengthening.—The
1665 industry contributes toward expanding or diversifying the
1666 state's or area's economic base, as indicated by analysis of
1667 employment and output shares compared to national and regional
1668 trends. Special consideration should be given to industries that
1669 strengthen regional economies by adding value to basic products
1670 or building regional industrial clusters as indicated by
1671 industry analysis. Special consideration should also be given to
1672 the development of strong industrial clusters that include
1673 defense and homeland security businesses.

1674 (f) Positive economic impact.—The industry has strong
1675 positive economic impacts on or benefits to the state or
1676 regional economies. Special consideration should be given to
1677 industries that facilitate the development of the state as a hub
1678 for domestic and global trade and logistics.

1679
1680 The term does not include any business engaged in retail
1681 industry activities; any electrical utility company as defined
1682 in s. 366.02(4); any phosphate or other solid minerals

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1683 severance, mining, or processing operation; any oil or gas
1684 exploration or production operation; or any business subject to
1685 regulation by the Division of Hotels and Restaurants of the
1686 Department of Business and Professional Regulation. Any business
1687 within NAICS code 5611 or 5614, office administrative services
1688 and business support services, respectively, may be considered a
1689 target industry business only after the local governing body and
1690 the Department of Commerce determine that the community in which
1691 the business may locate has conditions affecting the fiscal and
1692 economic viability of the local community or area, including,
1693 but not limited to, low per capita income, high unemployment,
1694 high underemployment, and a lack of year-round stable employment
1695 opportunities, and such conditions may be improved by the
1696 business locating in such community. By January 1 of every 3rd
1697 year, beginning January 1, 2011, the Department of Commerce, in
1698 consultation with economic development organizations, the State
1699 University System, local governments, employee and employer
1700 organizations, market analysts, and economists, shall review
1701 and, as appropriate, revise the list of target industries and
1702 submit the list to the Governor, the President of the Senate,
1703 and the Speaker of the House of Representatives.

1704 Section 33. Section 288.012, Florida Statutes, is amended
1705 to read:

1706 288.012 State of Florida international offices; direct-
1707 support organization.—The Legislature finds that the expansion
1708 of international trade and tourism is vital to the overall
1709 health and growth of the economy of this state. This expansion
1710 is hampered by the lack of technical and business assistance,
1711 financial assistance, and information services for businesses in

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1712 this state. The Legislature finds that these businesses could be
1713 assisted by providing these services at State of Florida
1714 international offices. The Legislature further finds that the
1715 accessibility and provision of services at these offices can be
1716 enhanced through cooperative agreements or strategic alliances
1717 between private businesses and state, local, and international
1718 governmental entities.

1719 (1) The department is authorized to:

1720 (a) Establish and operate offices in other countries for
1721 the purpose of promoting trade and economic development
1722 opportunities of the state, and promoting the gathering of trade
1723 data information and research on trade opportunities in specific
1724 countries.

1725 (b) Enter into agreements with governmental and private
1726 sector entities to establish and operate offices in other
1727 countries which contain provisions that may conflict with the
1728 general laws of the state pertaining to the purchase of office
1729 space, employment of personnel, and contracts for services. When
1730 agreements pursuant to this section are made which set
1731 compensation in another country's currency, such agreements
1732 shall be subject to the requirements of s. 215.425, but the
1733 purchase of another country's currency by the department to meet
1734 such obligations shall be subject only to s. 216.311.

1735 (2) Each international office shall have in place an
1736 operational plan approved by the participating boards or other
1737 governing authority, a copy of which shall be provided to the
1738 department. These operating plans shall be reviewed and updated
1739 each fiscal year and shall include, at a minimum, the following:

1740 (a) Specific policies and procedures encompassing the

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1741 entire scope of the operation and management of each office.

1742 (b) A comprehensive, commercial strategic plan identifying
1743 marketing opportunities and industry sector priorities for the
1744 country in which an international office is located.

1745 (c) Provisions for access to information for Florida
1746 businesses related to trade leads and inquiries.

1747 (d) Identification of new and emerging market opportunities
1748 for Florida businesses. This information shall be provided
1749 either free of charge or on a fee basis with fees set only to
1750 recover the costs of providing the information.

1751 (e) Provision of access for Florida businesses to
1752 international trade assistance services provided by state and
1753 local entities, seaport and airport information, and other
1754 services identified by the department.

1755 (f) Qualitative and quantitative performance measures for
1756 each office, including, but not limited to, the number of
1757 businesses assisted, the number of trade leads and inquiries
1758 generated, the number of international buyers and importers
1759 contacted, and the amount and type of marketing conducted.

1760 (3) Each international office shall annually submit to the
1761 department ~~Enterprise Florida, Inc.~~, a complete and detailed
1762 report on its activities and accomplishments during the previous
1763 fiscal year. ~~for inclusion in the annual report required under~~
1764 ~~s. 288.906. In the format and by the annual date prescribed by~~
1765 ~~Enterprise Florida, Inc.~~, The report must set forth information
1766 on:

1767 (a) The number of Florida companies assisted.

1768 (b) The number of inquiries received about investment
1769 opportunities in this state.

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- 1770 (c) The number of trade leads generated.
- 1771 (d) The number of investment projects announced.
- 1772 (e) The estimated U.S. dollar value of sales confirmations.
- 1773 (f) The number of representation agreements.
- 1774 (g) The number of company consultations.
- 1775 (h) Barriers or other issues affecting the effective
- 1776 operation of the office.
- 1777 (i) Changes in office operations which are planned for the
- 1778 current fiscal year.
- 1779 (j) Marketing activities conducted.
- 1780 (k) Strategic alliances formed with organizations in the
- 1781 country in which the office is located.
- 1782 (l) Activities conducted with Florida's other international
- 1783 offices.
- 1784 (m) Any other information that the office believes would
- 1785 contribute to an understanding of its activities.
- 1786 (4) The Department of Commerce ~~Economic Opportunity~~, in
- 1787 connection with the establishment, operation, and management of
- 1788 any of its offices located in another country, is exempt from
- 1789 the provisions of ss. 255.21, 255.25, and 255.254 relating to
- 1790 leasing of buildings; ss. 283.33 and 283.35 relating to bids for
- 1791 printing; ss. 287.001-287.20 relating to purchasing and motor
- 1792 vehicles; and ss. 282.003-282.00515 and 282.702-282.7101
- 1793 relating to communications, and from all statutory provisions
- 1794 relating to state employment.
- 1795 (a) The department may exercise such exemptions only upon
- 1796 prior approval of the Governor.
- 1797 (b) If approval for an exemption under this section is
- 1798 granted as an integral part of a plan of operation for a

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1799 specified international office, such action shall constitute
1800 continuing authority for the department to exercise the
1801 exemption, but only in the context and upon the terms originally
1802 granted. Any modification of the approved plan of operation with
1803 respect to an exemption contained therein must be resubmitted to
1804 the Governor for his or her approval. An approval granted to
1805 exercise an exemption in any other context shall be restricted
1806 to the specific instance for which the exemption is to be
1807 exercised.

1808 (c) As used in this subsection, the term "plan of
1809 operation" means the plan developed pursuant to subsection (2).

1810 (d) Upon final action by the Governor with respect to a
1811 request to exercise the exemption authorized in this subsection,
1812 the department shall report such action, along with the original
1813 request and any modifications thereto, to the President of the
1814 Senate and the Speaker of the House of Representatives within 30
1815 days.

1816 (5) Where feasible and appropriate, international offices
1817 established and operated under this section may provide one-stop
1818 access to the economic development, trade, and tourism
1819 information, services, and programs of the state. Where feasible
1820 and appropriate, such offices may also be collocated with other
1821 international offices of the state.

1822 (6) (a) The department shall establish a direct-support
1823 organization, organized as a nonprofit under chapter 617 and
1824 recognized under s. 501(c)(3) of the Internal Revenue Code ~~is~~
1825 ~~authorized to make and to enter into contracts with Enterprise~~
1826 ~~Florida, Inc., to carry out the provisions of this section,~~
1827 assist with the coordination of international trade development

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1828 efforts, and assist in development and planning related to
1829 foreign investment, international partnerships, and other
1830 international business and trade development. The organization
1831 is exempt from paying fees under s. 617.0122. The department
1832 must approve the articles of incorporation and bylaws of the
1833 direct-support organization.

1834 (b) The Secretary of Commerce shall be the head of the
1835 direct-support organization and may provide for the appointment
1836 of a director and other staff as necessary to carry out the
1837 responsibilities of the organization. The director and staff of
1838 the organization are subject to ss. 112.313(1)-(8), (10), (12),
1839 and (15); 112.3135; and 112.3143(2). For purposes of applying
1840 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1841 112.3143(2) to activities of the president and staff, those
1842 persons shall be considered public officers or employees and the
1843 corporation shall be considered their agency.

1844 (c) The authority, duties, and exemptions provided in this
1845 section apply to the direct-support organization ~~Enterprise~~
1846 Florida, Inc., to the same degree and subject to the same
1847 conditions as applied to the department. To the greatest extent
1848 possible, the department's agreement with the direct-support
1849 organization ~~such contracts~~ shall include provisions for
1850 cooperative agreements or strategic alliances between private
1851 businesses and state, international, and local governmental
1852 entities to operate international offices. The direct-support
1853 organization may coordinate and plan international trade
1854 missions, including setting up travel, arranging for
1855 participation by Florida businesses, and tracking data related
1856 to outcomes of the trade missions on behalf of the department.

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1857 The organization shall comply with the per diem and travel
1858 expense provisions of s. 112.061.

1859 (d) The agreement between the department and the direct-
1860 support organization must specify the approval of the
1861 department, the powers and duties of the direct-support
1862 organization, and rules with which the direct-support
1863 organization must comply. The department may authorize, without
1864 charge, appropriate use of property, facilities, and personnel
1865 of the department by the direct-support organization for
1866 approved purposes. The agreement between the department and the
1867 organization must prescribe the conditions with which the
1868 organization must comply in order to use property, facilities,
1869 or personnel of the department. Such conditions must provide for
1870 budget and audit review and oversight by the department.
1871 However, the department may not authorize the use of property,
1872 facilities, or personnel of the department by the direct-support
1873 organization that does not provide equal employment
1874 opportunities to all persons regardless of race, color,
1875 religion, sex, age, or national origin.

1876 (e) The direct-support organization may conduct programs
1877 and activities; raise funds; request and receive grants, gifts,
1878 and bequests of money; acquire, receive, hold, invest, and
1879 administer, in its own name, securities, funds, objects of
1880 value, or other property, real or personal; and make
1881 expenditures to or for the direct or indirect benefit of the
1882 organization if such furthers the duties and mission of the
1883 organization and is in the best interests of this state.

1884 (f) The direct-support organization may accept grants or
1885 other donations in order to facilitate trade missions and

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1886 conduct other related international activities. Funds of the
1887 organization must be held in a separate depository account in
1888 the name of the organization, subject to the provisions of the
1889 contract with the department, and must be used in a manner
1890 consistent with the goals of the organization. Any funds and
1891 property held by the organization shall revert to the department
1892 if the organization is no longer approved to operate by the
1893 department, fails to maintain its tax-exempt status, or ceases
1894 to exist.

1895 (g) The department must determine and annually certify that
1896 the direct-support organization is complying with the terms of
1897 the contract and is doing so consistent with the goals and
1898 purposes of the organization and in the best interests of the
1899 state. The organization is required to annually submit to the
1900 department its federal Internal Revenue Service Application for
1901 Recognition of Exemption form (Form 1023) and federal Internal
1902 Revenue Service Return of Organization Exempt from Income Tax
1903 form (Form 990); an annual budget for approval by the
1904 department; an annual financial audit in accordance with s.
1905 215.981; and an annual itemized accounting of the total amount
1906 of travel and entertainment expenses.

1907 (h) The fiscal year of the direct-support organization
1908 begins on July 1 of each year and ends on June 30 of the
1909 following year. By August 15 of each fiscal year, the department
1910 shall submit a proposed operating budget for the direct-support
1911 organization, including amounts to be expended on international
1912 offices, trade missions, events, other operating capital outlay,
1913 salaries and benefits for each employee, and contributions and
1914 expenditures, to the Governor, the President of the Senate, and

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1915 the Speaker of the House of Representatives.

1916 (i) This subsection is repealed October 1, 2028, unless
1917 reviewed and saved from repeal by the Legislature.

1918 Section 34. Section 288.017, Florida Statutes, is amended
1919 to read:

1920 288.017 Cooperative advertising matching grants program.—

1921 (1) The Florida Tourism Industry Marketing Corporation
1922 ~~Enterprise Florida, Inc.,~~ is authorized to establish a
1923 cooperative advertising matching grants program and, pursuant
1924 thereto, to make expenditures and enter into contracts with
1925 local governments and nonprofit corporations for the purpose of
1926 publicizing the tourism advantages of the state. The department,
1927 based on recommendations from the corporation ~~Enterprise~~
1928 ~~Florida, Inc.,~~ shall have final approval of grants awarded
1929 through this program. ~~Enterprise Florida, Inc., may contract~~
1930 ~~with its direct support organization to administer the program.~~

1931 (2) The total annual allocation of funds for this grant
1932 program may not exceed \$40,000. Each grant awarded under the
1933 program shall be limited to no more than \$2,500 and shall be
1934 matched by nonstate dollars. All grants shall be restricted to
1935 local governments and nonprofit corporations serving and located
1936 in municipalities having a population of 50,000 persons or less
1937 or in counties with an unincorporated area having a population
1938 of 200,000 persons or less.

1939 (3) The Florida Tourism Marketing Corporation ~~Enterprise~~
1940 ~~Florida, Inc.,~~ shall conduct an annual competitive selection
1941 process for the award of grants under the program. In
1942 determining its recommendations for the grant awards, the
1943 corporation ~~commission~~ shall consider the demonstrated need of

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1944 the applicant for advertising assistance, the feasibility and
1945 projected benefit of the applicant's proposal, the amount of
1946 nonstate funds that will be leveraged, and such other criteria
1947 as the department ~~commission~~ deems appropriate. In evaluating
1948 grant applications, the department shall consider
1949 recommendations from the corporation ~~Enterprise Florida, Inc.~~
1950 The department, however, has final approval authority for any
1951 grant under this section.

1952 Section 35. Subsection (4) of section 288.018, Florida
1953 Statutes, is amended to read:

1954 288.018 Regional Rural Development Grants Program.—

1955 (4) The department may expend up to \$750,000 each fiscal
1956 year from funds appropriated to the Rural Community Development
1957 Revolving Loan Fund for the purposes outlined in this section.
1958 ~~The department may contract with Enterprise Florida, Inc., for~~
1959 ~~the administration of the purposes specified in this section.~~
1960 ~~Funds released to Enterprise Florida, Inc., for this purpose~~
1961 ~~shall be released quarterly and shall be calculated based on the~~
1962 ~~applications in process.~~

1963 Section 36. Subsections (1), (9), and (10) of section
1964 288.047, Florida Statutes, are amended, to read:

1965 288.047 Quick-response training for economic development.—

1966 (1) The Quick-Response Training Program is created to meet
1967 the workforce-skill needs of existing, new, and expanding
1968 industries. The program shall be administered by CareerSource
1969 Florida, Inc., in conjunction with ~~Enterprise Florida, Inc., and~~
1970 the Department of Education. CareerSource Florida, Inc., shall
1971 adopt guidelines for the administration of this program, shall
1972 provide technical services, and shall identify businesses that

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1973 seek services through the program. ~~CareerSource Florida, Inc.,~~
1974 ~~may contract with Enterprise Florida, Inc., or administer this~~
1975 ~~program directly, if it is determined that such an arrangement~~
1976 ~~maximizes the amount of the Quick Response grant going to direct~~
1977 ~~services.~~

1978 ~~(9) Notwithstanding any other provision of law, eligible~~
1979 ~~matching contributions received under this section from the~~
1980 ~~Quick Response Training Program may be counted toward the~~
1981 ~~private sector support of Enterprise Florida, Inc., under s.~~
1982 ~~288.904.~~

1983 ~~(10) CareerSource Florida, Inc., and Enterprise Florida,~~
1984 ~~Inc., shall coordinate and cooperate in administering this~~
1985 ~~section so that any division of responsibility between the two~~
1986 ~~organizations which relates to marketing or administering the~~
1987 ~~Quick Response Training Program is not apparent to a business~~
1988 ~~that inquires about or applies for funding under this section. A~~
1989 ~~business shall be provided with a single point of contact for~~
1990 ~~information and assistance.~~

1991 Section 37. Subsections (1) and (4) of section 288.061,
1992 Florida Statutes, are amended to read:

1993 288.061 Economic development incentive application
1994 process.-

1995 (1) Upon receiving a submitted economic development
1996 incentive application, the Division of Economic Strategie
1997 Business Development of the department of ~~Economic Opportunity~~
1998 ~~and designated staff of Enterprise Florida, Inc.,~~ shall review
1999 the application to ensure that the application is complete,
2000 whether and what type of state and local permits may be
2001 necessary for the applicant's project, whether it is possible to

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2002 waive such permits, and what state incentives and amounts of
2003 such incentives may be available to the applicant. The
2004 department shall recommend to the Secretary of Commerce ~~Economic~~
2005 ~~Opportunity~~ to approve or disapprove an applicant business. If
2006 review of the application demonstrates that the application is
2007 incomplete, the secretary shall notify the applicant business
2008 within the first 5 business days after receiving the
2009 application.

2010 (4) The department shall validate contractor performance
2011 and report such validation in the annual incentives report
2012 required under s. 288.0065 ~~s. 288.907~~.

2013 Section 38. Paragraph (e) of subsection (2) and subsections
2014 (3) and (4) of section 288.0655, Florida Statutes, are amended
2015 to read:

2016 288.0655 Rural Infrastructure Fund.—

2017 (2)

2018 (e) To enable local governments to access the resources
2019 available pursuant to s. 403.973(17) ~~s. 403.973(18)~~, the
2020 department may award grants for surveys, feasibility studies,
2021 and other activities related to the identification and
2022 preclearance review of land which is suitable for preclearance
2023 review. Authorized grants under this paragraph may not exceed
2024 \$75,000 each, except in the case of a project in a rural area of
2025 opportunity, in which case the grant may not exceed \$300,000.
2026 Any funds awarded under this paragraph must be matched at a
2027 level of 50 percent with local funds, except that any funds
2028 awarded for a project in a rural area of opportunity must be
2029 matched at a level of 33 percent with local funds. If an
2030 application for funding is for a catalyst site, as defined in s.

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2031 288.0656, the requirement for local match may be waived pursuant
2032 to the process in s. 288.06561. In evaluating applications under
2033 this paragraph, the department shall consider the extent to
2034 which the application seeks to minimize administrative and
2035 consultant expenses.

2036 (3) The department, in consultation with ~~Enterprise~~
2037 ~~Florida, Inc.~~, the Florida Tourism Industry Marketing
2038 Corporation, the Department of Environmental Protection, and the
2039 Florida Fish and Wildlife Conservation Commission, as
2040 appropriate, shall review and certify applications pursuant to
2041 s. 288.061. The review shall include an evaluation of the
2042 economic benefit of the projects and their long-term viability.
2043 The department shall have final approval for any grant under
2044 this section.

2045 ~~(4) By September 1, 2021, the department shall, in~~
2046 ~~consultation with the organizations listed in subsection (3),~~
2047 ~~and other organizations, reevaluate existing guidelines and~~
2048 ~~criteria governing submission of applications for funding,~~
2049 ~~review and evaluation of such applications, and approval of~~
2050 ~~funding under this section. The department shall consider~~
2051 ~~factors including, but not limited to, the project's potential~~
2052 ~~for enhanced job creation or increased capital investment, the~~
2053 ~~demonstration and level of local public and private commitment,~~
2054 ~~whether the project is located in a community development~~
2055 ~~corporation service area, or in an urban high-crime area as~~
2056 ~~designated under s. 212.097, the unemployment rate of the county~~
2057 ~~in which the project would be located, and the poverty rate of~~
2058 ~~the community.~~

2059 Section 39. Paragraph (a) of subsection (6) and paragraphs

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2060 (a) and (c) of subsection (7) of section 288.0656, Florida
2061 Statutes, are amended to read:

2062 288.0656 Rural Economic Development Initiative.—

2063 (6) (a) By August 1 of each year, the head of each of the
2064 following agencies and organizations shall designate a deputy
2065 secretary or higher-level staff person from within the agency or
2066 organization to serve as the REDI representative for the agency
2067 or organization:

- 2068 1. The Department of Transportation.
- 2069 2. The Department of Environmental Protection.
- 2070 3. The Department of Agriculture and Consumer Services.
- 2071 4. The Department of State.
- 2072 5. The Department of Health.
- 2073 6. The Department of Children and Families.
- 2074 7. The Department of Corrections.
- 2075 8. The Department of Education.
- 2076 9. The Department of Juvenile Justice.
- 2077 10. The Fish and Wildlife Conservation Commission.
- 2078 11. Each water management district.
- 2079 12. ~~Enterprise Florida, Inc.~~
- 2080 ~~13.~~ CareerSource Florida, Inc.
- 2081 13.~~14.~~ VISIT Florida.
- 2082 14.~~15.~~ The Florida Regional Planning Council Association.
- 2083 15.~~16.~~ The Agency for Health Care Administration.
- 2084 16.~~17.~~ The Institute of Food and Agricultural Sciences
2085 (IFAS).
- 2086

2087 An alternate for each designee shall also be chosen, and the
2088 names of the designees and alternates shall be sent to the

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2089 Secretary of Commerce ~~Economic Opportunity~~.

2090 (7)

2091 (a) REDI may recommend to the Governor up to three rural
2092 areas of opportunity. The Governor may by executive order
2093 designate up to three rural areas of opportunity which will
2094 establish these areas as priority assignments for REDI as well
2095 as to allow the Governor, acting through REDI, to waive
2096 criteria, requirements, or similar provisions of any economic
2097 development incentive. Such incentives shall include, but are
2098 not limited to, ~~the Qualified Target Industry Tax Refund Program~~
2099 ~~under s. 288.106~~, the Quick Response Training Program under s.
2100 288.047, the Quick Response Training Program for participants in
2101 the welfare transition program under s. 288.047(8),
2102 transportation projects under s. 339.2821, the brownfield
2103 redevelopment bonus refund under s. 288.107, and the rural job
2104 tax credit program under ss. 212.098 and 220.1895.

2105 (c) Each rural area of opportunity may designate catalyst
2106 projects, provided that each catalyst project is specifically
2107 recommended by REDI, ~~identified as a catalyst project by~~
2108 ~~Enterprise Florida, Inc.~~, and confirmed as a catalyst project by
2109 the department. All state agencies and departments shall use all
2110 available tools and resources to the extent permissible by law
2111 to promote the creation and development of each catalyst project
2112 and the development of catalyst sites.

2113 Section 40. Section 288.0658, Florida Statutes, is amended
2114 to read:

2115 288.0658 Nature-based recreation; promotion and other
2116 assistance by Fish and Wildlife Conservation Commission.—The
2117 Florida Fish and Wildlife Conservation Commission is directed to

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2118 assist ~~Enterprise Florida, Inc.~~; the Florida Tourism Industry
2119 Marketing Corporation, doing business as VISIT Florida;
2120 convention and visitor bureaus; tourist development councils;
2121 economic development organizations; and local governments
2122 through the provision of marketing advice, technical expertise,
2123 promotional support, and product development related to nature-
2124 based recreation and sustainable use of natural resources. In
2125 carrying out this responsibility, the Florida Fish and Wildlife
2126 Conservation Commission shall focus its efforts on fostering
2127 nature-based recreation in rural communities and regions
2128 encompassing rural communities. As used in this section, the
2129 term "nature-based recreation" means leisure activities related
2130 to the state's lands, waters, and fish and wildlife resources,
2131 including, but not limited to, wildlife viewing, fishing,
2132 hiking, canoeing, kayaking, camping, hunting, backpacking, and
2133 nature photography.

2134 Section 41. Subsection (6) of section 288.075, Florida
2135 Statutes, is amended to read:

2136 288.075 Confidentiality of records.—

2137 (6) ECONOMIC INCENTIVE PROGRAMS.—

2138 (a) The following information held by an economic
2139 development agency pursuant to the administration of an economic
2140 incentive program for qualified businesses is confidential and
2141 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2142 Constitution for a period not to exceed the duration of the
2143 incentive agreement, including an agreement authorizing a tax
2144 refund or tax credit, or upon termination of the incentive
2145 agreement:

2146 1. The percentage of the business's sales occurring outside

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2147 this state and, ~~for businesses applying under s. 288.1045, the~~
2148 ~~percentage of the business's gross receipts derived from~~
2149 ~~Department of Defense contracts during the 5 years immediately~~
2150 ~~preceding the date the business's application is submitted.~~

2151 2. An individual employee's personal identifying
2152 information that is held as evidence of the achievement or
2153 nonachievement of the wage requirements of the tax refund, tax
2154 credit, or incentive agreement programs or of the job creation
2155 requirements of such programs.

2156 3. The amount of:

- 2157 a. Taxes on sales, use, and other transactions paid
2158 pursuant to chapter 212;
- 2159 b. Corporate income taxes paid pursuant to chapter 220;
- 2160 c. Intangible personal property taxes paid pursuant to
2161 chapter 199;
- 2162 d. Insurance premium taxes paid pursuant to chapter 624;
- 2163 e. Excise taxes paid on documents pursuant to chapter 201;
- 2164 f. Ad valorem taxes paid, as defined in s. 220.03(1); or
- 2165 g. State communications services taxes paid pursuant to
2166 chapter 202.

2167

2168 However, an economic development agency may disclose in the
2169 annual incentives report required under s. 288.0065 ~~s. 288.907~~
2170 the aggregate amount of each tax identified in this subparagraph
2171 and paid by all businesses participating in each economic
2172 incentive program.

2173 (b)~~1~~. The following information held by an economic
2174 development agency relating to a specific business participating
2175 in an economic incentive program is no longer confidential or

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2176 exempt 180 days after a final project order for an economic
 2177 incentive agreement is issued, until a date specified in the
 2178 final project order, or if the information is otherwise
 2179 disclosed, whichever occurs first:

2180 ~~1.a.~~ The name of the qualified business.

2181 ~~2.b.~~ The total number of jobs the business committed to
 2182 create or retain.

2183 ~~3.e.~~ The total number of jobs created or retained by the
 2184 business.

2185 ~~4.d.~~ Notwithstanding s. 213.053(2), the amount of tax
 2186 refunds, tax credits, or incentives awarded to, claimed by, or,
 2187 if applicable, refunded to the state by the business.

2188 ~~5.e.~~ The anticipated total annual wages of employees the
 2189 business committed to hire or retain.

2190 ~~2. For a business applying for certification under s.~~
 2191 ~~288.1045 which is based on obtaining a new Department of Defense~~
 2192 ~~contract, the total number of jobs expected and the amount of~~
 2193 ~~tax refunds claimed may not be released until the new Department~~
 2194 ~~of Defense contract is awarded.~~

2195 Section 42. Paragraphs (a), (c), and (e) of subsection (1),
 2196 paragraph (e) of subsection (3), and subsections (6), (7), and
 2197 (8) of section 288.076 are amended to read:

2198 288.076 Return on investment reporting for economic
 2199 development programs.—

2200 (1) As used in this section, the term:

2201 (a) "Jobs" means full-time equivalent positions, including,
 2202 but not limited to, positions obtained from a temporary
 2203 employment agency or employee leasing company or through a union
 2204 agreement or coemployment under a professional employer

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2205 organization agreement, that result directly from a project in
2206 this state. The term does not include temporary construction
2207 jobs involved with the construction of facilities for the
2208 project or any jobs previously included in any application for
2209 tax refunds ~~has the same meaning as provided in s.~~
2210 ~~288.106(2)(i).~~

2211 (c) "Project" means the creation of a new business or
2212 expansion of an existing business ~~has the same meaning as~~
2213 ~~provided in s. 288.106(2)(m).~~

2214 (e) "State investment" means any state grants, tax
2215 exemptions, tax refunds, tax credits, or other state incentives
2216 provided to a business under a program administered by the
2217 department, including the capital investment tax credit under s.
2218 220.191.

2219 (3) Within 48 hours after expiration of the period of
2220 confidentiality for project information deemed confidential and
2221 exempt pursuant to s. 288.075, the department shall publish the
2222 following information pertaining to each project:

2223 (e) *Project performance goals.*—

2224 1. The incremental direct jobs attributable to the project,
2225 identifying the number of jobs generated and the number of jobs
2226 retained.

2227 2. The number of jobs generated and the number of jobs
2228 retained by the project, and ~~for projects commencing after~~
2229 ~~October 1, 2013,~~ the average annual wage of persons holding such
2230 jobs.

2231 3. The incremental direct capital investment in the state
2232 generated by the project.

2233 (6) Annually, the department shall publish information

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2234 relating to the progress of Quick Action Closing Fund projects,
2235 awarded under former s. 288.1088, until all contracts are
2236 complete or terminated including the average number of days
2237 ~~between the date the department receives a completed application~~
2238 ~~and the date on which the application is approved.~~

2239 (7)(a) Within 48 hours after expiration of the period of
2240 confidentiality provided under s. 288.075, the department shall
2241 publish the contract or agreement described in s. 288.061,
2242 redacted to protect the participant business from disclosure of
2243 information that remains confidential or exempt by law.

2244 ~~(b) Within 48 hours after submitting any report of findings~~
2245 ~~and recommendations made pursuant to s. 288.106(7)(d) concerning~~
2246 ~~a business's failure to complete a tax refund agreement pursuant~~
2247 ~~to the tax refund program for qualified target industry~~
2248 ~~businesses, the department shall publish such report.~~

2249 ~~(8) For projects completed before October 1, 2013, the~~
2250 ~~department shall compile and, by October 1, 2014, shall publish~~
2251 ~~the information described in subsections (3), (4), and (5), to~~
2252 ~~the extent such information is available and applicable.~~

2253 Section 43. Section 288.095, Florida Statutes, is amended
2254 to read:

2255 288.095 Economic Development Trust Fund.—

2256 (1) The Economic Development Trust Fund is created within
2257 the department ~~of Economic Opportunity~~. Moneys deposited into
2258 the fund must be used only to support the authorized activities
2259 and operations of the department.

2260 (2) There is created, within the Economic Development Trust
2261 Fund, the Economic Development Incentives Account. The Economic
2262 Development Incentives Account consists of moneys appropriated

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2263 to the account for purposes of the tax incentives programs
2264 authorized under s. 288.107 and former s. 288.106 ~~ss. 288.1045~~
2265 ~~and 288.106~~, and local financial support provided under former
2266 s. 288.106 ~~ss. 288.1045 and 288.106~~. Moneys in the Economic
2267 Development Incentives Account shall be subject to the
2268 provisions of s. 216.301(1) (a).

2269 (3) (a) ~~The department may approve applications for~~
2270 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~
2271 The total state share of tax refund payments may not exceed \$35
2272 million.

2273 (b) The total amount of tax refund claims approved for
2274 payment by the department based on actual project performance
2275 may not exceed the amount appropriated to the Economic
2276 Development Incentives Account for such purposes for the fiscal
2277 year. Claims for tax refunds under s. 288.107 and former ss.
2278 288.1045 and 288.106 shall be paid in the order the claims are
2279 approved by the department. In the event the Legislature does
2280 not appropriate an amount sufficient to satisfy the tax refunds
2281 under s. 288.107 and former s. 288.106 ~~ss. 288.1045 and 288.106~~
2282 in a fiscal year, the department shall pay the tax refunds from
2283 the appropriation for the following fiscal year. By March 1 of
2284 each year, the department shall notify the legislative
2285 appropriations committees of the Senate and House of
2286 Representatives of any anticipated shortfall in the amount of
2287 funds needed to satisfy claims for tax refunds from the
2288 appropriation for the current fiscal year.

2289 (c) Moneys in the Economic Development Incentives Account
2290 may be used only to pay tax refunds and make other payments
2291 authorized under ~~s. 288.1045, s. 288.106, or~~ s. 288.107 or in

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2292 agreements authorized under former s. 288.106. The department
2293 shall report within 10 days after the end of each quarter to the
2294 Office of Policy and Budget in the Executive Officer of the
2295 Governor, the chair of the Senate Appropriations Committee or
2296 its successor, and the chair of the House of Representatives
2297 Appropriations Committee or its successor regarding the status
2298 of payments made for all economic development programs
2299 administered by the department under this chapter, including s.
2300 288.107 and former ss. 288.106 and 288.108.

2301 (d) The department may adopt rules necessary to carry out
2302 ~~the provisions of~~ this subsection, including rules providing for
2303 the use of moneys in the Economic Development Incentives Account
2304 and for the administration of the Economic Development
2305 Incentives Account.

2306 (4) The department shall create a separate account for
2307 funds transferred from the former Enterprise Florida, Inc., held
2308 for payments for agreements under the Quick Action Closing Fund
2309 under former s. 288.1088 or the Innovation Incentive Program
2310 under former s. 288.1089. The department shall report within 10
2311 days after the end of each quarter to the Office of Policy and
2312 Budget in the Executive Office of the Governor, the chair of the
2313 Senate Appropriations Committee or its successor, and the chair
2314 of the House of Representatives Appropriations Committee or its
2315 successor regarding all escrow activity relating to both
2316 programs, including payments made pursuant to confirmed
2317 performance under the remaining contracts, payments returned to
2318 the state due to noncompliance, and contracts terminated due to
2319 noncompliance. The department must transfer to the General
2320 Revenue Fund any payments returned to the state, either returned

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2321 by the recipient or through action by the department to
2322 administratively or otherwise legally obtain repayment of funds,
2323 and any funds associated with terminated contracts.

2324 Section 44. Subsection (2) and paragraph (c) of subsection
2325 (3) of section 288.101, Florida Statutes, as amended by chapter
2326 2023-17, Laws of Florida, are amended to read:

2327 288.101 Florida Job Growth Grant Fund.—

2328 (2) The department ~~and Enterprise Florida, Inc.,~~ may
2329 identify projects, solicit proposals, and make funding
2330 recommendations to the Governor, who is authorized to approve:

2331 (a) State or local public infrastructure projects to
2332 promote:

- 2333 1. Economic recovery in specific regions of this state;
- 2334 2. Economic diversification; or
- 2335 3. Economic enhancement in a targeted industry.

2336 (b) State or local public infrastructure projects to
2337 facilitate the development or construction of affordable
2338 housing. This paragraph is repealed July 1, 2033.

2339 ~~(c) Infrastructure funding to accelerate the rehabilitation~~
2340 ~~of the Herbert Hoover Dike. The department or the South Florida~~
2341 ~~Water Management District may enter into agreements, as~~
2342 ~~necessary, with the United States Army Corps of Engineers to~~
2343 ~~implement this paragraph.~~

2344 ~~(d)~~ Workforce training grants to support programs at state
2345 colleges and state technical centers that provide participants
2346 with transferable, sustainable workforce skills applicable to
2347 more than a single employer, and for equipment associated with
2348 these programs. The department shall work with CareerSource
2349 Florida, Inc., to ensure programs are offered to the public

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2350 based on criteria established by the state college or state
 2351 technical center and do not exclude applicants who are
 2352 unemployed or underemployed.

2353 (3) For purposes of this section:

2354 (c) "Targeted industry" means any industry identified in
 2355 the most recent list provided to the Governor, the President of
 2356 the Senate, and the Speaker of the House of Representatives in
 2357 accordance with s. 288.005 ~~s. 288.106(2)(g)~~.

2358 Section 45. Section 288.1045, Florida Statutes, is
 2359 repealed.

2360 Section 46. Section 288.106, Florida Statutes, is repealed.

2361 Section 47. Paragraphs (d) and (f) of subsection (1),
 2362 subsection (2), paragraph (b) of subsection (3), subsection (4),
 2363 and paragraph (b) of subsection (5) of section 288.107, Florida
 2364 Statutes, are amended, and paragraph (c) is added to subsection
 2365 (5) of that section, to read:

2366 288.107 Brownfield redevelopment bonus refunds.—

2367 (1) DEFINITIONS.—As used in this section:

2368 (d) "Eligible business" means:

2369 ~~1. A qualified target industry business as defined in s.~~
 2370 ~~288.106(2); or~~

2371 ~~2.~~ a business that can demonstrate a fixed capital
 2372 investment of at least \$2 million in mixed-use business
 2373 activities, including multiunit housing, commercial, retail, and
 2374 industrial in brownfield areas eligible for bonus refunds, and
 2375 that provides benefits to its employees.

2376 (f) "Project" means the creation of a new business or the
 2377 expansion of an existing business ~~as defined in s. 288.106.~~

2378 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.—Bonus refunds

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2379 shall be approved by the department as specified in the final
2380 order and allowed from the account as follows:

2381 ~~(a) A bonus refund of \$2,500 shall be allowed to any~~
2382 ~~qualified target industry business as defined in s. 288.106 for~~
2383 ~~each new Florida job created in a brownfield area eligible for~~
2384 ~~bonus refunds which is claimed on the qualified target industry~~
2385 ~~business's annual refund claim authorized in s. 288.106(6).~~

2386 ~~(b) a bonus refund of up to \$2,500 shall be allowed to any~~
2387 ~~other eligible business as defined in subparagraph (1)(d)2. for~~
2388 ~~each new Florida job created in a brownfield area eligible for~~
2389 ~~bonus refunds which is claimed under an annual claim procedure~~
2390 ~~similar to the annual refund claim authorized in former s.~~
2391 ~~288.106(6). The amount of the refund shall be equal to 20~~
2392 ~~percent of the average annual wage for the jobs created.~~

2393 (3) CRITERIA.—The minimum criteria for participation in the
2394 brownfield redevelopment bonus refund are:

2395 (b) The completion of a fixed capital investment of at
2396 least \$2 million in mixed-use business activities, including
2397 multiunit housing, commercial, retail, and industrial in
2398 brownfield areas eligible for bonus refunds, by an eligible
2399 business applying for a refund under subsection (2) paragraph
2400 ~~(2)(b)~~ which provides benefits to its employees.

2401 (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

2402 (a) To be eligible to receive a bonus refund for new
2403 Florida jobs created in a brownfield area eligible for bonus
2404 refunds, a business must have been certified as an ~~a qualified~~
2405 ~~target industry business under s. 288.106 or~~ eligible business
2406 as defined in paragraph (1)(d) and must have indicated on the
2407 ~~qualified target industry business~~ tax refund application form

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2408 submitted to the department ~~in accordance with s. 288.106(4) or~~
2409 ~~other similar agreement for other eligible business as defined~~
2410 ~~in paragraph (1)(d)~~ that the project for which the application
2411 is submitted is or will be located in a brownfield area eligible
2412 for bonus refunds and that the business is applying for
2413 certification as a qualified brownfield business under this
2414 section, and must have signed a ~~qualified target industry~~
2415 ~~business~~ tax refund agreement with the department that indicates
2416 that the business has been certified as a ~~qualified target~~
2417 ~~industry business~~ located in a brownfield area eligible for
2418 bonus refunds and specifies the schedule of brownfield
2419 redevelopment bonus refunds that the business may be eligible to
2420 receive in each fiscal year.

2421 (b) To be considered to receive an eligible brownfield
2422 redevelopment bonus refund payment, the business meeting the
2423 requirements of paragraph (a) must submit a claim once each
2424 fiscal year on a claim form approved by the department which
2425 indicates the location of the brownfield site for which a
2426 rehabilitation agreement with the Department of Environmental
2427 Protection or a local government delegated by the Department of
2428 Environmental Protection has been executed under s. 376.80, the
2429 address of the business facility's brownfield location, the name
2430 of the brownfield in which it is located, the number of jobs
2431 created, and the average wage of the jobs created by the
2432 business within the brownfield ~~as defined in s. 288.106 or other~~
2433 ~~eligible business as defined in paragraph (1)(d) and the~~
2434 ~~administrative rules and policies for that section.~~

2435 (c) ~~The bonus refunds shall be available on the same~~
2436 ~~schedule as the qualified target industry tax refund payments~~

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2437 ~~scheduled in the qualified target industry tax refund agreement~~
2438 ~~authorized in s. 288.106 or other similar agreement for other~~
2439 ~~eligible businesses as defined in paragraph (1)(e).~~

2440 ~~(d)~~ After entering into a tax refund agreement ~~as provided~~
2441 ~~in s. 288.106 or other similar agreement for other eligible~~
2442 ~~businesses as defined in paragraph (1)(e),~~ an eligible business
2443 may receive brownfield redevelopment bonus refunds from the
2444 account:

2445 1. For both of the following taxes due and paid by that
2446 business beginning with the first taxable year of the business
2447 that begins after entering into the agreement:

2448 a. Corporate income taxes under chapter 220.

2449 b. Insurance premium tax under s. 624.509.

2450 2. For all of the following taxes due and paid by that
2451 business after entering into the agreement:

2452 a. Taxes on sales, use, and other transactions under
2453 chapter 212.

2454 b. Intangible personal property taxes under chapter 199.

2455 c. Excise taxes on documents under chapter 201.

2456 d. Ad valorem taxes paid, as defined in s. 220.03(1).

2457 e. State communications services taxes administered under
2458 chapter 202. This provision does not apply to the gross receipts
2459 tax imposed under chapter 203 and administered under chapter 202
2460 or the local communications services tax authorized under s.
2461 202.19 pursuant to s. 288.106(3)(d).

2462 ~~(d)(e)~~ An eligible business that fraudulently claims a
2463 refund under this section:

2464 1. Is liable for repayment of the amount of the refund to
2465 the account, plus a mandatory penalty in the amount of 200

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2466 percent of the tax refund, which shall be deposited into the
2467 General Revenue Fund.

2468 2. Commits a felony of the third degree, punishable as
2469 provided in s. 775.082, s. 775.083, or s. 775.084.

2470 (e)~~(f)~~ Applications shall be reviewed and certified
2471 pursuant to s. 288.061 before the business has made a decision
2472 to locate or expand a facility in this state. The department
2473 shall review all applications submitted ~~under s. 288.106 or~~
2474 ~~other similar application forms for other eligible businesses as~~
2475 ~~defined in paragraph (1)(d)~~ which indicate that the proposed
2476 project will be located in a brownfield area eligible for bonus
2477 refunds and determine, with the assistance of the Department of
2478 Environmental Protection, that the project location is within a
2479 brownfield area eligible for bonus refunds as provided in this
2480 act.

2481 (f)~~(g)~~ The department shall approve all claims for a
2482 brownfield redevelopment bonus refund payment that are found to
2483 meet the requirements of this section ~~paragraphs (b) and (d)~~.

2484 (g)~~(h)~~ The department, with such assistance as may be
2485 required from the Department of Environmental Protection, shall
2486 specify by written final order the amount of the brownfield
2487 redevelopment bonus refund that is authorized for the ~~qualified~~
2488 ~~target industry~~ business for the fiscal year within 30 days
2489 after the date that the claim for the annual tax refund is
2490 received by the department.

2491 (h)~~(i)~~ The total amount of the bonus refunds approved by
2492 the department under this section in any fiscal year must not
2493 exceed the total amount appropriated to the Economic Development
2494 Incentives Account for this purpose for the fiscal year. In the

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2495 event that the Legislature does not appropriate an amount
2496 sufficient to satisfy projections by the department for
2497 brownfield redevelopment bonus refunds under this section in a
2498 fiscal year, the department shall, not later than July 15 of
2499 such year, determine the proportion of each brownfield
2500 redevelopment bonus refund claim which shall be paid by dividing
2501 the amount appropriated for tax refunds for the fiscal year by
2502 the projected total of brownfield redevelopment bonus refund
2503 claims for the fiscal year. The amount of each claim for a
2504 brownfield redevelopment bonus tax refund shall be multiplied by
2505 the resulting quotient. If, after the payment of all such refund
2506 claims, funds remain in the Economic Development Incentives
2507 Account for brownfield redevelopment tax refunds, the department
2508 shall recalculate the proportion for each refund claim and
2509 adjust the amount of each claim accordingly.

2510 (i)~~(j)~~ Upon approval of the brownfield redevelopment bonus
2511 refund, payment shall be made for the amount specified in the
2512 final order. If the final order is appealed, payment may not be
2513 made for a refund to the ~~qualified target industry~~ business
2514 until the conclusion of all appeals of that order.

2515 (5) ADMINISTRATION.—

2516 (b) To facilitate the process of monitoring and auditing
2517 applications made under this program, the department may provide
2518 a list of ~~qualified target industry~~ businesses to the Department
2519 of Revenue, to the Department of Environmental Protection, or to
2520 any local government authority. The department may request the
2521 assistance of those entities with respect to monitoring the
2522 payment of the taxes listed in paragraph (3)(c) ~~s. 288.106(3)~~.

2523 (c) The department may adopt rules, including an

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2524 application form, to administer this section.

2525 Section 48. Paragraph (c) of subsection (2) and subsection
2526 (6) of section 288.108, Florida Statutes, are amended to read:

2527 288.108 High-impact business.—

2528 (2) DEFINITIONS.—As used in this section, the term:

2529 (c) "Eligible high-impact business" means a business in one
2530 of the high-impact sectors identified by ~~Enterprise Florida,~~
2531 ~~Inc., and certified~~ by the department as provided in subsection
2532 (5), which is making a cumulative investment in the state of at
2533 least \$50 million and creating at least 50 new full-time
2534 equivalent jobs in the state or a research and development
2535 facility making a cumulative investment of at least \$25 million
2536 and creating at least 25 new full-time equivalent jobs. Such
2537 investment and employment must be achieved in a period not to
2538 exceed 3 years after the date the business is certified as a
2539 qualified high-impact business.

2540 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT SECTORS.—

2541 (a) The department ~~Enterprise Florida, Inc.,~~ shall, by
2542 January 1, of every third year, beginning January 1, 2011,
2543 initiate the process of reviewing and, if appropriate, selecting
2544 a new high-impact sector for designation or recommending the
2545 deactivation of a designated high-impact sector. The process of
2546 reviewing designated high-impact sectors or recommending the
2547 deactivation of a designated high-impact sector shall be in
2548 consultation with ~~the department,~~ economic development
2549 organizations, the State University System, local governments,
2550 employee and employer organizations, market analysts, and
2551 economists.

2552 (b) The department has authority, after meeting the

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2553 requirements of this subsection ~~recommendation from Enterprise~~
2554 ~~Florida, Inc.~~, to designate a high-impact sector or to
2555 deauthorize a designated high-impact sector.

2556 (c) To begin the process of selecting and designating a new
2557 high-impact sector, the department ~~Enterprise Florida, Inc.~~,
2558 shall undertake a thorough study of the proposed sector. This
2559 study must consider the definition of the sector, including the
2560 types of facilities which characterize the sector that might
2561 qualify for a high-impact performance grant and whether a
2562 powerful incentive like the high-impact performance grant is
2563 needed to induce major facilities in the sector to locate or
2564 grow in this state; the benefits that major facilities in the
2565 sector have or could have on the state's economy and the
2566 relative significance of those benefits; the needs of the sector
2567 and major sector facilities, including natural, public, and
2568 human resources and benefits and costs with regard to these
2569 resources; the sector's current and future markets; the current
2570 fiscal and potential fiscal impacts of the sector, to both the
2571 state and its communities; any geographic opportunities or
2572 limitations with regard to the sector, including areas of the
2573 state most likely to benefit from the sector and areas unlikely
2574 to benefit from the sector; the state's advantages or
2575 disadvantages with regard to the sector; and the long-term
2576 expectations for the industry on a global level and in the
2577 state. If the department ~~Enterprise Florida, Inc.~~, finds
2578 favorable conditions for the designation of the sector as a
2579 high-impact sector, it shall include in the study
2580 recommendations for a complete and comprehensive sector
2581 strategy, including appropriate marketing and workforce

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2582 strategies for the entire sector and any recommendations ~~that~~
2583 ~~Enterprise Florida, Inc., may have~~ for statutory or policy
2584 changes needed to improve the state's business climate and to
2585 attract and grow Florida businesses, particularly small
2586 businesses, in the proposed sector. The study shall reflect the
2587 finding of the sector-business network specified in paragraph
2588 (d).

2589 (d) In conjunction with the study required in paragraph
2590 (c), the department ~~Enterprise Florida, Inc.,~~ shall develop and
2591 consult with a network of sector businesses. While this network
2592 may include non-Florida businesses, it must include any
2593 businesses currently within the state. If the number of Florida
2594 businesses in the sector is large, a representative cross-
2595 section of Florida sector businesses may form the core of this
2596 network.

2597 (e) The study and its findings and recommendations and the
2598 recommendations gathered from the sector-business network must
2599 be discussed and considered during at least one meeting per
2600 calendar year of leaders in business, government, education,
2601 workforce development, and economic development called by the
2602 Governor to address the business climate in the state, develop a
2603 common vision for the economic future of the state, and identify
2604 economic development efforts to fulfill that vision.

2605 (f) If after consideration of the completed study required
2606 in paragraph (c) and the input derived from consultation with
2607 the sector-business network in paragraph (d) and the meeting as
2608 required in paragraph (e), the department ~~board of directors of~~
2609 ~~Enterprise Florida, Inc.,~~ finds that the sector will have
2610 exceptionally large and widespread benefits to the state and its

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2611 citizens, relative to any public costs; that the sector is
2612 characterized by the types of facilities that require
2613 exceptionally large investments and provide employment
2614 opportunities to a relatively large number of workers in high-
2615 quality, high-income jobs that might qualify for a high-impact
2616 performance grant; and that given the competition for such
2617 businesses it may be necessary for the state to be able to offer
2618 a large inducement, such as a high-impact performance grant, to
2619 attract such a business to the state or to encourage businesses
2620 to continue to grow in the state, ~~the board of directors of~~
2621 ~~Enterprise Florida, Inc., may recommend that~~ the department may
2622 designate ~~consider the designation of~~ the sector as a high-
2623 impact business sector or may.

2624 ~~(g) Upon receiving a recommendation from the board of~~
2625 ~~directors of Enterprise Florida, Inc., together with the study~~
2626 ~~required in paragraph (c) and a summary of the findings and~~
2627 ~~recommendations of the sector business network required in~~
2628 ~~paragraph (d), including a list of all meetings of the sector~~
2629 ~~network and participants in those meetings and the findings and~~
2630 ~~recommendations from the meeting as required in paragraph (e),~~
2631 ~~the department shall after a thorough evaluation of the study~~
2632 ~~and accompanying materials report its findings and either concur~~
2633 ~~in the recommendation of Enterprise Florida, Inc., and designate~~
2634 ~~the sector as a high impact business sector or notify Enterprise~~
2635 ~~Florida, Inc., that it does not concur and deny the board's~~
2636 ~~request for designation or return the recommendation and study~~
2637 ~~to Enterprise Florida, Inc., for further evaluation. In any~~
2638 ~~case, the department's decision must be in writing and justify~~
2639 ~~the reasons for the decision.~~

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2640 (g)~~(h)~~ If the department designates the sector as a high-
2641 impact sector, it shall, within 30 days, notify the Governor,
2642 the President of the Senate, and the Speaker of the House of
2643 Representatives of its decision and provide a complete report on
2644 its decision, including copies of the material compiled in the
2645 evaluation, studies, and meetings required under this subsection
2646 ~~provided by Enterprise Florida, Inc.,~~ and the department's
2647 evaluation and comment on any statutory or policy changes
2648 ~~recommended by Enterprise Florida, Inc.~~

2649 (h)~~(i)~~ For the purposes of this subsection, a high-impact
2650 sector consists of the silicon technology sector ~~that Enterprise~~
2651 ~~Florida, Inc., has~~ found to be focused around the type of high-
2652 impact businesses for which the incentive created in this
2653 subsection is required and will create the kinds of sector and
2654 economy wide benefits that justify the use of state resources to
2655 encourage these investments and require substantial inducements
2656 to compete with the incentive packages offered by other states
2657 and nations.

2658 Section 49. Section 288.1081, Florida Statutes, is
2659 repealed.

2660 Section 50. Section 288.1082, Florida Statutes, is
2661 repealed.

2662 Section 51. Section 288.1088, Florida Statutes, is
2663 repealed.

2664 Section 52. Section 288.1089, Florida Statutes, is
2665 repealed.

2666 Section 53. Section 288.111, Florida Statutes, is amended
2667 to read:

2668 288.111 Information concerning local manufacturing

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2669 development programs.—The department shall develop materials
2670 that identify each local government that establishes a local
2671 manufacturing development program under s. 163.3252. The
2672 materials, which the department may elect to develop and
2673 maintain in electronic format or in any other format deemed by
2674 the department to provide public access, must be updated at
2675 least annually. ~~Enterprise Florida, Inc., shall, and other State~~
2676 ~~agencies may,~~ distribute the materials to prospective, new,
2677 expanding, and relocating businesses seeking to conduct business
2678 in this state.

2679 Section 54. Subsection (7) of section 288.11621, Florida
2680 Statutes, is amended to read:

2681 288.11621 Spring training baseball franchises.—

2682 (7) STRATEGIC PLANNING.—The department shall request
2683 assistance from ~~Enterprise Florida, Inc., and the Florida~~
2684 Grapefruit League Association to develop a comprehensive
2685 strategic plan to:

2686 (a) Finance spring training facilities.

2687 (b) Monitor and oversee the use of state funds awarded to
2688 applicants.

2689 (c) Identify the financial impact that spring training has
2690 on the state and ways in which to maintain or improve that
2691 impact.

2692 (d) Identify opportunities to develop public-private
2693 partnerships to engage in marketing activities and advertise
2694 spring training baseball.

2695 (e) Identify efforts made by other states to maintain or
2696 develop partnerships with baseball spring training teams.

2697 (f) Develop recommendations for the Legislature to sustain

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2698 or improve this state's spring training tradition.

2699 Section 55. Paragraph (c) of subsection (2) and paragraphs
2700 (a), (c), and (d) of subsection (3) of section 288.11631,
2701 Florida Statutes, are amended to read:

2702 288.11631 Retention of Major League Baseball spring
2703 training baseball franchises.—

2704 (2) CERTIFICATION PROCESS.—

2705 (c) Each applicant certified on or after July 1, 2013,
2706 shall enter into an agreement with the department which:

2707 1. Specifies the amount of the state incentive funding to
2708 be distributed. The amount of state incentive funding per
2709 certified applicant may not exceed \$20 million. However, if a
2710 certified applicant's facility is used by more than one spring
2711 training franchise, the maximum amount may not exceed \$50
2712 million, and the Department of Revenue shall make distributions
2713 to the applicant pursuant to s. 212.20(6)(d)6.c. ~~s.~~
2714 ~~212.20(6)(d)6.e.~~

2715 2. States the criteria that the certified applicant must
2716 meet in order to remain certified. These criteria must include a
2717 provision stating that the spring training franchise must
2718 reimburse the state for any funds received if the franchise does
2719 not comply with the terms of the contract. If bonds were issued
2720 to construct or renovate a facility for a spring training
2721 franchise, the required reimbursement must be equal to the total
2722 amount of state distributions expected to be paid from the date
2723 the franchise violates the agreement with the applicant through
2724 the final maturity of the bonds.

2725 3. States that the certified applicant is subject to
2726 decertification if the certified applicant fails to comply with

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2727 this section or the agreement.

2728 4. States that the department may recover state incentive
2729 funds if the certified applicant is decertified.

2730 5. Specifies the information that the certified applicant
2731 must report to the department.

2732 6. Includes any provision deemed prudent by the department.

2733 (3) USE OF FUNDS.—

2734 (a) A certified applicant may use funds provided under s.
2735 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ only to:

2736 1. Serve the public purpose of constructing or renovating a
2737 facility for a spring training franchise.

2738 2. Pay or pledge for the payment of debt service on, or to
2739 fund debt service reserve funds, arbitrage rebate obligations,
2740 or other amounts payable with respect thereto, bonds issued for
2741 the construction or renovation of such facility, or for the
2742 reimbursement of such costs or the refinancing of bonds issued
2743 for such purposes.

2744 (c) The Department of Revenue may not distribute funds
2745 under s. 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ until July 1,
2746 2016. Further, the Department of Revenue may not distribute
2747 funds to an applicant certified on or after July 1, 2013, until
2748 it receives notice from the department that:

2749 1. The certified applicant has encumbered funds under
2750 either subparagraph (a)1. or subparagraph (a)2.; and

2751 2. If applicable, any existing agreement with a spring
2752 training franchise for the use of a facility has expired.

2753 (d)1. All certified applicants shall place unexpended state
2754 funds received pursuant to s. 212.20(6)(d)6.c. ~~s.~~
2755 ~~212.20(6)(d)6.e.~~ in a trust fund or separate account for use

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2756 only as authorized in this section.

2757 2. A certified applicant may request that the department
2758 notify the Department of Revenue to suspend further
2759 distributions of state funds made available under s.
2760 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ for 12 months after
2761 expiration of an existing agreement with a spring training
2762 franchise to provide the certified applicant with an opportunity
2763 to enter into a new agreement with a spring training franchise,
2764 at which time the distributions shall resume.

2765 3. The expenditure of state funds distributed to an
2766 applicant certified after July 1, 2013, must begin within 48
2767 months after the initial receipt of the state funds. In
2768 addition, the construction or renovation of a spring training
2769 facility must be completed within 24 months after the project's
2770 commencement.

2771 Section 56. Section 288.1168, Florida Statutes, is
2772 repealed.

2773 Section 57. Section 288.1169, Florida Statutes, is
2774 repealed.

2775 Section 58. Section 288.122, Florida Statutes, is amended
2776 to read:

2777 288.122 Tourism Promotional Trust Fund.—There is created
2778 within the department the Tourism Promotional Trust Fund. Moneys
2779 deposited in the Tourism Promotional Trust Fund shall only be
2780 used to support the authorized activities and operations and the
2781 tourism promotion and marketing activities, services, functions,
2782 and programs administered by the department ~~Enterprise Florida,~~
2783 ~~Inc.,~~ through a contract with the direct-support organization
2784 created under s. 288.1226.

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2785 Section 59. Subsections (2), (3), and (4), paragraphs (a),
2786 (c), (g), (h), (i), and (k) of subsection (5), and subsections
2787 (7) and (8) of section 288.1226, Florida Statutes, as amended by
2788 chapter 2023-20, Laws of Florida, are amended to read:

2789 288.1226 Florida Tourism Industry Marketing Corporation;
2790 use of property; board of directors; duties; audit.—

2791 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
2792 Corporation is a direct-support organization of the department
2793 ~~Enterprise Florida, Inc.~~

2794 (a) The Florida Tourism Industry Marketing Corporation is a
2795 corporation not for profit, as defined in s. 501(c)(6) of the
2796 Internal Revenue Code of 1986, as amended, that is incorporated
2797 under the provisions of chapter 617 and approved by the
2798 Department of State.

2799 (b) The corporation is organized and operated exclusively
2800 to request, receive, hold, invest, and administer property and
2801 to manage and make expenditures for the operation of the
2802 activities, services, functions, and programs of this state
2803 which relate to the statewide, national, and international
2804 promotion and marketing of tourism.

2805 (c)1. The corporation is not an agency for the purposes of
2806 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,
2807 relating to leasing of buildings; ss. 283.33 and 283.35,
2808 relating to bids for printing; s. 215.31; and parts I, II, and
2809 IV-VIII of chapter 112. However, the corporation shall comply
2810 with the per diem and travel expense provisions of s. 112.061.

2811 2. It is not a violation of s. 112.3143(2) or (4) for the
2812 officers or members of the board of directors of the corporation
2813 to:

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2814 a. Vote on the 4-year marketing plan required under s.
2815 288.12261 ~~s. 288.923~~ or vote on any individual component of or
2816 amendment to the plan.

2817 b. Participate in the establishment or calculation of
2818 payments related to the private match requirements of subsection
2819 (6). The officer or member must file an annual disclosure
2820 describing the nature of his or her interests or the interests
2821 of his or her principals, including corporate parents and
2822 subsidiaries of his or her principal, in the private match
2823 requirements. This annual disclosure requirement satisfies the
2824 disclosure requirement of s. 112.3143(4). This disclosure must
2825 be placed on the corporation's website or included in the
2826 minutes of each meeting of the corporation's board of directors
2827 at which the private match requirements are discussed or voted
2828 upon.

2829 (d) The corporation is subject to the provisions of chapter
2830 119, relating to public meetings, and those provisions of
2831 chapter 286 relating to public meetings and records.

2832 (3) USE OF PROPERTY.—The department ~~Enterprise Florida,~~
2833 ~~Inc.:~~

2834 (a) Is authorized to permit the use of property and
2835 facilities of the department ~~Enterprise Florida, Inc.,~~ by the
2836 corporation, subject to the provisions of this section.

2837 (b) Shall prescribe conditions with which the corporation
2838 must comply in order to use property and facilities of the
2839 department ~~Enterprise Florida, Inc.~~ Such conditions shall
2840 provide for budget and audit review and for oversight by the
2841 department ~~Enterprise Florida, Inc.~~

2842 (c) May not permit the use of property and facilities of

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2843 the department ~~Enterprise Florida, Inc.~~, if the corporation does
2844 not provide equal employment opportunities to all persons,
2845 regardless of race, color, national origin, sex, age, or
2846 religion.

2847 (4) BOARD OF DIRECTORS.—The board of directors of the
2848 corporation shall be composed of 31 tourism-industry-related
2849 members, appointed by ~~Enterprise Florida, Inc.~~, in conjunction
2850 with the department. Board members shall serve without
2851 compensation, but are entitled to receive reimbursement for per
2852 diem and travel expenses pursuant to s. 112.061. Such expenses
2853 must be paid out of funds of the corporation. The board shall be
2854 composed of all of the following members:

2855 (a) Sixteen members, appointed in such a manner as to
2856 equitably represent all geographic areas of this state, with no
2857 fewer than two members from any of the following regions:

2858 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,
2859 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
2860 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

2861 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
2862 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
2863 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
2864 Taylor, and Union Counties.

2865 3. Region 3, composed of Brevard, Indian River, Lake,
2866 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
2867 Volusia Counties.

2868 4. Region 4, composed of Citrus, Hernando, Hillsborough,
2869 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

2870 5. Region 5, composed of Charlotte, Collier, DeSoto,
2871 Glades, Hardee, Hendry, Highlands, and Lee Counties.

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2872 6. Region 6, composed of Broward, Martin, Miami-Dade,
2873 Monroe, and Palm Beach Counties.

2874 (b) The following industry and organization
2875 representatives: 1 representative from the statewide rental car
2876 industry; 7 representatives from tourist-related statewide
2877 associations, including those that represent hotels,
2878 campgrounds, county destination marketing organizations,
2879 museums, restaurants, retail, and attractions; 3 representatives
2880 from county destination marketing organizations; 1
2881 representative from the cruise industry; 1 representative from
2882 an automobile and travel services membership organization that
2883 has at least 2.8 million members in Florida; 1 representative
2884 from the airline industry; 1 representative from the nature-
2885 based tourism industry; and 1 representative from the space
2886 tourism industry, who will each serve for a term of 2 years.

2887 (5) POWERS AND DUTIES.—The corporation, in the performance
2888 of its duties:

2889 (a) May make and enter into contracts and assume such other
2890 functions as are necessary to carry out the provisions of the 4-
2891 year marketing plan required by s. 288.12261 ~~s. 288.923~~, and the
2892 corporation's contract with the department ~~Enterprise Florida,~~
2893 ~~Inc.~~, which are not inconsistent with this or any other
2894 provision of law. A proposed contract with a total cost of
2895 \$750,000 or more is subject to the notice and review procedures
2896 of s. 216.177. If the chair and vice chair of the Legislative
2897 Budget Commission, or the President of the Senate and the
2898 Speaker of the House of Representatives, timely advise the
2899 corporation in writing that such proposed contract is contrary
2900 to legislative policy and intent, the corporation may not

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2901 execute such proposed contract. The corporation may not enter
2902 into multiple related contracts to avoid the requirements of
2903 this paragraph.

2904 (c) May establish a cooperative marketing program with
2905 other public and private entities which allows the use of the
2906 VISIT Florida logo in tourism promotion campaigns which meet the
2907 standards of the department ~~Enterprise Florida, Inc.~~, for which
2908 the corporation may charge a reasonable fee.

2909 (g) Shall hire and establish salaries and personnel and
2910 employee benefit programs for such permanent and temporary
2911 employees as are necessary to carry out the provisions of the 4-
2912 year marketing plan and the corporation's contract with the
2913 department ~~Enterprise Florida, Inc.~~, which are not inconsistent
2914 with this or any other provision of law. However, an employee
2915 may not receive public compensation for employment that exceeds
2916 the salary and benefits authorized to be paid to the Governor.
2917 Any public payments of performance bonuses or severance pay to
2918 employees of the corporation are prohibited unless specifically
2919 authorized by law.

2920 (h) May adopt, change, amend, and repeal bylaws, not
2921 inconsistent with law or its articles of incorporation, for the
2922 administration of the provisions of the 4-year marketing plan
2923 and the corporation's contract with the department ~~Enterprise~~
2924 ~~Florida, Inc.~~

2925 (i) May conduct its affairs, carry on its operations, and
2926 have offices and exercise the powers granted by this act in any
2927 state, territory, district, or possession of the United States
2928 or any foreign country. Where feasible, appropriate, and
2929 recommended by the 4-year marketing plan ~~developed by the~~

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2930 ~~Division of Tourism Promotion of Enterprise Florida, Inc.~~, the
2931 corporation may collocate the programs of foreign tourism
2932 offices in cooperation with any foreign office operated by any
2933 agency of this state.

2934 (k) May request or accept any grant, payment, or gift, of
2935 funds or property made by this state or by the United States or
2936 any department or agency thereof or by any individual, firm,
2937 corporation, municipality, county, or organization for any or
2938 all of the purposes of the 4-year marketing plan and the
2939 corporation's contract with the department ~~Enterprise Florida,~~
2940 ~~Inc.~~, that are not inconsistent with this or any other provision
2941 of law. Such funds shall be deposited in a bank account
2942 established by the corporation's board of directors. The
2943 corporation may expend such funds in accordance with the terms
2944 and conditions of any such grant, payment, or gift, in the
2945 pursuit of its administration or in support of the programs it
2946 administers. The corporation shall separately account for the
2947 public funds and the private funds deposited into the
2948 corporation's bank account.

2949 (7) ANNUAL AUDIT.—The corporation shall provide for an
2950 annual financial audit in accordance with s. 215.981. The annual
2951 audit report shall be submitted to the Auditor General; the
2952 Office of Program Policy Analysis and Government Accountability;
2953 ~~Enterprise Florida, Inc.~~; and the department for review. The
2954 Office of Program Policy Analysis and Government Accountability;
2955 ~~Enterprise Florida, Inc.~~; the department; and the Auditor
2956 General have the authority to require and receive from the
2957 corporation or from its independent auditor any detail or
2958 supplemental data relative to the operation of the corporation.

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2959 The department shall annually certify whether the corporation is
2960 operating in a manner and achieving the objectives that are
2961 consistent with the policies and goals of the department
2962 ~~Enterprise Florida, Inc.~~, and its long-range marketing plan. The
2963 identity of a donor or prospective donor to the corporation who
2964 desires to remain anonymous and all information identifying such
2965 donor or prospective donor are confidential and exempt from the
2966 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
2967 Constitution. Such anonymity shall be maintained in the
2968 auditor's report.

2969 (8) REPORT.—The corporation shall provide to the department
2970 a quarterly report that ~~to Enterprise Florida, Inc.~~, which
2971 shall:

2972 (a) Measures ~~Measure~~ the current vitality of the visitor
2973 industry of this state as compared to the vitality of such
2974 industry for the year to date and for comparable quarters of
2975 past years. Indicators of vitality shall be determined by the
2976 department ~~Enterprise Florida, Inc.~~, and shall include, but not
2977 be limited to, estimated visitor count and party size, length of
2978 stay, average expenditure per party, and visitor origin and
2979 destination.

2980 (b) Provides ~~Provide~~ detailed, unaudited financial
2981 statements of sources and uses of public and private funds.

2982 (c) Measures ~~Measure~~ progress toward ~~towards~~ annual goals
2983 and objectives set forth in the 4-year marketing plan.

2984 (d) Reviews ~~Review~~ all pertinent research findings.

2985 (e) Provides ~~Provide~~ other measures of accountability as
2986 requested by the department ~~Enterprise Florida, Inc.~~

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2988 The corporation must take all steps necessary to provide all
2989 data that is used to develop the report, including source data,
2990 to the Office of Economic and Demographic Research.

2991 Section 60. Section 288.12265, Florida Statutes, is amended
2992 to read:

2993 288.12265 Welcome centers.—

2994 (1) Responsibility for the welcome centers is assigned to
2995 ~~Enterprise Florida, Inc., which shall contract with the Florida~~
2996 ~~Tourism Industry Marketing Corporation to employ all welcome~~
2997 ~~center staff.~~

2998 (2) The Florida Tourism Industry Marketing Corporation
2999 ~~Enterprise Florida, Inc.,~~ shall administer and operate the
3000 welcome centers and, pursuant to a contract with the Department
3001 of Transportation, ~~Enterprise Florida, Inc.,~~ shall be
3002 responsible for routine repair, replacement, or improvement and
3003 the day-to-day management of interior areas occupied by the
3004 welcome centers. All other repairs, replacements, or
3005 improvements to the welcome centers shall be the responsibility
3006 of the Department of Transportation. ~~Enterprise Florida, Inc.,~~
3007 ~~may contract with the Florida Tourism Industry Marketing~~
3008 ~~Corporation for the management and operation of the welcome~~
3009 ~~centers.~~

3010 Section 61. Notwithstanding the repeal of section 288.1229,
3011 Florida Statutes, in s. 485, chapter 2011-142, Laws of Florida,
3012 that section is revived, readopted, and amended to read:

3013 288.1229 Promotion and development of sports-related
3014 industries and amateur athletics; direct-support organization
3015 established; powers and duties.—

3016 (1) The department shall establish a direct-support

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3017 organization known as the Florida Sports Foundation. The
3018 foundation shall ~~The Office of Tourism, Trade, and Economic~~
3019 ~~Development may authorize a direct-support organization to~~
3020 assist the department ~~office~~ in:

3021 (a) The promotion and development of the sports industry
3022 and related industries for the purpose of improving the economic
3023 presence of these industries in Florida.

3024 (b) The promotion of amateur athletic participation for the
3025 citizens of Florida and the promotion of Florida as a host for
3026 national and international amateur athletic competitions for the
3027 purpose of encouraging and increasing the direct and ancillary
3028 economic benefits of amateur athletic events and competitions.

3029 (c) The retention of professional sports franchises,
3030 including the spring training operations of Major League
3031 Baseball.

3032 (2) The Florida Sports Foundation ~~To be authorized as a~~
3033 ~~direct-support organization, an organization~~ must:

3034 (a) Be incorporated as a corporation not for profit
3035 pursuant to chapter 617.

3036 (b) Be governed by a board of directors, which must consist
3037 of up to 15 members appointed by the Governor ~~and up to 15~~
3038 ~~members appointed by the existing board of directors~~. In making
3039 appointments, the Governor ~~board~~ must consider a potential
3040 member's background in community service and sports activism in,
3041 and financial support of, the sports industry, professional
3042 sports, or organized amateur athletics. Members must be
3043 residents of the state and highly knowledgeable about or active
3044 in professional or organized amateur sports.

3045 1. The board must contain representatives of all

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3046 geographical regions of the state and must represent ethnic and
3047 gender diversity.

3048 2. The terms of office of the members shall be 4 years. No
3049 member may serve more than two consecutive terms. The Governor
3050 may remove any member for cause and shall fill all vacancies
3051 that occur.

3052 (c) Have as its purpose, as stated in its articles of
3053 incorporation, to receive, hold, invest, and administer
3054 property; to raise funds and receive gifts; and to promote and
3055 develop the sports industry and related industries for the
3056 purpose of increasing the economic presence of these industries
3057 in Florida.

3058 (d) Have a prior determination by the department ~~Office of~~
3059 ~~Tourism, Trade, and Economic Development~~ that the foundation
3060 ~~organization~~ will benefit the department ~~office~~ and act in the
3061 best interests of the state as a direct-support organization to
3062 the department ~~office~~.

3063 (3) The Florida Sports Foundation shall operate under
3064 contract with the department. The contract must provide ~~Office~~
3065 ~~of Tourism, Trade, and Economic Development~~ shall contract with
3066 the organization and shall include in the contract that:

3067 (a) The department ~~office~~ may review the foundation's
3068 ~~organization's~~ articles of incorporation.

3069 (b) The foundation ~~organization~~ shall submit an annual
3070 budget proposal to the department ~~office~~, on a form provided by
3071 the department ~~office~~, in accordance with department ~~office~~
3072 procedures for filing budget proposals based upon the
3073 recommendation of the department ~~office~~.

3074 (c) Any funds that the foundation ~~organization~~ holds in

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3075 trust will revert to the state upon the expiration or
3076 cancellation of the contract.

3077 (d) The foundation ~~organization~~ is subject to an annual
3078 financial and performance review by the department ~~office~~ to
3079 determine whether the foundation ~~organization~~ is complying with
3080 the terms of the contract and whether it is acting in a manner
3081 consistent with the goals of the department ~~office~~ and in the
3082 best interests of the state.

3083 (e) The fiscal year of the foundation ~~organization~~
3084 ~~will begin~~ July 1 of each year and ends ~~end~~ June 30 of the next
3085 ensuing year.

3086 (4) The department ~~Office of Tourism, Trade, and Economic~~
3087 ~~Development~~ may allow the foundation ~~organization~~ to use the
3088 property, facilities, personnel, and services of the department
3089 ~~office~~ if the foundation ~~organization~~ provides equal employment
3090 opportunities to all persons regardless of race, color,
3091 religion, sex, age, or national origin, subject to the approval
3092 of the executive director of the department ~~office~~.

3093 (5) The foundation ~~organization~~ shall provide for an annual
3094 financial audit in accordance with s. 215.981.

3095 (6) The foundation ~~organization~~ is not granted any taxing
3096 power.

3097 (7) ~~In exercising the power provided in this section, the~~
3098 ~~Office of Tourism, Trade, and Economic Development may authorize~~
3099 ~~and contract with the direct-support organization existing on~~
3100 ~~June 30, 1996, and authorized by the former Florida Department~~
3101 ~~of Commerce to promote sports-related industries. An appointed~~
3102 ~~member of the board of directors of such direct-support~~
3103 ~~organization as of June 30, 1996, may serve the remainder of his~~

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3104 ~~or her unexpired term.~~

3105 ~~(8)~~ To promote amateur sports and physical fitness, the
3106 foundation direct-support organization shall:

3107 (a) Develop, foster, and coordinate services and programs
3108 for amateur sports for the people of Florida.

3109 (b) Sponsor amateur sports workshops, clinics, conferences,
3110 and other similar activities.

3111 (c) Give recognition to outstanding developments and
3112 achievements in, and contributions to, amateur sports.

3113 (d) Encourage, support, and assist local governments and
3114 communities in the development of or hosting of local amateur
3115 athletic events and competitions.

3116 (e) Promote Florida as a host for national and
3117 international amateur athletic competitions.

3118 (f) Develop ~~a~~ statewide programs ~~program~~ of amateur
3119 athletic competition to be known as the "Florida Senior Games"
3120 and the "Sunshine State Games."

3121 (g) Continue the successful amateur sports programs
3122 previously conducted by the Florida Governor's Council on
3123 Physical Fitness and Amateur Sports created under former s.
3124 14.22.

3125 (h) Encourage and continue the use of volunteers in its
3126 amateur sports programs to the maximum extent possible.

3127 (i) Develop, foster, and coordinate services and programs
3128 designed to encourage the participation of Florida's youth in
3129 Olympic sports activities and competitions.

3130 (j) Foster and coordinate services and programs designed to
3131 contribute to the physical fitness of the citizens of Florida.

3132 ~~(8)~~ ~~(9)~~ (a) The Sunshine State Games and Florida Senior Games

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3133 shall both be patterned after the Summer Olympics with
3134 variations as necessitated by availability of facilities,
3135 equipment, and expertise. The games shall be designed to
3136 encourage the participation of athletes representing a broad
3137 range of age groups, skill levels, and Florida communities.
3138 ~~Participants shall be residents of this state. Regional~~
3139 ~~competitions shall be held throughout the state, and the top~~
3140 ~~qualifiers in each sport shall proceed to the final competitions~~
3141 ~~to be held at a site in the state with the necessary facilities~~
3142 ~~and equipment for conducting the competitions.~~

3143 (b) The department ~~Executive Office of the Governor~~ is
3144 authorized to permit the use of property, facilities, and
3145 personal services of or at any State University System facility
3146 or institution by the direct-support organization operating the
3147 Sunshine State Games and Florida Senior Games. For the purposes
3148 of this paragraph, personal services includes full-time or part-
3149 time personnel as well as payroll processing.

3150 Section 62. Section 288.125, Florida Statutes, is amended
3151 to read:

3152 288.125 Definition of "entertainment industry."—For the
3153 purposes of s. 288.1258 ~~ss. 288.1251–288.1258~~, the term
3154 "entertainment industry" means those persons or entities engaged
3155 in the operation of motion picture or television studios or
3156 recording studios; those persons or entities engaged in the
3157 preproduction, production, or postproduction of motion pictures,
3158 made-for-television movies, television programming, digital
3159 media projects, commercial advertising, music videos, or sound
3160 recordings; and those persons or entities providing products or
3161 services directly related to the preproduction, production, or

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3162 postproduction of motion pictures, made-for-television movies,
3163 television programming, digital media projects, commercial
3164 advertising, music videos, or sound recordings, including, but
3165 not limited to, the broadcast industry.

3166 Section 63. Section 288.1251, Florida Statutes, is
3167 repealed.

3168 Section 64. Section 288.1252, Florida Statutes, is
3169 repealed.

3170 Section 65. Section 288.1253, Florida Statutes, is
3171 repealed.

3172 Section 66. Section 288.1254, Florida Statutes, is
3173 repealed.

3174 Section 67. Section 288.1258, Florida Statutes, is amended
3175 to read:

3176 288.1258 Entertainment industry qualified production
3177 companies; application procedure; categories; duties of the
3178 Department of Revenue; records and reports.—

3179 (1) PRODUCTION COMPANIES AUTHORIZED TO APPLY.—

3180 (a) Any production company engaged in this state in the
3181 production of motion pictures, made-for-TV motion pictures,
3182 television series, commercial advertising, music videos, or
3183 sound recordings may submit an application to the Department of
3184 Revenue to be approved by the department ~~Office of Film and~~
3185 ~~Entertainment~~ as a qualified production company for the purpose
3186 of receiving a sales and use tax certificate of exemption from
3187 the Department of Revenue.

3188 (b) For the purposes of this section, "qualified production
3189 company" means any production company that has submitted a
3190 properly completed application to the Department of Revenue and

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3191 that is subsequently qualified by the department ~~Office of Film~~
3192 ~~and Entertainment~~.

3193 (2) APPLICATION PROCEDURE.—

3194 (a) The Department of Revenue will review all submitted
3195 applications for the required information. Within 10 working
3196 days after the receipt of a properly completed application, the
3197 Department of Revenue will forward the completed application to
3198 the department ~~Office of Film and Entertainment~~ for approval.

3199 (b)1. The department ~~Office of Film and Entertainment~~ shall
3200 establish a process by which an entertainment industry
3201 production company may be approved by the department ~~office~~ as a
3202 qualified production company and may receive a certificate of
3203 exemption from the Department of Revenue for the sales and use
3204 tax exemptions under ss. 212.031, 212.06, and 212.08.

3205 2. Upon determination by the department ~~Office of Film and~~
3206 ~~Entertainment~~ that a production company meets the established
3207 approval criteria and qualifies for exemption, the department
3208 ~~Office of Film and Entertainment~~ shall return the approved
3209 application or application renewal or extension to the
3210 Department of Revenue, which shall issue a certificate of
3211 exemption.

3212 3. The department ~~Office of Film and Entertainment~~ shall
3213 deny an application or application for renewal or extension from
3214 a production company if it determines that the production
3215 company does not meet the established approval criteria.

3216 (c) The department ~~Office of Film and Entertainment~~ shall
3217 develop, with the cooperation of the Department of Revenue and
3218 local government entertainment industry promotion agencies, a
3219 standardized application form for use in approving qualified

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3220 production companies.

3221 1. The application form shall include, but not be limited
3222 to, production-related information on employment, proposed
3223 budgets, planned purchases of items exempted from sales and use
3224 taxes under ss. 212.031, 212.06, and 212.08, a signed
3225 affirmation from the applicant that any items purchased for
3226 which the applicant is seeking a tax exemption are intended for
3227 use exclusively as an integral part of entertainment industry
3228 preproduction, production, or postproduction activities engaged
3229 in primarily in this state, and a signed affirmation from the
3230 department ~~Office of Film and Entertainment~~ that the information
3231 on the application form has been verified and is correct. In
3232 lieu of information on projected employment, proposed budgets,
3233 or planned purchases of exempted items, a production company
3234 seeking a 1-year certificate of exemption may submit summary
3235 historical data on employment, production budgets, and purchases
3236 of exempted items related to production activities in this
3237 state. Any information gathered from production companies for
3238 the purposes of this section shall be considered confidential
3239 taxpayer information and shall be disclosed only as provided in
3240 s. 213.053.

3241 2. The application form may be distributed to applicants by
3242 the department ~~Office of Film and Entertainment~~ or local film
3243 commissions.

3244 (d) All applications, renewals, and extensions for
3245 designation as a qualified production company shall be processed
3246 by the department ~~Office of Film and Entertainment~~.

3247 (e) In the event that the Department of Revenue determines
3248 that a production company no longer qualifies for a certificate

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3249 of exemption, or has used a certificate of exemption for
3250 purposes other than those authorized by this section and chapter
3251 212, the Department of Revenue shall revoke the certificate of
3252 exemption of that production company, and any sales or use taxes
3253 exempted on items purchased or leased by the production company
3254 during the time such company did not qualify for a certificate
3255 of exemption or improperly used a certificate of exemption shall
3256 become immediately due to the Department of Revenue, along with
3257 interest and penalty as provided by s. 212.12. In addition to
3258 the other penalties imposed by law, any person who knowingly and
3259 willfully falsifies an application, or uses a certificate of
3260 exemption for purposes other than those authorized by this
3261 section and chapter 212, commits a felony of the third degree,
3262 punishable as provided in ss. 775.082, 775.083, and 775.084.

3263 (3) CATEGORIES.—

3264 (a)1. A production company may be qualified for designation
3265 as a qualified production company for a period of 1 year if the
3266 company has operated a business in Florida at a permanent
3267 address for a period of 12 consecutive months. Such a qualified
3268 production company shall receive a single 1-year certificate of
3269 exemption from the Department of Revenue for the sales and use
3270 tax exemptions under ss. 212.031, 212.06, and 212.08, which
3271 certificate shall expire 1 year after issuance or upon the
3272 cessation of business operations in the state, at which time the
3273 certificate shall be surrendered to the Department of Revenue.

3274 2. The department ~~Office of Film and Entertainment~~ shall
3275 develop a method by which a qualified production company may
3276 annually renew a 1-year certificate of exemption for a period of
3277 up to 5 years without requiring the production company to

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3278 resubmit a new application during that 5-year period.

3279 3. Any qualified production company may submit a new
3280 application for a 1-year certificate of exemption upon the
3281 expiration of that company's certificate of exemption.

3282 (b)1. A production company may be qualified for designation
3283 as a qualified production company for a period of 90 days. Such
3284 production company shall receive a single 90-day certificate of
3285 exemption from the Department of Revenue for the sales and use
3286 tax exemptions under ss. 212.031, 212.06, and 212.08, which
3287 certificate shall expire 90 days after issuance, with extensions
3288 contingent upon approval of the department ~~Office of Film and~~
3289 ~~Entertainment~~. The certificate shall be surrendered to the
3290 Department of Revenue upon its expiration.

3291 2. Any production company may submit a new application for
3292 a 90-day certificate of exemption upon the expiration of that
3293 company's certificate of exemption.

3294 (4) DUTIES OF THE DEPARTMENT OF REVENUE.—

3295 (a) The Department of Revenue shall review the initial
3296 application and notify the applicant of any omissions and
3297 request additional information if needed. An application shall
3298 be complete upon receipt of all requested information. The
3299 Department of Revenue shall forward all complete applications to
3300 the department ~~Office of Film and Entertainment~~ within 10
3301 working days.

3302 (b) The Department of Revenue shall issue a numbered
3303 certificate of exemption to a qualified production company
3304 within 5 working days of the receipt of an approved application,
3305 application renewal, or application extension from the
3306 department ~~Office of Film and Entertainment~~.

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3307 (c) The Department of Revenue may promulgate such rules and
3308 shall prescribe and publish such forms as may be necessary to
3309 effectuate the purposes of this section or any of the sales tax
3310 exemptions which are reasonably related to the provisions of
3311 this section.

3312 (d) The Department of Revenue is authorized to establish
3313 audit procedures in accordance with the provisions of ss.
3314 212.12, 212.13, and 213.34 which relate to the sales tax
3315 exemption provisions of this section.

3316 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO
3317 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The department
3318 ~~Office of Film and Entertainment~~ shall keep annual records from
3319 the information provided on taxpayer applications for tax
3320 exemption certificates. These records also must reflect a ratio
3321 of the annual amount of sales and use tax exemptions under this
3322 section, ~~plus the incentives awarded pursuant to s. 288.1254 to~~
3323 the estimated amount of funds expended by certified productions.
3324 In addition, the department ~~office~~ shall maintain data showing
3325 annual growth in Florida-based entertainment industry companies
3326 and entertainment industry employment and wages. ~~The employment~~
3327 ~~information must include an estimate of the full-time equivalent~~
3328 ~~positions created by each production that received tax credits~~
3329 ~~pursuant to s. 288.1254. The department ~~Office of Film and~~~~
3330 ~~Entertainment shall annually report include this information in~~
3331 the annual report required under s. 20.60 ~~for the entertainment~~
3332 ~~industry financial incentive program required under s.~~
3333 ~~288.1254(10).~~

3334 Section 68. Section 288.7015, Florida Statutes, is amended
3335 to read:

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3336 288.7015 Appointment of rules ombudsman; duties.—The
3337 Governor shall appoint a rules ombudsman, as defined in s.
3338 288.703, in the Executive Office of the Governor, for
3339 considering the impact of agency rules on the state's citizens
3340 and businesses. ~~In carrying out duties as provided by law, the~~
3341 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~
3342 ~~point the department may recommend to improve the regulatory~~
3343 ~~environment of this state.~~ The duties of the rules ombudsman are
3344 to:

3345 (1) Carry out the responsibility provided in s.
3346 120.54(3)(b), with respect to small businesses.

3347 (2) Review state agency rules that adversely or
3348 disproportionately impact businesses, particularly those
3349 relating to small and minority businesses.

3350 (3) Make recommendations on any existing or proposed rules
3351 to alleviate unnecessary or disproportionate adverse effects to
3352 businesses.

3353 (4) Each state agency shall cooperate fully with the rules
3354 ombudsman in identifying such rules. Further, each agency shall
3355 take the necessary steps to waive, modify, or otherwise minimize
3356 such adverse effects of any such rules. However, nothing in this
3357 section authorizes any state agency to waive, modify, provide
3358 exceptions to, or otherwise alter any rule that is:

3359 (a) Expressly required to implement or enforce any
3360 statutory provision or the express legislative intent thereof;

3361 (b) Designed to protect persons against discrimination on
3362 the basis of race, color, national origin, religion, sex, age,
3363 handicap, or marital status; or

3364 (c) Likely to prevent a significant risk or danger to the

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3365 public health, the public safety, or the environment of the
3366 state.

3367 (5) The modification or waiver of any such rule pursuant to
3368 this section must be accomplished in accordance with the
3369 provisions of chapter 120.

3370 Section 69. Subsection (11) of section 288.706, Florida
3371 Statutes, is amended to read:

3372 288.706 Florida Minority Business Loan Mobilization
3373 Program.—

3374 (11) The Department of Management Services shall
3375 collaborate with ~~Enterprise Florida, Inc.~~, and the department to
3376 assist in the development and enhancement of black business
3377 enterprises.

3378 Section 70. Subsection (1) of section 288.773, Florida
3379 Statutes, is amended to read:

3380 288.773 Florida Export Finance Corporation.—The Florida
3381 Export Finance Corporation is hereby created as a corporation
3382 not for profit, to be incorporated under the provisions of
3383 chapter 617 and approved by the Department of State. The
3384 corporation is organized on a nonstock basis. The purpose of the
3385 corporation is to expand employment and income opportunities for
3386 residents of this state through increased exports of goods and
3387 services, by providing businesses domiciled in this state
3388 information and technical assistance on export opportunities,
3389 exporting techniques, and financial assistance through
3390 guarantees and direct loan originations for sale in support of
3391 export transactions. The corporation shall have the power and
3392 authority to carry out the following functions:

3393 (1) To coordinate the efforts of the corporation with

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3394 programs and goals of the United States Export-Import Bank, the
3395 International Trade Administration of the United States
3396 Department of Commerce, the Foreign Credit Insurance
3397 Association, the department ~~Enterprise Florida, Inc.~~, and other
3398 private and public programs and organizations, domestic and
3399 foreign, designed to provide export assistance and export-
3400 related financing.

3401 Section 71. Paragraph (a) of subsection (1) and paragraphs
3402 (a), (c), and (g) of subsection (3) of section 288.776, Florida
3403 Statutes, are amended to read:

3404 288.776 Board of directors; powers and duties.—

3405 (1) (a) The corporation shall have a board of directors
3406 consisting of 15 members representing all geographic areas of
3407 the state. Minority and gender representation must be considered
3408 when making appointments to the board. The board membership must
3409 include:

3410 1. A representative of the following businesses, all of
3411 which must be registered to do business in this state: a foreign
3412 bank, a state bank, a federal bank, an insurance company
3413 involved in covering trade financing risks, and a small or
3414 medium-sized exporter.

3415 2. The following persons or their designee: the Secretary
3416 of Commerce ~~the President of Enterprise Florida, Inc.~~, the Chief
3417 Financial Officer, the Secretary of State, and a senior official
3418 of the United States Department of Commerce.

3419 (3) The board shall:

3420 (a) Prior to the expenditure of funds from the export
3421 finance account, adopt bylaws and policies which are necessary
3422 to carry out the responsibilities under this part, particularly

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3423 with respect to the implementation of the corporation's programs
3424 to insure, coinsure, lend, provide loan guarantees, and make
3425 direct, guaranteed, or collateralized loans by the corporation
3426 to support export transactions. The corporation's bylaws and
3427 policies shall be reviewed and approved by the department
3428 ~~Enterprise Florida, Inc.~~, prior to final adoption by the board.

3429 (c) Issue an annual report to the department ~~Enterprise~~
3430 ~~Florida, Inc.~~, on the activities of the corporation, including
3431 an evaluation of activities and recommendations for change. The
3432 evaluation shall include the corporation's impact on the
3433 following:

3434 1. Participation of private banks and other private
3435 organizations and individuals in the corporation's export
3436 financing programs.

3437 2. Access of small and medium-sized businesses in this
3438 state to federal export financing programs.

3439 3. Export volume of the small and medium-sized businesses
3440 in this state accessing the corporation's programs.

3441 4. Other economic and social benefits to international
3442 programs in this state.

3443 (g) Consult with the department ~~Enterprise Florida, Inc.~~,
3444 or any state or federal agency, to ensure that the respective
3445 loan guarantee or working capital loan origination programs are
3446 not duplicative and that each program makes full use of, to the
3447 extent practicable, the resources of the other.

3448 Section 72. Section 288.7771, Florida Statutes, is amended
3449 to read:

3450 288.7771 Annual report of Florida Export Finance
3451 Corporation.—The corporation shall annually prepare and submit

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3452 to the department ~~Enterprise Florida, Inc.~~, for inclusion in its
3453 annual report required under s. 20.60 ~~s. 288.906~~, a complete and
3454 detailed report setting forth:

3455 (1) The report required in s. 288.776(3).

3456 (2) Its assets and liabilities at the end of its most
3457 recent fiscal year.

3458 Section 73. Subsections (4) and (6) of section 288.816,
3459 Florida Statutes, are amended to read:

3460 288.816 Intergovernmental relations.—

3461 (4) The state protocol officer shall serve as a contact for
3462 the state with the Florida Washington Office, the Florida
3463 Congressional Delegation, and United States Government agencies
3464 with respect to laws or policies which may affect the interests
3465 of the state in the area of international relations. All
3466 inquiries received regarding international economic trade
3467 development or reverse investment opportunities shall be
3468 referred to the department ~~Enterprise Florida, Inc.~~. In addition,
3469 the state protocol officer shall serve as liaison with other
3470 states with respect to international programs of interest to
3471 Florida. The state protocol officer shall also investigate and
3472 make suggestions regarding possible areas of joint action or
3473 regional cooperation with these states.

3474 (6) The department ~~and Enterprise Florida, Inc.~~, shall help
3475 to contribute an international perspective to the state's
3476 development efforts.

3477 Section 74. Section 288.826, Florida Statutes, is amended
3478 to read:

3479 288.826 Florida International Trade and Promotion Trust
3480 Fund.—There is hereby established in the State Treasury the

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3481 Florida International Trade and Promotion Trust Fund. The moneys
 3482 deposited into this trust fund shall be administered by the
 3483 department for the operation of the direct-support organization
 3484 created pursuant to s. 288.012 ~~Enterprise Florida, Inc.,~~ and for
 3485 the operation of Florida international offices under s. 288.012.

3486 Section 75. Section 288.901, Florida Statutes, is repealed.

3487 Section 76. Section 288.9015, Florida Statutes, is
 3488 repealed.

3489 Section 77. Section 288.903, Florida Statutes, is repealed.

3490 Section 78. Section 288.904, Florida Statutes, is repealed.

3491 Section 79. Section 288.905, Florida Statutes, is repealed.

3492 Section 80. Section 288.906, Florida Statutes, is repealed.

3493 Section 81. Section 288.907, Florida Statutes, is
 3494 renumbered as section 288.0065, Florida Statutes, and amended to
 3495 read:

3496 288.0065 ~~288.907~~ Annual incentives report.—By December 30
 3497 of each year, ~~Enterprise Florida, Inc., in conjunction with the~~
 3498 ~~department,~~ shall provide the Governor, the President of the
 3499 Senate, and the Speaker of the House of Representatives a
 3500 detailed incentives report quantifying the economic benefits for
 3501 all of the economic development incentive programs administered
 3502 by the department and its public-private partnerships ~~marketed~~
 3503 ~~by Enterprise Florida, Inc.~~ The annual incentives report must
 3504 include:

3505 (1) For each incentive program:

3506 (a) A brief description of the incentive program.

3507 (b) The amount of awards granted, by year, since inception
 3508 and the annual amount actually transferred from the state
 3509 treasury to businesses or for the benefit of businesses for each

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3510 of the previous 3 years.

3511 ~~(c) The actual amount of private capital invested, actual~~
 3512 ~~number of jobs created, and actual wages paid for incentive~~
 3513 ~~agreements completed during the previous 3 years for each target~~
 3514 ~~industry sector.~~

3515 (2) For projects completed during the previous state fiscal
 3516 year:

3517 (a) The number of economic development incentive
 3518 applications received.

3519 ~~(b) The number of recommendations made to the department by~~
 3520 ~~Enterprise Florida, Inc., including the number recommended for~~
 3521 ~~approval and the number recommended for denial.~~

3522 ~~(c)~~ The number of final decisions issued by the department
 3523 for approval and for denial.

3524 (c)~~(d)~~ The projects for which a tax refund, tax credit, or
 3525 cash grant agreement was executed, identifying for each project:

3526 1. The number of jobs committed to be created.

3527 2. The amount of capital investments committed to be made.

3528 3. The annual average wage committed to be paid.

3529 4. The amount of state economic development incentives
 3530 committed to the project from each incentive program under the
 3531 project's terms of agreement with the Department of Commerce
 3532 ~~Economic Opportunity~~.

3533 5. The amount and type of local matching funds committed to
 3534 the project.

3535 (d)~~(e)~~ Tax refunds paid or other payments made funded out
 3536 of the Economic Development Incentives Account for each project.

3537 (e)~~(f)~~ The types of projects supported.

3538 (3) For economic development projects that received tax

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3539 refunds, tax credits, or cash grants under the terms of an
3540 agreement for incentives:

3541 (a) The number of jobs actually created.

3542 (b) The amount of capital investments actually made.

3543 (c) The annual average wage paid.

3544 (4) For a project receiving economic development incentives
3545 approved by the department and receiving federal or local
3546 incentives, a description of the federal or local incentives, if
3547 available.

3548 (5) The number of withdrawn or terminated projects that did
3549 not fulfill the terms of their agreements with the department
3550 and, consequently, are not receiving incentives.

3551 ~~(6) For any agreements signed after July 1, 2010, findings~~
3552 ~~and recommendations on the efforts of the department to~~
3553 ~~ascertain the causes of any business's inability to complete its~~
3554 ~~agreement made under s. 288.106.~~

3555 ~~(7)~~ The amount of tax refunds, tax credits, or other
3556 payments made to projects locating or expanding in state
3557 enterprise zones, rural communities, brownfield areas, or
3558 distressed urban communities. The report must include a separate
3559 analysis of the impact of such tax refunds on state enterprise
3560 zones designated under s. 290.0065, rural communities,
3561 brownfield areas, and distressed urban communities.

3562 ~~(8) The name of and tax refund amount for each business~~
3563 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~
3564 ~~during the preceding fiscal year.~~

3565 (7)~~(9)~~ An identification of the target industry businesses
3566 and high-impact businesses.

3567 (8)~~(10)~~ A description of the trends relating to business

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3568 interest in, and usage of, the various incentives, and the
3569 number of minority-owned or woman-owned businesses receiving
3570 incentives.

3571 (9)~~(11)~~ An identification of incentive programs not used
3572 and recommendations for program changes or program elimination.

3573 (10)~~(12)~~ Information related to the validation of
3574 contractor performance required under s. 288.061.

3575 ~~(13) Beginning in 2014, A summation of the activities~~
3576 ~~related to the Florida Space Business Incentives Act.~~

3577 Section 82. Section 288.911, Florida Statutes, is repealed.

3578 Section 83. Section 288.912, Florida Statutes, is
3579 renumbered as section 288.007, Florida Statutes, and amended to
3580 read:

3581 288.007 ~~288.912~~ Inventory of communities seeking to recruit
3582 businesses.—By September 30 of each year, a county or
3583 municipality that has a population of at least 25,000 or its
3584 local economic development organization must submit to the
3585 department ~~Enterprise Florida, Inc.~~, a brief overview of the
3586 strengths, services, and economic development incentives that
3587 its community offers. The local government or its local economic
3588 development organization also must identify any industries that
3589 it is encouraging to locate or relocate to its area. A county or
3590 municipality having a population of 25,000 or fewer or its local
3591 economic development organization seeking to recruit businesses
3592 may submit information as required in this section and may
3593 participate in any activity or initiative resulting from the
3594 collection, analysis, and reporting of the information to the
3595 department ~~Enterprise Florida, Inc.~~, pursuant to this section.

3596 Section 84. Section 288.92, Florida Statutes, is repealed.

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3597 Section 85. Section 288.923, Florida Statutes, is
3598 renumbered as section 288.12261, Florida Statutes, and amended
3599 to read:

3600 288.12261 ~~288.923~~ Division of Tourism Marketing;
3601 definitions; responsibilities.-

3602 (1) ~~There is created within Enterprise Florida, Inc., the~~
3603 ~~Division of Tourism Marketing.~~

3604 ~~(2)~~ As used in this section, the term:

3605 (a) "Tourism marketing" means any effort exercised to
3606 attract domestic and international visitors from outside the
3607 state to destinations in this state and to stimulate Florida
3608 resident tourism to areas within the state.

3609 (b) "Tourist" means any person who participates in trade or
3610 recreation activities outside the county of his or her permanent
3611 residence or who rents or leases transient living quarters or
3612 accommodations as described in s. 125.0104(3) (a).

3613 (c) "County destination marketing organization" means a
3614 public or private agency that is funded by local option tourist
3615 development tax revenues under s. 125.0104, or local option
3616 convention development tax revenues under s. 212.0305, and is
3617 officially designated by a county commission to market and
3618 promote the area for tourism or convention business or, in any
3619 county that has not levied such taxes, a public or private
3620 agency that is officially designated by the county commission to
3621 market and promote the area for tourism or convention business.

3622 (d) "Direct-support organization" means the Florida Tourism
3623 Industry Marketing Corporation, doing business as VISIT Florida.

3624 ~~(2)~~ ~~(3)~~ The department ~~Enterprise Florida, Inc.,~~ shall
3625 contract with the Florida Tourism Industry Marketing

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3626 Corporation, a direct-support organization established in s.
3627 288.1226, to execute tourism promotion and marketing services,
3628 functions, and programs for the state, including, but not
3629 limited to, the activities prescribed by the 4-year marketing
3630 plan. ~~The division shall assist to maintain and implement the~~
3631 ~~contract.~~

3632 (3)~~(4)~~ The corporation's ~~division's~~ responsibilities and
3633 duties include, but are not limited to:

3634 (a) ~~Maintaining and implementing the contract with the~~
3635 ~~Florida Tourism Industry Marketing Corporation.~~

3636 ~~(b)~~ Advising the department and ~~Enterprise Florida, Inc.,~~
3637 on development of domestic and international tourism marketing
3638 campaigns featuring Florida.

3639 (b)~~(e)~~ Developing a 4-year marketing plan.

3640 1. At a minimum, the marketing plan shall discuss the
3641 following:

3642 a. Continuation of overall tourism growth in this state.

3643 b. Expansion to new or under-represented tourist markets.

3644 c. Maintenance of traditional and loyal tourist markets.

3645 d. Coordination of efforts with county destination
3646 marketing organizations, other local government marketing
3647 groups, privately owned attractions and destinations, and other
3648 private sector partners to create a seamless, four-season
3649 advertising campaign for the state and its regions.

3650 e. Development of innovative techniques or promotions to
3651 build repeat visitation by targeted segments of the tourist
3652 population.

3653 f. Consideration of innovative sources of state funding for
3654 tourism marketing.

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3655 g. Promotion of nature-based tourism, including, but not
3656 limited to, promotion of the Florida Greenways and Trails System
3657 as described under s. 260.014, the Florida Shared-Use
3658 Nonmotorized Trail Network as described under s. 339.81, and
3659 heritage tourism.

3660 h. Coordination of efforts with the Office of Greenways and
3661 Trails of the Department of Environmental Protection and the
3662 department to promote and assist local communities, including,
3663 but not limited to, communities designated as trail towns by the
3664 Office of Greenways and Trails, to maximize use of nearby trails
3665 as economic assets, including specific promotion of trail-based
3666 tourism.

3667 i. Promotion of ~~and~~ heritage tourism.

3668 ~~j.h.~~ Development of a component to address emergency
3669 response to natural and manmade disasters from a marketing
3670 standpoint.

3671 2. The plan shall be annual in construction and ongoing in
3672 nature. Any annual revisions of the plan shall carry forward the
3673 concepts of the remaining 3-year portion of the plan and
3674 consider a continuum portion to preserve the 4-year timeframe of
3675 the plan. The plan also shall include recommendations for
3676 specific performance standards and measurable outcomes for the
3677 corporation ~~division~~ and direct-support organization. The
3678 department, ~~in consultation with the board of directors of~~
3679 ~~Enterprise Florida, Inc.,~~ shall base the actual performance
3680 metrics on these recommendations.

3681 3. The 4-year marketing plan shall be developed in
3682 collaboration with the Florida Tourism Industry Marketing
3683 Corporation. The plan shall be annually reviewed and approved by

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3684 the department ~~board of directors of Enterprise Florida, Inc.~~

3685 (c)(d) Drafting and submitting to the department for
3686 submittal to the Governor, the President of the Senate, and the
3687 Speaker of the House of Representatives by December 1 of each
3688 year an annual report ~~required by s. 288.92~~. The annual report
3689 shall set forth ~~for the division and the direct-support~~
3690 ~~organization~~:

3691 1. Operations and accomplishments during the fiscal year,
3692 including the economic benefit of the state's investment and
3693 effectiveness of the marketing plan.

3694 2. The 4-year marketing plan, including recommendations on
3695 methods for implementing and funding the plan.

3696 3. The assets and liabilities of the direct-support
3697 organization at the end of its most recent fiscal year.

3698 4. A copy of the annual financial and compliance audit
3699 conducted under s. 288.1226(7).

3700 ~~(5) Notwithstanding s. 288.92, The division shall be~~
3701 ~~staffed by the Florida Tourism Industry Marketing Corporation.~~
3702 ~~Such staff shall not be considered to be employees of the~~
3703 ~~division and shall remain employees of the Florida Tourism~~
3704 ~~Industry Marketing Corporation. Section 288.905 does not apply~~
3705 ~~to the Florida Tourism Industry Marketing Corporation.~~

3706 (4)(6) This section is repealed October 1, 2028, unless
3707 reviewed and saved from repeal by the Legislature.

3708 Section 86. Section 288.95155, Florida Statutes, is
3709 repealed.

3710 Section 87. Section 288.9519, Florida Statutes, is
3711 repealed.

3712 Section 88. Section 288.9520, Florida Statutes, is

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3713 renumbered as section 288.002, Florida Statutes, and amended to
3714 read:

3715 288.002 ~~288.9520~~ Public records exemption for certain
3716 materials held by the former Enterprise Florida, Inc.—Materials
3717 that relate to methods of manufacture or production, potential
3718 trade secrets, potentially patentable material, actual trade
3719 secrets, business transactions, financial and proprietary
3720 information, and agreements or proposals to receive funding that
3721 are received, generated, ascertained, or discovered by the
3722 former Enterprise Florida, Inc., including its affiliates or
3723 subsidiaries and partnership participants, such as private
3724 enterprises, educational institutions, and other organizations,
3725 are confidential and exempt from the provisions of s. 119.07(1)
3726 and s. 24(a), Art. I of the State Constitution, except that a
3727 recipient of the former Enterprise Florida, Inc., research funds
3728 shall make available, upon request, the title and description of
3729 the research project, the name of the researcher, and the amount
3730 and source of funding provided for the project. Effective July
3731 1, 2023, the Department of Commerce is the custodian of any
3732 public records made confidential and exempt under this section.

3733 Section 89. Effective July 1, 2024, section 288.955,
3734 Florida Statutes, is repealed.

3735 Section 90. Subsection (10) of section 288.9603, Florida
3736 Statutes, is amended to read:

3737 288.9603 Definitions.—

3738 (10) "Partnership" means the department ~~Enterprise Florida,~~
3739 ~~Inc.~~

3740 Section 91. Subsection (5) of section 288.9604, Florida
3741 Statutes, is amended to read:

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3742 288.9604 Creation of the corporation.-

3743 ~~(5) This section is repealed July 1, 2023, and July 1 of~~
3744 ~~every fourth year thereafter, unless reviewed and saved from~~
3745 ~~repeal by the Legislature.~~

3746 Section 92. Paragraph (v) of subsection (2) of section
3747 288.9605, Florida Statutes, is amended to read:

3748 288.9605 Corporation powers.-

3749 (2) The corporation is authorized and empowered to:

3750 (v) Enter into investment agreements with the department
3751 ~~Enterprise Florida, Inc.,~~ concerning the issuance of bonds and
3752 other forms of indebtedness and capital.

3753 Section 93. Section 288.9614, Florida Statutes, is amended
3754 to read:

3755 288.9614 Authorized programs.-The department ~~Enterprise~~
3756 ~~Florida, Inc.,~~ may take any action that it deems necessary to
3757 achieve the purposes of this act in partnership with private
3758 enterprises, public agencies, and other organizations,
3759 including, but not limited to, efforts to address the long-term
3760 debt needs of small-sized and medium-sized firms, to address the
3761 needs of microenterprises, to expand availability of venture
3762 capital, and to increase international trade and export finance
3763 opportunities for firms critical to achieving the purposes of
3764 this act.

3765 Section 94. Paragraphs (a) and (b) of subsection (1) of
3766 section 288.9624, Florida Statutes, are amended to read:

3767 288.9624 Florida Opportunity Fund; creation; duties.-

3768 (1) (a) ~~Enterprise Florida, Inc., shall facilitate the~~
3769 ~~creation of~~ The Florida Opportunity Fund is, a private, not-for-
3770 profit corporation organized and operated under chapter 617.

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3771 ~~Enterprise Florida, Inc., shall be the fund's sole shareholder~~
3772 ~~or member.~~ The fund is not a public corporation or
3773 instrumentality of the state. The fund shall manage its business
3774 affairs and conduct business consistent with its organizational
3775 documents and the purposes set forth in this section and under
3776 contract with the department. Notwithstanding the powers granted
3777 under chapter 617, the corporation may not amend, modify, or
3778 repeal a bylaw or article of incorporation without the express
3779 written consent of the department ~~Enterprise Florida, Inc.~~

3780 (b) The board of directors of the Florida Opportunity Fund
3781 shall have five members, appointed by the Governor ~~vote of the~~
3782 ~~board of directors of Enterprise Florida, Inc.~~ Board members
3783 shall serve terms as provided in the fund's organizational
3784 documents. Within 90 days before an anticipated vacancy by
3785 expiration of the term of a board member, the board of directors
3786 of the fund shall submit a list of three eligible nominees,
3787 which may include the incumbent, to the Governor. ~~The Governor~~
3788 ~~board of directors of Enterprise Florida, Inc.~~ ~~The board of~~
3789 ~~directors of Enterprise Florida, Inc.,~~ may appoint a board
3790 member from the nominee list or may request and appoint from a
3791 new list of three nominees not included on the previous list.

3792 Section 95. Subsection (2) and paragraph (a) of subsection
3793 (9) of section 288.9625, Florida Statutes, are amended to read:

3794 288.9625 Institute for Commercialization of Florida
3795 Technology.—

3796 (2) The purpose of the institute is to assist, without any
3797 financial support or specific appropriations from the state, in
3798 the commercialization of products developed by the research and
3799 development activities of an innovation business, including, but

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3800 not limited to, those defined in former s. 288.1089. The
3801 institute shall fulfill its purpose in the best interests of the
3802 state. The institute:

3803 (a) Is a corporation primarily acting as an instrumentality
3804 of the state pursuant to s. 768.28(2), for the purposes of
3805 sovereign immunity;

3806 (b) Is not an agency within the meaning of s. 20.03(11);

3807 (c) Is subject to the open records and meetings
3808 requirements of s. 24, Art. I of the State Constitution, chapter
3809 119, and s. 286.011;

3810 (d) Is not subject to chapter 287;

3811 (e) Is governed by the code of ethics for public officers
3812 and employees as set forth in part III of chapter 112;

3813 (f) May create corporate subsidiaries; and

3814 (g) May not receive any financial support or specific
3815 appropriations from the state.

3816 (9) By December 1 of each year, the institute shall issue
3817 an annual report concerning its activities to the Governor, the
3818 President of the Senate, and the Speaker of the House of
3819 Representatives. The annual report shall be considered a public
3820 record, as provided in paragraph (3)(b), subject to any
3821 appropriate exemptions under s. 288.9627. The annual report must
3822 include the following:

3823 (a) Information on any assistance provided by the institute
3824 to an innovation business, as defined in former s. 288.1089.

3825 Section 96. Subsection (4) of section 288.96255, Florida
3826 Statutes, is amended to read:

3827 288.96255 Florida Technology Seed Capital Fund; creation;
3828 duties.-

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3829 (4) The private fund manager shall use a thorough and
3830 detailed process that is modeled after investment industry
3831 practices to evaluate a proposal. In order to approve a company
3832 for investment, the private fund manager, on behalf of the
3833 institute, must consider if:

3834 (a) The company has a strong intellectual property
3835 position, a capable management team, readily identifiable paths
3836 to market or commercialization, significant job-growth
3837 potential, the ability to provide other sources of capital to
3838 leverage the state's investment, and the potential to attract
3839 additional funding;

3840 (b) The private fund manager has had an opportunity to
3841 complete due diligence to its satisfaction;

3842 (c) The company is a target industry business as defined in
3843 s. 288.005 ~~s. 288.106(2)~~; and

3844 (d) An approved private-sector lead investor who has
3845 demonstrated due diligence typical of start-up investments in
3846 evaluating the potential of the company has identified the
3847 company.

3848 Section 97. Paragraph (b) of subsection (1) of section
3849 288.980, Florida Statutes, is amended to read:

3850 288.980 Military base retention; legislative intent; grants
3851 program.—

3852 (1)

3853 (b) The Florida Defense Alliance, an organization within
3854 the department ~~Enterprise Florida, Inc.~~, is designated as the
3855 organization to ensure that Florida, its resident military bases
3856 and missions, and its military host communities are in
3857 competitive positions as the United States continues its defense

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3858 realignment and downsizing. The defense alliance shall serve as
3859 an overall advisory body for defense-related activity of the
3860 department ~~Enterprise Florida, Inc.~~ The Florida Defense Alliance
3861 may receive funding from appropriations made for that purpose
3862 administered by the department.

3863 Section 98. Subsection (7) of section 288.987, Florida
3864 Statutes, is amended to read:

3865 288.987 Florida Defense Support Task Force.—

3866 (7) The department shall support the task force and
3867 contract with the task force for expenditure of appropriated
3868 funds, which may be used by the task force for economic and
3869 product research and development, joint planning with host
3870 communities to accommodate military missions and prevent base
3871 encroachment, advocacy on the state's behalf with federal
3872 civilian and military officials, assistance to school districts
3873 in providing a smooth transition for large numbers of additional
3874 military-related students, job training and placement for
3875 military spouses in communities with high proportions of active
3876 duty military personnel, and promotion of the state to military
3877 and related contractors and employers. The task force may
3878 annually spend up to \$250,000 of funds appropriated to the
3879 department for the task force for staffing and administrative
3880 expenses of the task force, including travel and per diem costs
3881 incurred by task force members who are not otherwise eligible
3882 for state reimbursement.

3883 Section 99. Section 288.991, Florida Statutes, is repealed.

3884 Section 100. Section 288.9912, Florida Statutes, is
3885 repealed.

3886 Section 101. Section 288.9913, Florida Statutes, is

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3887 repealed.

3888 Section 102. Section 288.9914, Florida Statutes, is

3889 repealed.

3890 Section 103. Section 288.9915, Florida Statutes, is

3891 repealed.

3892 Section 104. Section 288.9916, Florida Statutes, is

3893 repealed.

3894 Section 105. Section 288.9917, Florida Statutes, is

3895 repealed.

3896 Section 106. Section 288.9918, Florida Statutes, is

3897 repealed.

3898 Section 107. Section 288.9919, Florida Statutes, is

3899 repealed.

3900 Section 108. Section 288.9920, Florida Statutes, is

3901 repealed.

3902 Section 109. Section 288.9921, Florida Statutes, is

3903 repealed.

3904 Section 110. Section 288.9922, Florida Statutes, is

3905 repealed.

3906 Section 111. Subsection (2) of section 288.9932, Florida

3907 Statutes, is amended to read:

3908 288.9932 Definitions.—As used in this part, the term:

3909 ~~(2) "Domiciled in this state" means authorized to do~~

3910 ~~business in this state and located in this state.~~

3911 Section 112. Section 288.9934, Florida Statutes, is

3912 repealed.

3913 Section 113. Subsections (3) through (9) of section

3914 288.9935, Florida Statutes, are amended to read:

3915 288.9935 Microfinance Guarantee Program.—

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3916 (3) The department ~~must enter into a contract with~~
3917 ~~Enterprise Florida, Inc.~~, to administer the Microfinance
3918 Guarantee Program. ~~In administering the program, Enterprise~~
3919 ~~Florida, Inc.~~, must, at a minimum:

3920 (a) Establish lender and borrower eligibility requirements
3921 in addition to those provided in this section;

3922 (b) Determine a reasonable leverage ratio of loan amounts
3923 guaranteed to state funds; however, the leverage ratio may not
3924 exceed 3 to 1;

3925 (c) Establish reasonable fees and interest;

3926 (d) Promote the program to financial institutions that
3927 provide loans to entrepreneurs and small businesses in order to
3928 maximize the number of lenders throughout the state which
3929 participate in the program;

3930 (e) Enter into a memorandum of understanding with the
3931 network to promote the program to underserved entrepreneurs and
3932 small businesses;

3933 (f) Establish limits on the total amount of loan guarantees
3934 a single lender can receive;

3935 (g) Establish an average loan guarantee amount for loans
3936 guaranteed under this section;

3937 (h) Establish a risk-sharing strategy to be employed in the
3938 event of a loan failure; and

3939 (i) Establish financial performance measures and objectives
3940 for the program in order to maximize the state funds.

3941 (4) The department ~~Enterprise Florida, Inc.~~, is limited to
3942 providing loan guarantees for loans with total loan amounts of
3943 at least \$50,000 and not more than \$250,000. A loan guarantee
3944 may not exceed 50 percent of the total loan amount.

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3945 (5) The department ~~Enterprise Florida, Inc.,~~ may not
3946 guarantee a loan if the direct or indirect purpose or result of
3947 the loan would be to:

3948 (a) Pay off any creditors of the applicant, including the
3949 refund of a debt owed to a small business investment company
3950 organized pursuant to 15 U.S.C. s. 681;

3951 (b) Provide funds, directly or indirectly, for payment,
3952 distribution, or as a loan to owners, partners, or shareholders
3953 of the applicant's business, except as ordinary compensation for
3954 services rendered;

3955 (c) Finance the acquisition, construction, improvement, or
3956 operation of real property which is, or will be, held primarily
3957 for sale or investment;

3958 (d) Pay for lobbying activities; or

3959 (e) Replenish funds used for any of the purposes specified
3960 in paragraphs (a)-(d).

3961 (6) The department ~~Enterprise Florida, Inc.,~~ may not use
3962 funds appropriated from the state for costs associated with
3963 administering the guarantee program.

3964 (7) To be eligible to receive a loan guarantee under the
3965 Microfinance Guarantee Program, a borrower must, at a minimum:

3966 (a) Be an entrepreneur or small business located in this
3967 state;

3968 (b) Employ 25 or fewer people;

3969 (c) Generate average annual gross revenues of \$1.5 million
3970 or less per year for the last 2 years; and

3971 (d) Meet any additional requirements established by the
3972 department ~~Enterprise Florida, Inc.~~

3973 (8) The department must, ~~By October 1 of each year,~~

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3974 ~~Enterprise Florida, Inc., shall submit a complete and detailed~~
3975 ~~annual report to the department for inclusion in the~~
3976 ~~department's report required under s. 20.60(10), include an~~
3977 ~~annual report on the program. The report must, at a minimum,~~
3978 ~~provide:~~

3979 (a) A comprehensive description of the program, including
3980 an evaluation of its application and guarantee activities,
3981 recommendations for change, and identification of any other
3982 state programs that overlap with the program;

3983 (b) An assessment of the current availability of and access
3984 to credit for entrepreneurs and small businesses in this state;

3985 (c) A summary of the financial and employment results of
3986 the entrepreneurs and small businesses receiving loan
3987 guarantees, including the number of full-time equivalent jobs
3988 created as a result of the guaranteed loans and the amount of
3989 wages paid to employees in the newly created jobs;

3990 (d) Industry data about the borrowers, including the six-
3991 digit North American Industry Classification System (NAICS)
3992 code;

3993 (e) The name and location of lenders that receive loan
3994 guarantees;

3995 ~~(f) The amount of state funds received by Enterprise~~
3996 ~~Florida, Inc.;~~

3997 ~~(g)~~ The number of loan guarantee applications received;

3998 (g) ~~(h)~~ The number, duration, location, and amount of
3999 guarantees made;

4000 (h) ~~(i)~~ The number and amount of guaranteed loans
4001 outstanding, if any;

4002 (i) ~~(j)~~ The number and amount of guaranteed loans with

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4003 payments overdue, if any;

4004 (j)~~(k)~~ The number and amount of guaranteed loans in
4005 default, if any;

4006 (k)~~(l)~~ The repayment history of the guaranteed loans made;
4007 and

4008 (l)~~(m)~~ An evaluation of the program's ability to meet the
4009 financial performance measures and objectives specified in
4010 subsection (3).

4011 (9) The credit of the state ~~or Enterprise Florida, Inc.,~~
4012 may not be pledged except for funds appropriated by law to the
4013 Microfinance Guarantee Program. The state is not liable or
4014 obligated in any way for claims on the program or against
4015 ~~Enterprise Florida, Inc.,~~ or the department.

4016 Section 114. Section 288.9936, Florida Statutes, is
4017 repealed.

4018 Section 115. Section 288.9937, Florida Statutes, is
4019 repealed.

4020 Section 116. Subsection (3) of section 288.9961, Florida
4021 Statutes, is amended to read:

4022 288.9961 Promotion of broadband adoption; Florida Office of
4023 Broadband.—

4024 (3) STATE AGENCY.—The department is designated as the lead
4025 state agency to facilitate the expansion of broadband Internet
4026 service in this state. The department shall work collaboratively
4027 with private businesses and receive staffing support and other
4028 resources from ~~Enterprise Florida, Inc.,~~ state agencies, local
4029 governments, and community organizations.

4030 Section 117. Paragraph (h) of subsection (8) of section
4031 290.0056, Florida Statutes, is amended to read:

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4032 290.0056 Enterprise zone development agency.—

4033 (8) The enterprise zone development agency shall have the
4034 following powers and responsibilities:

4035 (h) To work with the department ~~and Enterprise Florida,~~
4036 ~~Inc.,~~ to ensure that the enterprise zone coordinator receives
4037 training on an annual basis.

4038 Section 118. Paragraph (b) of subsection (4) and subsection
4039 (7) of section 290.0065, Florida Statutes, are amended to read:

4040 290.0065 State designation of enterprise zones.—

4041 (4)

4042 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The
4043 department shall, based on the enterprise zone profile and the
4044 grounds for redesignation expressed in the resolution, determine
4045 whether the enterprise zone merits redesignation. The department
4046 may also examine and consider the following:

4047 1. Progress made, if any, in the enterprise zone's
4048 strategic plan.

4049 2. Use of enterprise zone incentives during the life of the
4050 enterprise zone.

4051

4052 If the department determines that the enterprise zone merits
4053 redesignation, the department shall notify the governing body in
4054 writing of its approval of redesignation.

4055 (7) Upon approval by the department of a resolution
4056 authorizing an area to be an enterprise zone pursuant to this
4057 section, the department shall assign a unique identifying number
4058 to that resolution. The department shall provide the Department
4059 of Revenue ~~and Enterprise Florida, Inc.,~~ with a copy of each
4060 resolution approved, together with its identifying number.

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4061 Section 119. Section 290.00677, Florida Statutes, is
4062 amended to read:

4063 290.00677 Rural enterprise zones; special qualifications.—

4064 (1) Notwithstanding the enterprise zone residency
4065 requirements set out in s. 212.096(1)(c), eligible businesses as
4066 defined in s. 212.096(1)(a) located in rural enterprise zones as
4067 defined in s. 290.004 may receive the basic minimum credit
4068 provided under s. 212.096 for creating a new job and hiring a
4069 person residing within the jurisdiction of a rural community as
4070 defined in former s. 288.106(2). All other provisions of s.
4071 212.096, including, but not limited to, those relating to the
4072 award of enhanced credits, apply to such businesses.

4073 (2) Notwithstanding the enterprise zone residency
4074 requirements set out in s. 220.03(1)(q), businesses as defined
4075 in s. 220.03(1)(c) located in rural enterprise zones as defined
4076 in s. 290.004 may receive the basic minimum credit provided
4077 under s. 220.181 for creating a new job and hiring a person
4078 residing within the jurisdiction of a rural community as defined
4079 in former s. 288.106(2). All other provisions of s. 220.181,
4080 including, but not limited to, those relating to the award of
4081 enhanced credits, apply to such businesses.

4082 Section 120. Subsections (3) and (4) of section 290.053,
4083 Florida Statutes, are amended to read:

4084 290.053 Response to economic emergencies in small
4085 communities.—

4086 (3) A local government entity shall notify the Governor
4087 and, the Department of Commerce ~~Economic Opportunity~~, and
4088 ~~Enterprise Florida, Inc.~~, when one or more of the conditions
4089 specified in subsection (2) have occurred or will occur if

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4090 action is not taken to assist the local governmental entity or
4091 the affected community.

4092 (4) Upon notification that one or more of the conditions
4093 described in subsection (2) exist, the Governor or his or her
4094 designee shall contact the local governmental entity to
4095 determine what actions have been taken by the local governmental
4096 entity or the affected community to resolve the economic
4097 emergency. The Governor may waive the eligibility criteria of
4098 any program or activity administered by the Department of
4099 Commerce ~~Economic Opportunity or Enterprise Florida, Inc.~~, to
4100 provide economic relief to the affected community by granting
4101 participation in such programs or activities. The Governor shall
4102 consult with the President of the Senate and the Speaker of the
4103 House of Representatives and shall take other action, as
4104 necessary, to resolve the economic emergency in the most
4105 expedient manner possible. All actions taken pursuant to this
4106 section shall be within current appropriations and shall have no
4107 annualized impact beyond normal growth.

4108 Section 121. Paragraph (d) of subsection (3) and subsection
4109 (4) of section 295.22, Florida Statutes, are amended to read:

4110 295.22 Veterans Employment and Training Services Program.—

4111 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall
4112 administer the Veterans Employment and Training Services Program
4113 and perform all of the following functions:

4114 (d) Create a grant program to provide funding to assist
4115 veterans in meeting the workforce-skill needs of businesses
4116 seeking to hire, promote, or generally improve specialized
4117 skills of veterans, establish criteria for approval of requests
4118 for funding, and maximize the use of funding for this program.

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4119 Grant funds may be used only in the absence of available
4120 veteran-specific federally funded programs. Grants may fund
4121 specialized training specific to a particular business.

4122 1. If grant funds are used to provide a technical
4123 certificate, a licensure, or a degree, funds may be allocated
4124 only upon a review that includes, but is not limited to,
4125 documentation of accreditation and licensure. Instruction funded
4126 through the program terminates when participants demonstrate
4127 competence at the level specified in the request but may not
4128 exceed 12 months. Preference shall be given to target industry
4129 businesses, as defined in s. 288.005 ~~s. 288.106~~, and to
4130 businesses in the defense supply, cloud virtualization, or
4131 commercial aviation manufacturing industries.

4132 2. Costs and expenditures shall be limited to \$8,000 per
4133 veteran trainee. Qualified businesses must cover the entire cost
4134 for all of the training provided before receiving reimbursement
4135 from the corporation equal to 50 percent of the cost to train a
4136 veteran who is a permanent, full-time employee. Eligible costs
4137 and expenditures include:

- 4138 a. Tuition and fees.
- 4139 b. Books and classroom materials.
- 4140 c. Rental fees for facilities.

4141 3. Before funds are allocated for a request pursuant to
4142 this section, the corporation shall prepare a grant agreement
4143 between the business requesting funds and the corporation. Such
4144 agreement must include, but need not be limited to:

- 4145 a. Identification of the personnel necessary to conduct the
4146 instructional program, instructional program description, and
4147 any vendors used to conduct the instructional program.

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4148 b. Identification of the estimated duration of the
4149 instructional program.

4150 c. Identification of all direct, training-related costs.

4151 d. Identification of special program requirements that are
4152 not otherwise addressed in the agreement.

4153 e. Permission to access aggregate information specific to
4154 the wages and performance of participants upon the completion of
4155 instruction for evaluation purposes. The agreement must specify
4156 that any evaluation published subsequent to the instruction may
4157 not identify the employer or any individual participant.

4158 4. A business may receive a grant under the Quick-Response
4159 Training Program created under s. 288.047 and a grant under this
4160 section for the same veteran trainee. If a business receives
4161 funds under both programs, one grant agreement may be entered
4162 into with CareerSource Florida, Inc., as the grant
4163 administrator.

4164 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~
4165 ~~Inc., shall provide information about the corporation and its~~
4166 ~~services to prospective, new, expanding, and relocating~~
4167 ~~businesses seeking to conduct business in this state. Enterprise~~
4168 ~~Florida, Inc., shall, to the greatest extent possible,~~
4169 ~~collaborate with the corporation to meet the employment needs,~~
4170 ~~including meeting the job creation requirements, of any business~~
4171 ~~receiving assistance or services from Enterprise Florida, Inc.~~

4172 Section 122. Paragraph (a) of subsection (6), paragraph (b)
4173 of subsection (9), paragraph (a) of subsection (34), subsection
4174 (57), and paragraph (b) of subsection (61) of section 320.08058,
4175 Florida Statutes, are amended to read:

4176 320.08058 Specialty license plates.—

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4177 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
4178 PLATES.—

4179 (a) Because the United States Olympic Committee has
4180 selected this state to participate in a combined fundraising
4181 program that provides for one-half of all money raised through
4182 volunteer giving to stay in this state and be administered by
4183 the Florida Sports Foundation ~~Enterprise Florida, Inc.,~~ to
4184 support amateur sports, and because the United States Olympic
4185 Committee and the Florida Sports Foundation ~~Enterprise Florida,~~
4186 ~~Inc.,~~ are nonprofit organizations dedicated to providing
4187 athletes with support and training and preparing athletes of all
4188 ages and skill levels for sports competition, and because the
4189 Florida Sports Foundation ~~Enterprise Florida, Inc.,~~ assists in
4190 the bidding for sports competitions that provide significant
4191 impact to the economy of this state, and the Legislature
4192 supports the efforts of the United States Olympic Committee and
4193 the Florida Sports Foundation ~~Enterprise Florida, Inc.,~~ the
4194 Legislature establishes a Florida United States Olympic
4195 Committee license plate for the purpose of providing a
4196 continuous funding source to support this worthwhile effort.
4197 Florida United States Olympic Committee license plates must
4198 contain the official United States Olympic Committee logo and
4199 must bear a design and colors that are approved by the
4200 department. The word "Florida" must be centered at the top of
4201 the plate.

4202 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

4203 (b) The license plate annual use fees are to be annually
4204 distributed as follows:

4205 1. Fifty-five percent of the proceeds from the Florida

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4206 Professional Sports Team plate must be deposited into the
4207 Professional Sports Development Trust Fund within the Department
4208 of Commerce ~~Economic Opportunity~~. These funds must be used
4209 solely to attract and support major sports events in this state.
4210 As used in this subparagraph, the term "major sports events"
4211 means, but is not limited to, championship or all-star contests
4212 of Major League Baseball, the National Basketball Association,
4213 the National Football League, the National Hockey League, Major
4214 League Soccer, the men's and women's National Collegiate
4215 Athletic Association Final Four basketball championship, or a
4216 horseracing or dogracing Breeders' Cup. All funds must be used
4217 to support and promote major sporting events, and the uses must
4218 be approved by the Department of Commerce ~~Economic Opportunity~~.

4219 2. The remaining proceeds of the Florida Professional
4220 Sports Team license plate must be allocated to the Florida
4221 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be
4222 deposited into the Professional Sports Development Trust Fund
4223 within the Department of Commerce ~~Economic Opportunity~~. These
4224 funds must be used by the Florida Sports Foundation ~~Enterprise~~
4225 ~~Florida, Inc.~~, to promote the economic development of the sports
4226 industry; to distribute licensing and royalty fees to
4227 participating professional sports teams; to promote education
4228 programs in Florida schools that provide an awareness of the
4229 benefits of physical activity and nutrition standards; to
4230 partner with the Department of Education and the Department of
4231 Health to develop a program that recognizes schools whose
4232 students demonstrate excellent physical fitness or fitness
4233 improvement; to institute a grant program for communities
4234 bidding on minor sporting events that create an economic impact

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4235 for the state; to distribute funds to Florida-based charities
4236 designated by the Florida Sports Foundation ~~Enterprise Florida,~~
4237 ~~Inc.,~~ and the participating professional sports teams; and to
4238 fulfill the sports promotion responsibilities of the Department
4239 of Commerce ~~Economic Opportunity~~.

4240 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~
4241 shall provide an annual financial audit in accordance with s.
4242 215.981 of its financial accounts and records by an independent
4243 certified public accountant pursuant to the contract established
4244 by the Department of Commerce as specified in s. 288.1229(5)
4245 ~~Economic Opportunity~~. The auditor shall submit the audit report
4246 to the Department of Commerce ~~Economic Opportunity~~ for review
4247 and approval. If the audit report is approved, the Department of
4248 Commerce ~~Economic Opportunity~~ shall certify the audit report to
4249 the Auditor General for review.

4250 4. Notwithstanding the provisions of subparagraphs 1. and
4251 2., proceeds from the Professional Sports Development Trust Fund
4252 may also be used for operational expenses of the Florida Sports
4253 Foundation ~~Enterprise Florida, Inc.,~~ and financial support of
4254 the Sunshine State Games and Florida Senior Games.

4255 (34) FLORIDA GOLF LICENSE PLATES.—

4256 (a) The Department of Highway Safety and Motor Vehicles
4257 shall develop a Florida Golf license plate as provided in this
4258 section. The word "Florida" must appear at the bottom of the
4259 plate. The Dade Amateur Golf Association, following consultation
4260 with the Florida Sports Foundation, the PGA TOUR, ~~Enterprise~~
4261 ~~Florida, Inc.,~~ the LPGA, and the PGA of America, may submit a
4262 revised sample plate for consideration by the department.

4263 (57) FLORIDA NASCAR LICENSE PLATES.—

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4264 (a) The department shall develop a Florida NASCAR license
4265 plate as provided in this section. Florida NASCAR license plates
4266 must bear the colors and design approved by the department. The
4267 word "Florida" must appear at the top of the plate, and the term
4268 "NASCAR" must appear at the bottom of the plate. The National
4269 Association for Stock Car Auto Racing, following consultation
4270 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
4271 submit a sample plate for consideration by the department.

4272 (b) The license plate annual use fees shall be distributed
4273 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The
4274 license plate annual use fees shall be annually allocated as
4275 follows:

4276 1. Up to 5 percent of the proceeds from the annual use fees
4277 may be used by the Florida Sports Foundation ~~Enterprise Florida,~~
4278 ~~Inc.~~, for the administration of the NASCAR license plate
4279 program.

4280 2. The National Association for Stock Car Auto Racing shall
4281 receive up to \$60,000 in proceeds from the annual use fees to be
4282 used to pay startup costs, including costs incurred in
4283 developing and issuing the plates. Thereafter, 10 percent of the
4284 proceeds from the annual use fees shall be provided to the
4285 association for the royalty rights for the use of its marks.

4286 3. The remaining proceeds from the annual use fees shall be
4287 distributed to the Florida Sports Foundation ~~Enterprise Florida,~~
4288 ~~Inc.~~ The Florida Sports Foundation ~~Enterprise Florida, Inc.~~,
4289 will retain 15 percent to support its regional grant program,
4290 attracting sporting events to Florida; 20 percent to support the
4291 marketing of motorsports-related tourism in the state; and 50
4292 percent to be paid to the NASCAR Foundation, a s. 501(c)(3)

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4293 charitable organization, to support Florida-based charitable
4294 organizations.

4295 (c) The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~
4296 shall provide an annual financial audit in accordance with s.
4297 215.981 of its financial accounts and records by an independent
4298 certified public accountant pursuant to the contract established
4299 by the Department of Commerce as specified in s. 288.1229(5)
4300 ~~Economic Opportunity~~. The auditor shall submit the audit report
4301 to the Department of Commerce ~~Economic Opportunity~~ for review
4302 and approval. If the audit report is approved, the Department of
4303 Commerce ~~Economic Opportunity~~ shall certify the audit report to
4304 the Auditor General for review.

4305 (61) FLORIDA TENNIS LICENSE PLATES.—

4306 (b) The department shall distribute the annual use fees to
4307 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
4308 license plate annual use fees shall be annually allocated as
4309 follows:

4310 1. Up to 5 percent of the proceeds from the annual use fees
4311 may be used by the Florida Sports Foundation ~~Enterprise Florida,~~
4312 ~~Inc.,~~ to administer the license plate program.

4313 2. The United States Tennis Association Florida Section
4314 Foundation shall receive the first \$60,000 in proceeds from the
4315 annual use fees to reimburse it for startup costs,
4316 administrative costs, and other costs it incurs in the
4317 development and approval process.

4318 3. Up to 5 percent of the proceeds from the annual use fees
4319 may be used for promoting and marketing the license plates. The
4320 remaining proceeds shall be available for grants by the United
4321 States Tennis Association Florida Section Foundation to

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4322 nonprofit organizations to operate youth tennis programs and
4323 adaptive tennis programs for special populations of all ages,
4324 and for building, renovating, and maintaining public tennis
4325 courts.

4326 Section 123. Paragraph (a) of subsection (1) of section
4327 339.2821, Florida Statutes, is amended to read:

4328 339.2821 Economic development transportation projects.—

4329 (1) (a) The department, in consultation with the Department
4330 of Commerce ~~Economic Opportunity and Enterprise Florida, Inc.~~,
4331 may make and approve expenditures and contract with the
4332 appropriate governmental body for the direct costs of
4333 transportation projects. The Department of Commerce ~~Economic~~
4334 ~~Opportunity~~ and the Department of Environmental Protection may
4335 formally review and comment on recommended transportation
4336 projects, although the department has final approval authority
4337 for any project authorized under this section.

4338 Section 124. Paragraph (h) of subsection (2) of section
4339 377.703, Florida Statutes, is amended to read:

4340 377.703 Additional functions of the Department of
4341 Agriculture and Consumer Services.—

4342 (2) DUTIES.—The department shall perform the following
4343 functions, unless as otherwise provided, consistent with the
4344 development of a state energy policy:

4345 (h) The department shall promote the development and use of
4346 renewable energy resources, in conformance with chapter 187 and
4347 s. 377.601, by:

4348 1. Establishing goals and strategies for increasing the use
4349 of renewable energy in this state.

4350 2. Aiding and promoting the commercialization of renewable

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4351 energy resources, in cooperation with the Florida Energy Systems
4352 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~
4353 ~~Inc.~~, and any other federal, state, or local governmental agency
4354 that may seek to promote research, development, and the
4355 demonstration of renewable energy equipment and technology.

4356 3. Identifying barriers to greater use of renewable energy
4357 resources in this state, and developing specific recommendations
4358 for overcoming identified barriers, with findings and
4359 recommendations to be submitted annually in the report to the
4360 Governor and Legislature required under paragraph (f).

4361 4. In cooperation with the Department of Environmental
4362 Protection, the Department of Transportation, the Department of
4363 Commerce Economic Opportunity, ~~Enterprise Florida, Inc.~~, the
4364 Florida Energy Systems Consortium, the Florida Solar Energy
4365 Center, and the Florida Solar Energy Industries Association,
4366 investigating opportunities, pursuant to the national Energy
4367 Policy Act of 1992, the Housing and Community Development Act of
4368 1992, and any subsequent federal legislation, for renewable
4369 energy resources, electric vehicles, and other renewable energy
4370 manufacturing, distribution, installation, and financing efforts
4371 that enhance this state's position as the leader in renewable
4372 energy research, development, and use.

4373 5. Undertaking other initiatives to advance the development
4374 and use of renewable energy resources in this state.

4375
4376 In the exercise of its responsibilities under this paragraph,
4377 the department shall seek the assistance of the renewable energy
4378 industry in this state and other interested parties and may
4379 enter into contracts, retain professional consulting services,

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4380 and expend funds appropriated by the Legislature for such
4381 purposes.

4382 Section 125. Subsection (5) of section 377.804, Florida
4383 Statutes, is amended to read:

4384 377.804 Renewable Energy and Energy-Efficient Technologies
4385 Grants Program.—

4386 (5) The department shall solicit the expertise of state
4387 agencies, ~~Enterprise Florida, Inc.,~~ and state universities, and
4388 may solicit the expertise of other public and private entities
4389 it deems appropriate, in evaluating project proposals. State
4390 agencies shall cooperate with the department and provide such
4391 assistance as requested.

4392 Section 126. Paragraph (a) of subsection (4) of section
4393 377.809, Florida Statutes, is amended to read:

4394 377.809 Energy Economic Zone Pilot Program.—

4395 (4) (a) Beginning July 1, 2012, all the incentives and
4396 benefits provided for enterprise zones pursuant to state law
4397 shall be available to the energy economic zones designated
4398 pursuant to this section on or before July 1, 2010. In order to
4399 provide incentives, by March 1, 2012, each local governing body
4400 that has jurisdiction over an energy economic zone must, by
4401 local ordinance, establish the boundary of the energy economic
4402 zone, specify applicable energy-efficiency standards, and
4403 determine eligibility criteria for the application of state and
4404 local incentives and benefits in the energy economic zone.
4405 ~~However, in order to receive benefits provided under s. 288.106,~~
4406 ~~a business must be a qualified target industry business under s.~~
4407 ~~288.106 for state purposes.~~ An energy economic zone's boundary
4408 may be revised by local ordinance. Such incentives and benefits

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4409 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,
4410 ~~288.106~~, and 624.5105 and the public utility discounts provided
4411 in s. 290.007(8). The exemption provided in s. 212.08(5)(c)
4412 shall be for renewable energy as defined in s. 377.803. For
4413 purposes of this section, any applicable requirements for
4414 employee residency for higher refund or credit thresholds must
4415 be based on employee residency in the energy economic zone or an
4416 enterprise zone. A business in an energy economic zone may also
4417 be eligible for funding under ss. 288.047 and 445.003, and a
4418 transportation project in an energy economic zone shall be
4419 provided priority in funding under s. 339.2821. Other projects
4420 shall be given priority ranking to the extent practicable for
4421 grants administered under state energy programs.

4422 Section 127. Subsections (1) and (5) of section 380.0657,
4423 Florida Statutes, are amended to read:

4424 380.0657 Expedited permitting process for economic
4425 development projects.-

4426 (1) The Department of Environmental Protection and, as
4427 appropriate, the water management districts created under
4428 chapter 373 shall adopt programs to expedite the processing of
4429 wetland resource and environmental resource permits for economic
4430 development projects that have been identified by a municipality
4431 or county as meeting the definition of target industry
4432 businesses under s. 288.005 ~~s. 288.106~~, or any intermodal
4433 logistics center receiving or sending cargo to or from Florida
4434 ports, with the exception of those projects requiring approval
4435 by the Board of Trustees of the Internal Improvement Trust Fund.

4436 (5) Notwithstanding the provisions of this section, permit
4437 applications for projects to be located in a charter county that

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4438 has a population of 1.2 million or more and has entered into a
4439 delegation agreement with the Department of Environmental
4440 Protection or the applicable water management district to
4441 process environmental resource permits, wetland resource
4442 management permits, or surface water management permits pursuant
4443 to chapter 373 are eligible for expedited permitting under this
4444 section only upon designation by resolution of the charter
4445 county's governing board. Before the governing board decides
4446 that a project is eligible for expedited permitting, it may
4447 require the county's economic development agency, or such other
4448 agency that provides advice to the governing board on economic
4449 matters, to review and recommend whether the project meets the
4450 definition of a target industry business as defined in s.
4451 288.005 ~~s. 288.106~~ and to identify the tangible benefits and
4452 impacts of the project. The governing board's decision shall be
4453 made without consideration of the project's geographic location
4454 within the charter county. If the governing board designates the
4455 project as a target industry business, the permit application
4456 for the project shall be approved or denied within the timeframe
4457 provided in subsection (4).

4458 Section 128. Subsection (5) of section 403.7032, Florida
4459 Statutes, is amended to read:

4460 403.7032 Recycling.—

4461 (5) The Department of Environmental Protection shall create
4462 the Recycling Business Assistance Center by December 1, 2010. In
4463 carrying out its duties under this subsection, the department
4464 shall consult with state agency personnel appointed to serve as
4465 economic development liaisons under s. 288.021 ~~and seek~~
4466 ~~technical assistance from Enterprise Florida, Inc.,~~ to ensure

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4467 the Recycling Business Assistance Center is positioned to
4468 succeed. The purpose of the center shall be to serve as the
4469 mechanism for coordination among state agencies and the private
4470 sector in order to coordinate policy and overall strategic
4471 planning for developing new markets and expanding and enhancing
4472 existing markets for recyclable materials in this state, other
4473 states, and foreign countries. The duties of the center must
4474 include, at a minimum:

4475 (a) Identifying and developing new markets and expanding
4476 and enhancing existing markets for recyclable materials.

4477 (b) Pursuing expanded end uses for recycled materials.

4478 (c) Targeting materials for concentrated market development
4479 efforts.

4480 (d) Developing proposals for new incentives for market
4481 development, particularly focusing on targeted materials.

4482 (e) Providing guidance on issues such as permitting,
4483 finance options for recycling market development, site location,
4484 research and development, grant program criteria for recycled
4485 materials markets, recycling markets education and information,
4486 and minimum content.

4487 (f) Coordinating the efforts of various governmental
4488 entities having market development responsibilities in order to
4489 optimize supply and demand for recyclable materials.

4490 (g) Evaluating source-reduced products as they relate to
4491 state procurement policy. The evaluation shall include, but is
4492 not limited to, the environmental and economic impact of source-
4493 reduced product purchases to the state. For the purposes of this
4494 paragraph, the term "source-reduced" means any method, process,
4495 product, or technology that significantly or substantially

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4496 reduces the volume or weight of a product while providing, at a
4497 minimum, equivalent or generally similar performance and service
4498 to and for the users of such materials.

4499 (h) Providing evaluation of solid waste management grants,
4500 pursuant to s. 403.7095, to reduce the flow of solid waste to
4501 disposal facilities and encourage the sustainable recovery of
4502 materials from Florida's waste stream.

4503 (i) Providing below-market financing for companies that
4504 manufacture products from recycled materials or convert
4505 recyclable materials into raw materials for use in manufacturing
4506 pursuant to the Florida Recycling Loan Program as administered
4507 by the Florida First Capital Finance Corporation.

4508 (j) Maintaining a continuously updated online directory
4509 listing the public and private entities that collect, transport,
4510 broker, process, or remanufacture recyclable materials in the
4511 state.

4512 (k) Providing information on the availability and benefits
4513 of using recycled materials to private entities and industries
4514 in the state.

4515 (l) Distributing any materials prepared in implementing
4516 this subsection to the public, private entities, industries,
4517 governmental entities, or other organizations upon request.

4518 (m) Coordinating with the Department of Commerce ~~Economic~~
4519 ~~Opportunity~~ and its partners to provide job placement and job
4520 training services to job seekers through the state's workforce
4521 services programs.

4522 Section 129. Effective July 1, 2024, paragraph (e) of
4523 subsection (3) and paragraph (b) of subsection (14) of section
4524 403.973, Florida Statutes, are amended to read:

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4525 403.973 Expedited permitting; amendments to comprehensive
4526 plans.—

4527 (3)

4528 ~~(e) Projects that are part of the state-of-the-art~~
4529 ~~biomedical research institution and campus to be established in~~
4530 ~~this state by the grantee under s. 288.955 are eligible for the~~
4531 ~~expedited permitting process, if the projects are designated as~~
4532 ~~part of the institution or campus by the board of county~~
4533 ~~commissioners of the county in which the institution and campus~~
4534 ~~are established.~~

4535 (14)

4536 (b) Projects identified in paragraphs (3) (e), (f), and (g)
4537 ~~(3) (f) - (h) or challenges to state agency action in the expedited~~
4538 ~~permitting process for establishment of a state-of-the-art~~
4539 ~~biomedical research institution and campus in this state by the~~
4540 ~~grantee under s. 288.955 are subject to the same requirements as~~
4541 ~~challenges brought under paragraph (a), except that,~~
4542 ~~notwithstanding s. 120.574, summary proceedings must be~~
4543 ~~conducted within 30 days after a party files the motion for~~
4544 ~~summary hearing, regardless of whether the parties agree to the~~
4545 ~~summary proceeding.~~

4546 Section 130. Subsections (15) and (17) of section 403.973,
4547 Florida Statutes, are amended to read:

4548 403.973 Expedited permitting; amendments to comprehensive
4549 plans.—

4550 ~~(15) The Department of Economic Opportunity, working with~~
4551 ~~the agencies providing cooperative assistance and input~~
4552 ~~regarding the memoranda of agreement, shall review sites~~
4553 ~~proposed for the location of facilities that the Department of~~

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4554 ~~Economic Opportunity has certified to be eligible for the~~
4555 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~
4556 ~~after the request for the review by the Department of Economic~~
4557 ~~Opportunity, the agencies shall provide to the Department of~~
4558 ~~Economic Opportunity a statement as to each site's necessary~~
4559 ~~permits under local, state, and federal law and an~~
4560 ~~identification of significant permitting issues, which if~~
4561 ~~unresolved, may result in the denial of an agency permit or~~
4562 ~~approval or any significant delay caused by the permitting~~
4563 ~~process.~~

4564 ~~(16)~~(17) The Department of Commerce ~~Economic Opportunity~~
4565 shall be responsible for certifying a business as eligible for
4566 undergoing expedited review under this section. ~~Enterprise~~
4567 ~~Florida, Inc.,~~ A county or municipal government, or the Rural
4568 Economic Development Initiative may recommend to the Department
4569 of Commerce ~~Economic Opportunity~~ that a project meeting the
4570 minimum job creation threshold undergo expedited review.

4571 Section 131. Paragraph (c) of subsection (1) of section
4572 443.091, Florida Statutes, is amended to read:

4573 443.091 Benefit eligibility conditions.—

4574 (1) An unemployed individual is eligible to receive
4575 benefits for any week only if the Department of Commerce
4576 ~~Economic Opportunity~~ finds that:

4577 (c) To make continued claims for benefits, she or he is
4578 reporting to the department in accordance with this paragraph
4579 and department rules. Department rules may not conflict with s.
4580 443.111(1)(b), which requires that each claimant continue to
4581 report regardless of any pending appeal relating to her or his
4582 eligibility or disqualification for benefits.

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4583 1. For each week of unemployment claimed, each report must,
4584 at a minimum, include the name and address of each prospective
4585 employer contacted, or the date the claimant reported to a one-
4586 stop career center, pursuant to paragraph (d). For the purposes
4587 of this subparagraph, the term "address" means a website
4588 address, a physical address, or an e-mail address.

4589 2. The department shall offer an online assessment aimed at
4590 identifying an individual's skills, abilities, and career
4591 aptitude. The skills assessment must be voluntary, and the
4592 department shall allow a claimant to choose whether to take the
4593 skills assessment. The online assessment shall be made available
4594 to any person seeking services from a local workforce
4595 development board or a one-stop career center.

4596 a. If the claimant chooses to take the online assessment,
4597 the outcome of the assessment shall be made available to the
4598 claimant, local workforce development board, and one-stop career
4599 center. The department, local workforce development board, or
4600 one-stop career center shall use the assessment to develop a
4601 plan for referring individuals to training and employment
4602 opportunities. Aggregate data on assessment outcomes may be made
4603 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~
4604 ~~Inc.,~~ for use in the development of policies related to
4605 education and training programs that will ensure that businesses
4606 in this state have access to a skilled and competent workforce.

4607 b. Individuals shall be informed of and offered services
4608 through the one-stop delivery system, including career
4609 counseling, the provision of skill match and job market
4610 information, and skills upgrade and other training
4611 opportunities, and shall be encouraged to participate in such

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4612 services at no cost to the individuals. The department shall
4613 coordinate with CareerSource Florida, Inc., the local workforce
4614 development boards, and the one-stop career centers to identify,
4615 develop, and use best practices for improving the skills of
4616 individuals who choose to participate in skills upgrade and
4617 other training opportunities. The department may contract with
4618 an entity to create the online assessment in accordance with the
4619 competitive bidding requirements in s. 287.057. The online
4620 assessment must work seamlessly with the Reemployment Assistance
4621 Claims and Benefits Information System.

4622 Section 132. Paragraph (h) of subsection (1) of section
4623 443.191, Florida Statutes, is amended to read:

4624 443.191 Unemployment Compensation Trust Fund; establishment
4625 and control.—

4626 (1) There is established, as a separate trust fund apart
4627 from all other public funds of this state, an Unemployment
4628 Compensation Trust Fund, which shall be administered by the
4629 Department of Commerce ~~Economic Opportunity~~ exclusively for the
4630 purposes of this chapter. The fund must consist of:

4631 (h) All money deposited in this account as a distribution
4632 pursuant to s. 212.20(6)(d)6.e. ~~s. 212.20(6)(d)6.g.~~

4633
4634 Except as otherwise provided in s. 443.1313(4), all moneys in
4635 the fund must be mingled and undivided.

4636 Section 133. Paragraph (d) of subsection (3), paragraph (b)
4637 of subsection (5), and paragraph (a) of subsection (6) of
4638 section 445.004, Florida Statutes, are amended to read:

4639 445.004 CareerSource Florida, Inc., and the state board;
4640 creation; purpose; membership; duties and powers.—

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(d) The state board must include the Secretary of Commerce ~~Economic Opportunity~~ or his or her designee, ~~the vice chairperson of the board of directors of Enterprise Florida, Inc.,~~ and one member representing each of the Workforce Innovation and Opportunity Act partners, including the Division of Career and Adult Education, the Division of Vocational Rehabilitation, the Division of Blind Services, the Department of Children and Families, and other entities representing programs identified in the Workforce Innovation and Opportunity Act, as determined necessary.

(5) The state board has all the powers and authority not explicitly prohibited by statute which are necessary or convenient to carry out and effectuate its purposes as determined by statute, Pub. L. No. 113-128, and the Governor, as well as its functions, duties, and responsibilities, including, but not limited to, the following:

(b) Providing policy direction to ensure that the following programs are administered by the department consistent with approved plans:

1. Programs authorized under Title I of the Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, with the exception of programs funded directly by the United States Department of Labor under Title I, s. 167.

2. Programs authorized under the Wagner-Peyser Act of 1933, as amended, 29 U.S.C. ss. 49 et seq.

3. Activities authorized under Title II of the Trade Act of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade Adjustment Assistance Program.

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4670 4. Activities authorized under 38 U.S.C. chapter 41,
4671 including job counseling, training, and placement for veterans.

4672 5. Employment and training activities carried out under
4673 funds awarded to this state by the United States Department of
4674 Housing and Urban Development.

4675 6. Welfare transition services funded by the Temporary
4676 Assistance for Needy Families Program, created under the
4677 Personal Responsibility and Work Opportunity Reconciliation Act
4678 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
4679 of the Social Security Act, as amended.

4680 7. The Florida Bonding Program, provided under Pub. L. No.
4681 97-300, s. 164(a)(1).

4682 8. The Food Assistance Employment and Training Program,
4683 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
4684 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
4685 the Hunger Prevention Act, Pub. L. No. 100-435; and the
4686 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

4687 9. The Quick-Response Training Program, provided under ss.
4688 288.046-288.047. ~~Matching funds and in-kind contributions that~~
4689 ~~are provided by clients of the Quick-Response Training Program~~
4690 ~~count toward the requirements of s. 288.904, pertaining to the~~
4691 ~~return on investment from activities of Enterprise Florida, Inc.~~

4692 10. The Work Opportunity Tax Credit, provided under the Tax
4693 and Trade Relief Extension Act of 1998, Pub. L. No. 105-277, and
4694 the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

4695 11. Offender placement services, provided under ss.
4696 944.707-944.708.

4697 (6) The state board shall achieve the purposes of this
4698 section by:

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4699 (a) Creating a state employment, education, and training
4700 policy that ensures workforce related programs are responsive to
4701 present and future business and industry needs ~~and complement~~
4702 ~~the initiatives of Enterprise Florida, Inc.~~

4703 Section 134. Subsection (5) of section 445.045, Florida
4704 Statutes, is amended to read:

4705 445.045 Development of an Internet-based system for
4706 information technology industry promotion and workforce
4707 recruitment.—

4708 (5) In furtherance of the requirements of this section that
4709 the website promote and market the information technology
4710 industry by communicating information on the scope of the
4711 industry in this state, CareerSource Florida, Inc., shall
4712 ~~coordinate its efforts with the high technology industry~~
4713 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~
4714 ~~Through links or actual content, the website developed under~~
4715 ~~this section shall serve as a forum for distributing the~~
4716 ~~marketing campaign developed by Enterprise Florida, Inc., under~~
4717 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~
4718 solicit input from the not-for-profit corporation created to
4719 advocate on behalf of the information technology industry as an
4720 outgrowth of the Information Service Technology Development Task
4721 Force created under chapter 99-354, Laws of Florida.

4722 Section 135. Subsections (2) and (5) of section 446.44,
4723 Florida Statutes, are amended to read:

4724 446.44 Duties of Rural Workforce Services Program.—It shall
4725 be the direct responsibility of the Rural Workforce Services
4726 Program to promote and deliver employment and workforce services
4727 and resources to the rural undeveloped and underdeveloped

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4728 counties of the state in an effort to:

4729 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~
4730 ~~pollution-free industry to the rural counties.~~

4731 (4)~~(5)~~ Develop rural workforce programs that will be
4732 evaluated, planned, and implemented through communications and
4733 planning with appropriate:

4734 (a) Departments of state and federal governments.

4735 ~~(b) Units of Enterprise Florida, Inc.~~

4736 (b)~~(c)~~ Agencies and organizations of the public and private
4737 sectors at the state, regional, and local levels.

4738 Section 136. Subsection (5) of section 477.0135, Florida
4739 Statutes, is amended to read:

4740 477.0135 Exemptions.—

4741 (5) A license is not required of any individual providing
4742 makeup, special effects, or cosmetology services to an actor,
4743 stunt person, musician, extra, or other talent during a
4744 theatrical, film, or other entertainment production recognized
4745 ~~by the Office of Film and Entertainment as a qualified~~
4746 ~~production as defined in s. 288.1254(1).~~ Such services are not
4747 required to be performed in a licensed salon. Individuals exempt
4748 under this subsection may not provide such services to the
4749 general public.

4750 Section 137. Subsection (1) of section 570.81, Florida
4751 Statutes, is amended to read:

4752 570.81 Agricultural Economic Development Project Review
4753 Committee; powers and duties.—

4754 (1) There is created an Agricultural Economic Development
4755 Project Review Committee consisting of five members appointed by
4756 the commissioner. The members shall be appointed based upon the

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4757 recommendations submitted by each entity represented on the
4758 committee and shall include:

4759 (a) The commissioner or the commissioner's designee.

4760 (b) One representative from the Farm Credit Service.

4761 (c) One representative from the Department of Commerce
4762 ~~Enterprise Florida, Inc.~~

4763 (d) One representative from the Florida Farm Bureau
4764 Federation.

4765 (e) One agricultural economist from the Institute of Food
4766 and Agricultural Sciences or from Florida Agricultural and
4767 Mechanical University.

4768 Section 138. Subsection (2) of section 570.85, Florida
4769 Statutes, is amended to read:

4770 570.85 Agritourism.—

4771 (2) The Department of Agriculture and Consumer Services may
4772 provide marketing advice, technical expertise, promotional
4773 support, and product development related to agritourism to
4774 assist the following in their agritourism initiatives: Florida
4775 Tourism Industry Marketing Corporation, ~~Enterprise Florida,~~
4776 ~~Inc.~~ + convention and visitor bureaus, + tourist development
4777 councils, + economic development organizations, + and local
4778 governments. In carrying out this responsibility, the department
4779 shall focus its agritourism efforts on rural and urban
4780 communities.

4781 Section 139. Section 625.3255, Florida Statutes, is amended
4782 to read:

4783 625.3255 Capital participation instrument.—An insurer may
4784 invest in any capital participation instrument or evidence of
4785 indebtedness issued by the Department of Commerce ~~Enterprise~~

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4786 ~~Florida, Inc.~~, pursuant to the Florida Small and Minority
4787 Business Assistance Act.

4788 Section 140. Paragraph (b) of subsection (4) of section
4789 657.042, Florida Statutes, is amended to read:

4790 657.042 Investment powers and limitations.—A credit union
4791 may invest its funds subject to the following definitions,
4792 restrictions, and limitations:

4793 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF
4794 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of
4795 the credit union may be invested in any of the following:

4796 (b) Any capital participation instrument or evidence of
4797 indebtedness issued by the Department of Commerce Enterprise
4798 ~~Florida, Inc.~~, pursuant to the Florida Small and Minority
4799 Business Assistance Act.

4800 Section 141. Paragraph (f) of subsection (4) of section
4801 658.67, Florida Statutes, is amended to read:

4802 658.67 Investment powers and limitations.—A bank may invest
4803 its funds, and a trust company may invest its corporate funds,
4804 subject to the following definitions, restrictions, and
4805 limitations:

4806 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR
4807 LESS OF CAPITAL ACCOUNTS.—

4808 (f) Up to 10 percent of the capital accounts of a bank or
4809 trust company may be invested in any capital participation
4810 instrument or evidence of indebtedness issued by the Department
4811 of Commerce Enterprise ~~Florida, Inc.~~, pursuant to the Florida
4812 Small and Minority Business Assistance Act.

4813 Section 142. Paragraph (e) of subsection (2) of section
4814 1004.015, Florida Statutes, is amended to read:

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4815 1004.015 Florida Talent Development Council.—

4816 (2) Members of the council shall include:

4817 ~~(c) The president of Enterprise Florida, Inc.~~

4818 Section 143. Paragraph (d) of subsection (5) of section
4819 1004.65, Florida Statutes, is amended to read:

4820 1004.65 Florida College System institutions; governance,
4821 mission, and responsibilities.—

4822 (5) The primary mission and responsibility of Florida
4823 College System institutions is responding to community needs for
4824 postsecondary academic education and career degree education.
4825 This mission and responsibility includes being responsible for:

4826 (d) Promoting economic development for the state within
4827 each Florida College System institution district through the
4828 provision of special programs, including, but not limited to,
4829 the:

4830 1. ~~Enterprise Florida-related programs.~~

4831 2. Technology transfer centers.

4832 2.3. Economic development centers.

4833 3.4. Workforce literacy programs.

4834 Section 144. Paragraph (b) of subsection (10) of section
4835 1004.78, Florida Statutes, is amended to read:

4836 1004.78 Technology transfer centers at Florida College
4837 System institutions.—

4838 (10) The State Board of Education may award grants to
4839 Florida College System institutions, or consortia of public and
4840 private colleges and universities and other public and private
4841 entities, for the purpose of supporting the objectives of this
4842 section. Grants awarded pursuant to this subsection shall be in
4843 accordance with rules of the State Board of Education. Such

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4844 rules shall include the following provisions:

4845 (b) Grants to centers funded with state revenues
4846 appropriated specifically for technology transfer activities
4847 shall be reviewed and approved by the State Board of Education
4848 using proposal solicitation, evaluation, and selection
4849 procedures established by the state board in consultation with
4850 the Department of Commerce ~~Enterprise Florida, Inc.~~ Such
4851 procedures may include designation of specific areas or
4852 applications of technology as priorities for the receipt of
4853 funding.

4854 Section 145. Subsection (4) of section 1011.76, Florida
4855 Statutes, is amended to read:

4856 1011.76 Small School District Stabilization Program.—

4857 (4) The Department of Education may award the school
4858 district a stabilization grant intended to protect the district
4859 from continued financial reductions. The amount of the grant
4860 will be determined by the Department of Education and may be
4861 equivalent to the amount of the decline in revenues projected
4862 for the next fiscal year. In addition, the Department of
4863 Commerce ~~Economic Opportunity~~ may implement a rural economic
4864 development initiative to identify the economic factors that are
4865 negatively impacting the community to develop ~~and may consult~~
4866 ~~with Enterprise Florida, Inc., in developing~~ a plan to assist
4867 the county with its economic transition. The grant will be
4868 available to the school district for a period of up to 5 years
4869 to the extent that funding is provided for such purpose in the
4870 General Appropriations Act.

4871 Section 146. The Division of Law Revision is directed to
4872 prepare a reviser's bill for the 2024 Regular Session of the

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4873 Legislature to change the terms "Department of Economic
4874 Opportunity" and "Secretary of Economic Opportunity" to
4875 "Department of Commerce" and "Secretary of Commerce,"
4876 respectively, wherever the terms appear in the Florida Statutes
4877 and to make such further changes as are necessary to conform the
4878 Florida Statutes to the organizational changes effected by this
4879 act.

4880 Section 147. Except as otherwise expressly provided in this
4881 act, this act shall take effect July 1, 2023.