



224226

LEGISLATIVE ACTION

Senate	.	House
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05/03/2023 04:01 PM	.	05/04/2023 03:21 PM
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Senator Hooper moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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



224226

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

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

27           (b) The Legislature directs that notwithstanding the  
28 changes made by this act, Enterprise Florida, Inc., may continue  
29 with such powers, duties, functions, records, offices,  
30 personnel, property, pending issues, and existing contracts as  
31 provided in Florida Statutes 2022 until December 1, 2023, except  
32 that the board of directors shall stand repealed on October 1,  
33 2023. The president of Enterprise Florida, Inc., shall continue  
34 the operations of the direct-support organization until full  
35 implementation of the transition plan or December 1, 2023,  
36 whichever occurs first. The transition plan shall provide for  
37 transfer of powers, duties, functions, records, offices,  
38 personnel, property, pending issues, and existing contracts  
39 related to international business development and trade to the  
40 direct-support organization created under s. 288.012, Florida



224226

41 Statutes.

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

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

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

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



224226

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

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

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

88 Section 3. For programs or corporations established  
89 pursuant to s. 220.1899, s. 220.194, s. 288.1045, s. 288.106, s.  
90 288.1081, s. 288.1082, s. 288.1088, s. 288.1089, s. 288.1171, s.  
91 288.95155, s. 288.955, s. 288.9916, or s. 288.9934, Florida  
92 Statutes, no new or additional applications or certifications  
93 shall be approved, no new letters of certification may be  
94 issued, no new contracts or agreements may be executed, and no  
95 new awards may be made. All certifications issued under such  
96 sections are rescinded except for the certifications of those  
97 certified applicants or projects that continue to meet the  
98 applicable criteria that was in effect before July 1, 2023. Any



99 existing contracts or agreements authorized under any of these  
100 programs shall continue in full force and effect in accordance  
101 with the statutory requirements in effect when the contract or  
102 agreement was executed or last modified. However, no further  
103 modifications, extensions, or waivers may be made or granted  
104 relating to such contracts or agreements except computations by  
105 the Department of Revenue of the income generated by or arising  
106 out of the qualifying project.

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

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

117 (3) For the 2023-2024 fiscal year, the sum of \$1 million in  
118 nonrecurring funds from the State Economic Enhancement and  
119 Development Trust Fund is appropriated to the Department of  
120 Commerce, as created by this act, to facilitate the transition  
121 plan and transfers required by this act. The unexpended balance  
122 of funds as of December 31, 2023, shall revert.

123 Section 5. Paragraph (i) of subsection (3) of section  
124 11.45, Florida Statutes, is amended to read:

125 11.45 Definitions; duties; authorities; reports; rules.—

126 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor  
127 General may, pursuant to his or her own authority, or at the



224226

128 direction of the Legislative Auditing Committee, conduct audits  
129 or other engagements as determined appropriate by the Auditor  
130 General of:

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

142 Section 6. Paragraph (a) of subsection (3) of section  
143 14.32, Florida Statutes, is amended to read:

144 14.32 Office of Chief Inspector General.—

145 (3) Related to public-private partnerships, the Chief  
146 Inspector General:

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

151 Section 7. Section 15.18, Florida Statutes, is amended to  
152 read:

153 15.18 International and cultural relations.—The Divisions  
154 of Arts and Culture, Historical Resources, and Library and  
155 Information Services of the Department of State promote programs  
156 having substantial cultural, artistic, and indirect economic



224226

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

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

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

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

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

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

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



224226

186 section.

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

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

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

202 Section 9. Paragraph (a) of subsection (7) of section  
203 20.435, Florida Statutes, is amended to read:

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

206 (7) Biomedical Research Trust Fund.

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





224226

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

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

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

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

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

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

238 which shall:

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

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



224226

244 facing the state.

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

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

254 e. Promote strategic planning for the department.

255 (b) The secretary:

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

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

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

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



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

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

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

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

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

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

300 (g) Contract with the Florida Sports Foundation to guide,  
301 stimulate, and promote the sports industry in this state, to



224226

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

305 (h) Encourage and oversee the coordination of international  
306 trade development efforts of public institutions, business  
307 associations, economic development councils, and private  
308 industry.

309 (i) Contract with the direct-support organization created  
310 in s. 288.012, to assist with coordination described in  
311 paragraph (h), provide services through State of Florida  
312 international offices, and assist in developing and carrying out  
313 the 5-year statewide strategic plan as it relates to foreign  
314 investment, international partnerships, and other international  
315 business and trade development.

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

320 (k) Assist, promote, and enhance economic opportunities for  
321 this state's minority-owned businesses and rural and urban  
322 communities.

323 (l) Contract with the Florida Tourism Industry Marketing  
324 Corporation to execute tourism promotion and marketing services,  
325 functions, and programs for the state and advise the department  
326 on the development of domestic and international tourism  
327 marketing campaigns featuring this state.

328 (5) The divisions within the department have specific  
329 responsibilities to achieve the duties, responsibilities, and  
330 goals of the department. Specifically:



224226

331 (a) The Division of Economic Strategic Business Development  
332 shall:

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

335 2. Administer certain tax refund, tax credit, and grant  
336 programs created in law. Notwithstanding any other provision of  
337 law, the department may expend interest earned from the  
338 investment of program funds deposited in the Grants and  
339 Donations Trust Fund to contract for the administration of those  
340 programs, or portions of the programs, assigned to the  
341 department by law, by the appropriations process, or by the  
342 Governor. Such expenditures shall be subject to review under  
343 chapter 216.

344 3. Develop measurement protocols for the state incentive  
345 programs and for the contracted entities which will be used to  
346 determine their performance and competitive value to the state.  
347 Performance measures, benchmarks, and sanctions must be  
348 developed in consultation with the legislative appropriations  
349 committees and the appropriate substantive committees, and are  
350 subject to the review and approval process provided in s.  
351 216.177. The approved performance measures, standards, and  
352 sanctions shall be included and made a part of the strategic  
353 plan for contracts entered into for delivery of programs  
354 authorized by this section.

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

357 a. Strategies for the promotion of business formation,  
358 expansion, recruitment, and retention through aggressive  
359 marketing, attraction of venture capital and finance



224226

360 development, domestic trade, international development, and  
361 export assistance, which lead to more and better jobs and higher  
362 wages for all geographic regions, disadvantaged communities, and  
363 populations of the state, including rural areas, minority  
364 businesses, and urban core areas.

365       b. The development of realistic policies and programs to  
366 further the economic diversity of the state, its regions, and  
367 their associated industrial clusters.

368       c. Specific provisions for the stimulation of economic  
369 development and job creation in rural areas and midsize cities  
370 and counties of the state, including strategies for rural  
371 marketing and the development of infrastructure in rural areas.

372       d. Provisions for the promotion of the successful long-term  
373 economic development of the state with increased emphasis in  
374 market research and information.

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

386       f. The identification of business sectors that are of  
387 current or future importance to the state's economy and to the  
388 state's global business image, and development of specific



389 strategies to promote the development of such sectors.

390 g. Strategies for talent development necessary in the state  
391 to encourage economic development growth, taking into account  
392 factors such as the state's talent supply chain, education and  
393 training opportunities, and available workforce.

394 h. Strategies and plans to support this state's defense,  
395 space, and aerospace industries and the emerging complementary  
396 business activities and industries that support the development  
397 and growth of defense, space, and aerospace in this state.

398 5. Update the strategic plan every 5 years.

399 6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource Florida,  
400 Inc.; direct-support organizations of the department; local  
401 governments; the general public; local and regional economic  
402 development organizations; other local, state, and federal  
403 economic, international, and workforce development entities; the  
404 business community; and educational institutions to assist with  
405 the strategic plan.

406 7. Coordinate with the Florida Tourism Industry Marketing  
407 Corporation in the development of the 4-year marketing plan  
408 pursuant to s. 288.1226(13).

409 8. Administer and manage relationships, as appropriate,  
410 with the entities and programs created pursuant to the Florida  
411 Capital Formation Act, ss. 288.9621-288.96255.

412 (b) The Division of Community Development shall:

413 1. Assist local governments and their communities in  
414 finding creative planning solutions to help them foster vibrant,  
415 healthy communities, while protecting the functions of important  
416 state resources and facilities.

417 2. Administer state and federal grant programs as provided



224226

418 by law to provide community development and project planning  
419 activities to maintain viable communities, revitalize existing  
420 communities, and expand economic development and employment  
421 opportunities, including:

- 422 a. The Community Services Block Grant Program.
- 423 b. The Community Development Block Grant Program in chapter  
424 290.
- 425 c. The Low-Income Home Energy Assistance Program in chapter  
426 409.
- 427 d. The Weatherization Assistance Program in chapter 409.
- 428 e. The Neighborhood Stabilization Program.
- 429 f. The local comprehensive planning process and the  
430 development of regional impact process.
- 431 g. The Front Porch Florida Initiative through the Office of  
432 Urban Opportunity, which is created within the division. The  
433 purpose of the office is to administer the Front Porch Florida  
434 initiative, a comprehensive, community-based urban core  
435 redevelopment program that enables urban core residents to craft  
436 solutions to the unique challenges of each designated community.

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

439 (c) The Division of Workforce Services shall:

- 440 1. Prepare and submit a unified budget request for  
441 workforce development in accordance with chapter 216 for, and in  
442 conjunction with, the state board as defined in s. 445.002.
- 443 2. Ensure that the state appropriately administers federal  
444 and state workforce funding by administering plans and policies  
445 of the state board as defined in s. 445.002. The operating  
446 budget and midyear amendments thereto must be part of such





224226

447 contract.

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

453 b. Unless otherwise provided by agreement with the state  
454 board as defined in s. 445.002, administrative and personnel  
455 policies of the Department of Commerce ~~Economic Opportunity~~  
456 apply.

457 3. Implement the state's reemployment assistance program.  
458 The Department of Commerce ~~Economic Opportunity~~ shall ensure  
459 that the state appropriately administers the reemployment  
460 assistance program pursuant to state and federal law.

461 4. Assist in developing the 5-year statewide strategic plan  
462 required by this section, including identifying education and  
463 training programs to ensure that the state has the skilled and  
464 competent workforce necessary to attract and grow business in  
465 this state and allow them to compete successfully in domestic  
466 and global markets.

467 (6) (a) The Department of Commerce ~~Economic Opportunity~~ is  
468 the administrative agency designated for receipt of federal  
469 workforce development grants and other federal funds. The  
470 department shall administer the duties and responsibilities  
471 assigned by the Governor under each federal grant assigned to  
472 the department. The department shall expend each revenue source  
473 as provided by federal and state law and as provided in plans  
474 developed by and agreements with the state board as defined in  
475 s. 445.002. The department may serve as the contract



224226

476 administrator for contracts entered into by the state board  
477 under s. 445.004(5).

478 (b) The Department of Commerce ~~Economic Opportunity~~ shall  
479 serve as the designated agency for purposes of each federal  
480 workforce development grant assigned to it for administration.  
481 The department shall carry out the duties assigned to it by the  
482 Governor, under the terms and conditions of each grant. The  
483 department shall have the level of authority and autonomy  
484 necessary to be the designated recipient of each federal grant  
485 assigned to it and shall disburse such grants pursuant to the  
486 plans and policies of the state board as defined in s. 445.002.  
487 The secretary may, upon delegation from the Governor and  
488 pursuant to agreement with the state board, sign contracts,  
489 grants, and other instruments as necessary to execute functions  
490 assigned to the department. Notwithstanding other provisions of  
491 law, the department shall administer other programs funded by  
492 federal or state appropriations, as determined by the  
493 Legislature in the General Appropriations Act or other law.

494 (7) The department may provide or contract for training for  
495 employees of administrative entities and case managers of any  
496 contracted providers to ensure they have the necessary  
497 competencies and skills to provide adequate administrative  
498 oversight and delivery of the full array of client services.

499 (8) The Reemployment Assistance Appeals Commission,  
500 authorized by s. 443.012, is not subject to control,  
501 supervision, or direction by the department in the performance  
502 of its powers and duties but shall receive any and all support  
503 and assistance from the department which is required for the  
504 performance of its duties.



505           (9) The secretary shall:  
506           (a) Manage all activities and responsibilities of the  
507 department.  
508           (b) Serve as the manager for the state with respect to  
509 contracts with ~~Enterprise Florida, Inc.,~~ and all applicable  
510 direct-support organizations. To accomplish the provisions of  
511 this section and applicable provisions of chapter 288, and  
512 notwithstanding the provisions of part I of chapter 287, the  
513 secretary shall enter into specific contracts with ~~Enterprise~~  
514 ~~Florida, Inc.,~~ and other appropriate direct-support  
515 organizations. Such contracts may be for multiyear terms and  
516 must include specific performance measures for each year. For  
517 purposes of this section, ~~the Florida Tourism Industry Marketing~~  
518 ~~Corporation~~ and the Institute for Commercialization of Florida  
519 Technology is are not an appropriate direct-support organization  
520 organizations.  
521           (c) Serve as a member of the board of directors of the  
522 Florida Development Finance Corporation. The secretary may  
523 designate an employee of the department to serve in this  
524 capacity.  
525           (10) The department, ~~with assistance from Enterprise~~  
526 ~~Florida, Inc.,~~ shall, by November 1 of each year, submit an  
527 annual report to the Governor, the President of the Senate, and  
528 the Speaker of the House of Representatives on the condition of  
529 the business climate and economic development in the state.  
530           (a) The report must include the identification of problems  
531 and a prioritized list of recommendations.  
532           (b) The department shall collect and maintain data on the  
533 development and utilization of the international trade



224226

534 development program for inclusion in the report.

535 (c) The report must incorporate annual reports of other  
536 programs, including:

537 ~~1. Information provided by the Department of Revenue under~~  
538 ~~s. 290.014.~~

539 ~~2. Information provided by enterprise zone development~~  
540 ~~agencies under s. 290.0056 and an analysis of the activities and~~  
541 ~~accomplishments of each enterprise zone.~~

542 ~~3. The Economic Gardening Business Loan Pilot Program~~  
543 ~~established under s. 288.1081 and the Economic Gardening~~  
544 ~~Technical Assistance Pilot Program established under s.~~  
545 ~~288.1082.~~

546 ~~1.4.~~ A detailed report of the performance of the Black  
547 Business Loan Program and a cumulative summary of quarterly  
548 report data required under s. 288.714.

549 ~~2.5.~~ The Rural Economic Development Initiative established  
550 under s. 288.0656.

551 ~~3.6.~~ The Florida Unique Abilities Partner Program.

552 ~~4.7.~~ A detailed report of the performance of the Florida  
553 Development Finance Corporation and a summary of the  
554 corporation's report required under s. 288.9610.

555 (11) The department shall establish annual performance  
556 standards for ~~Enterprise Florida, Inc.;~~ CareerSource Florida,  
557 Inc.; the Florida Tourism Industry Marketing Corporation; Space  
558 Florida; ~~and~~ the Florida Development Finance Corporation; and  
559 any other direct-support organization of the department and  
560 report annually on how these performance measures are being met  
561 in the annual report required under subsection (10).

562 (12) The department shall have an official seal by which



563 its records, orders, and proceedings are authenticated. The seal  
564 shall be judicially noticed.

565 (13) The department shall administer the role of state  
566 government under part I of chapter 421, relating to public  
567 housing; chapter 422, relating to housing cooperation law; and  
568 chapter 423, tax exemption of housing authorities. The  
569 department is the agency of state government responsible for the  
570 state's role in housing and urban development.

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

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

574 159.803 Definitions.—As used in this part, the term:

575 (11) "Florida First Business project" means any project  
576 which is certified by the Department of Commerce ~~Economic~~  
577 ~~Opportunity~~ as eligible to receive an allocation from the  
578 Florida First Business allocation pool established pursuant to  
579 s. 159.8083. The Department of Commerce ~~Economic Opportunity~~ may  
580 certify those projects proposed by a business which qualify as a  
581 target industry business as defined in s. 288.005 ~~meeting the~~  
582 ~~criteria set forth in s. 288.106(4)(b)~~ or any project providing  
583 a substantial economic benefit to this state. The department  
584 shall develop measurement protocols and performance measures to  
585 determine what competitive value a project by a target industry  
586 business will bring to the state pursuant to ss. 20.60(5)(a)3.  
587 and 288.061(2).

588 Section 13. Section 189.033, Florida Statutes, is amended  
589 to read:

590 189.033 Independent special district services in  
591 disproportionally affected county; rate reduction for providers



224226

592 providing economic benefits.—If the governing body of an  
593 independent special district that provides water, wastewater,  
594 and sanitation services in a disproportionately affected county,  
595 ~~as defined in s. 288.106(8)~~, determines that a new user or the  
596 expansion of an existing user of one or more of its utility  
597 systems will provide a significant benefit to the community in  
598 terms of increased job opportunities, economies of scale, or  
599 economic development in the area, the governing body may  
600 authorize a reduction of its rates, fees, or charges for that  
601 user for a specified period of time. A governing body that  
602 exercises this power must do so by resolution that states the  
603 anticipated economic benefit justifying the reduction as well as  
604 the period of time that the reduction will remain in place. As  
605 used in this section, the term “disproportionally affected  
606 county” means Bay County, Escambia County, Franklin County, Gulf  
607 County, Okaloosa County, Santa Rosa County, Walton County, or  
608 Wakulla County.

609 Section 14. Paragraph (a) of subsection (14) of section  
610 196.012, Florida Statutes, is amended to read:

611 196.012 Definitions.—For the purpose of this chapter, the  
612 following terms are defined as follows, except where the context  
613 clearly indicates otherwise:

614 (14) “New business” means:

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

620 a. Manufactures, processes, compounds, fabricates, or



224226

621 produces for sale items of tangible personal property at a fixed  
622 location and which comprises an industrial or manufacturing  
623 plant; or

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

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

632 3. An office space in this state owned and used by a  
633 business or organization newly domiciled in this state; provided  
634 such office space houses 50 or more full-time employees of such  
635 business or organization; provided that such business or  
636 organization office first begins operation on a site clearly  
637 separate from any other commercial or industrial operation owned  
638 by the same business or organization.

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

641 212.08 Sales, rental, use, consumption, distribution, and  
642 storage tax; specified exemptions.—The sale at retail, the  
643 rental, the use, the consumption, the distribution, and the  
644 storage to be used or consumed in this state of the following  
645 are hereby specifically exempt from the tax imposed by this  
646 chapter.

647 (5) EXEMPTIONS; ACCOUNT OF USE.—

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



224226

650           1.a. Industrial machinery and equipment used in  
651 semiconductor technology facilities certified under subparagraph  
652 5. to manufacture, process, compound, or produce semiconductor  
653 technology products for sale or for use by these facilities are  
654 exempt from the tax imposed by this chapter. For purposes of  
655 this paragraph, industrial machinery and equipment includes  
656 molds, dies, machine tooling, other appurtenances or accessories  
657 to machinery and equipment, testing equipment, test beds,  
658 computers, and software, whether purchased or self-fabricated,  
659 and, if self-fabricated, includes materials and labor for  
660 design, fabrication, and assembly.

661           b. Industrial machinery and equipment used in defense or  
662 space technology facilities certified under subparagraph 5. to  
663 design, manufacture, assemble, process, compound, or produce  
664 defense technology products or space technology products for  
665 sale or for use by these facilities are exempt from the tax  
666 imposed by this chapter.

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

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

674           4. For items purchased tax-exempt pursuant to this  
675 paragraph, possession of a written certification from the  
676 purchaser, certifying the purchaser's entitlement to the  
677 exemption, relieves the seller of the responsibility of  
678 collecting the tax on the sale of such items, and the department





224226

679 shall look solely to the purchaser for recovery of the tax if it  
680 determines that the purchaser was not entitled to the exemption.

681 5.a. To be eligible to receive the exemption provided by  
682 subparagraph 1. or subparagraph 2., a qualifying business entity  
683 shall initially apply to the Department of Commerce ~~Enterprise~~  
684 ~~Florida, Inc.~~ The original certification is valid for a period  
685 of 2 years. In lieu of submitting a new application, the  
686 original certification may be renewed biennially by submitting  
687 to the Department of Commerce ~~Economic Opportunity~~ a statement,  
688 certified under oath, that there has not been a material change  
689 in the conditions or circumstances entitling the business entity  
690 to the original certification. The initial application and the  
691 certification renewal statement shall be developed by the  
692 Department of Commerce ~~Economic Opportunity~~.

693 b. The Division of Economic ~~Strategic Business~~ Development  
694 of the Department of Commerce ~~Economic Opportunity~~ shall review  
695 each submitted initial application and determine whether or not  
696 the application is complete within 5 working days. Once  
697 complete, the division shall, within 10 working days, evaluate  
698 the application and recommend approval or disapproval to the  
699 Department of Commerce ~~Economic Opportunity~~.

700 c. Upon receipt of the initial application and  
701 recommendation from the division or upon receipt of a  
702 certification renewal statement, the Department of Commerce  
703 ~~Economic Opportunity~~ shall certify within 5 working days those  
704 applicants who are found to meet the requirements of this  
705 section and notify the applicant of the original certification  
706 or certification renewal. If the Department of Commerce ~~Economic~~  
707 ~~Opportunity~~ finds that the applicant does not meet the



224226

708 requirements, it shall notify the applicant ~~and Enterprise~~  
709 ~~Florida, Inc.~~, within 10 working days that the application for  
710 certification has been denied and the reasons for denial. The  
711 Department of Commerce ~~Economic Opportunity~~ has final approval  
712 authority for certification under this section.

713 d. The initial application and certification renewal  
714 statement must indicate, for program evaluation purposes only,  
715 the average number of full-time equivalent employees at the  
716 facility over the preceding calendar year, the average wage and  
717 benefits paid to those employees over the preceding calendar  
718 year, the total investment made in real and tangible personal  
719 property over the preceding calendar year, and the total value  
720 of tax-exempt purchases and taxes exempted during the previous  
721 year. The department shall assist the Department of Commerce  
722 ~~Economic Opportunity~~ in evaluating and verifying information  
723 provided in the application for exemption.

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

727 6. A business certified to receive this exemption may elect  
728 to designate one or more state universities or community  
729 colleges as recipients of up to 100 percent of the amount of the  
730 exemption. To receive these funds, the institution must agree to  
731 match the funds with equivalent cash, programs, services, or  
732 other in-kind support on a one-to-one basis for research and  
733 development projects requested by the certified business. The  
734 rights to any patents, royalties, or real or intellectual  
735 property must be vested in the business unless otherwise agreed  
736 to by the business and the university or community college.



224226

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

738 a. "Semiconductor technology products" means raw  
739 semiconductor wafers or semiconductor thin films that are  
740 transformed into semiconductor memory or logic wafers, including  
741 wafers containing mixed memory and logic circuits; related  
742 assembly and test operations; active-matrix flat panel displays;  
743 semiconductor chips; semiconductor lasers; optoelectronic  
744 elements; and related semiconductor technology products as  
745 determined by the Department of Commerce ~~Economic Opportunity~~.

746 b. "Clean rooms" means manufacturing facilities enclosed in  
747 a manner that meets the clean manufacturing requirements  
748 necessary for high-technology semiconductor-manufacturing  
749 environments.

750 c. "Defense technology products" means products that have a  
751 military application, including, but not limited to, weapons,  
752 weapons systems, guidance systems, surveillance systems,  
753 communications or information systems, munitions, aircraft,  
754 vessels, or boats, or components thereof, which are intended for  
755 military use and manufactured in performance of a contract with  
756 the United States Department of Defense or the military branch  
757 of a recognized foreign government or a subcontract thereunder  
758 which relates to matters of national defense.

759 d. "Space technology products" means products that are  
760 specifically designed or manufactured for application in space  
761 activities, including, but not limited to, space launch  
762 vehicles, space flight vehicles, missiles, satellites or  
763 research payloads, avionics, and associated control systems and  
764 processing systems and components of any of the foregoing. The  
765 term does not include products that are designed or manufactured



224226

766 for general commercial aviation or other uses even though those  
767 products may also serve an incidental use in space applications.

768 ~~(q) Entertainment industry tax credit; authorization;~~  
769 ~~eligibility for credits. The credits against the state sales tax~~  
770 ~~authorized pursuant to s. 288.1254 shall be deducted from any~~  
771 ~~sales and use tax remitted by the dealer to the department by~~  
772 ~~electronic funds transfer and may only be deducted on a sales~~  
773 ~~and use tax return initiated through electronic data~~  
774 ~~interchange. The dealer shall separately state the credit on the~~  
775 ~~electronic return. The net amount of tax due and payable must be~~  
776 ~~remitted by electronic funds transfer. If the credit for the~~  
777 ~~qualified expenditures is larger than the amount owed on the~~  
778 ~~sales and use tax return that is eligible for the credit, the~~  
779 ~~unused amount of the credit may be carried forward to a~~  
780 ~~succeeding reporting period as provided in s. 288.1254(4)(e). A~~  
781 ~~dealer may only obtain a credit using the method described in~~  
782 ~~this subparagraph. A dealer is not authorized to obtain a credit~~  
783 ~~by applying for a refund.~~

784 Section 16. Paragraph (a) of subsection (1) of section  
785 212.098, Florida Statutes, is amended to read:

786 212.098 Rural Job Tax Credit Program.—

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

788 (a) "Eligible business" means any sole proprietorship,  
789 firm, partnership, or corporation that is located in a qualified  
790 county and is predominantly engaged in, or is headquarters for a  
791 business predominantly engaged in, activities usually provided  
792 for consideration by firms classified within the following  
793 standard industrial classifications: SIC 01-SIC 09 (agriculture,  
794 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422



224226

795 (public warehousing and storage); SIC 70 (hotels and other  
796 lodging places); SIC 7391 (research and development); SIC 781  
797 (motion picture production and allied services); SIC 7992  
798 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~  
799 ~~targeted industry eligible for the qualified target industry~~  
800 ~~business tax refund under s. 288.106.~~ A call center or similar  
801 customer service operation that services a multistate market or  
802 an international market is also an eligible business. In  
803 addition, the Department of Commerce ~~Economic Opportunity~~ may,  
804 as part of its final budget request submitted pursuant to s.  
805 216.023, recommend additions to or deletions from the list of  
806 standard industrial classifications used to determine an  
807 eligible business, and the Legislature may implement such  
808 recommendations. Excluded from eligible receipts are receipts  
809 from retail sales, except such receipts for hotels and other  
810 lodging places classified in SIC 70, public golf courses in SIC  
811 7992, and amusement parks in SIC 7996. For purposes of this  
812 paragraph, the term "predominantly" means that more than 50  
813 percent of the business's gross receipts from all sources is  
814 generated by those activities usually provided for consideration  
815 by firms in the specified standard industrial classification.  
816 The determination of whether the business is located in a  
817 qualified county and the tier ranking of that county must be  
818 based on the date of application for the credit under this  
819 section. Commonly owned and controlled entities are to be  
820 considered a single business entity.

821 Section 17. Paragraph (d) of subsection (6) of section  
822 212.20, Florida Statutes, is amended to read:

823 212.20 Funds collected, disposition; additional powers of



824 department; operational expense; refund of taxes adjudicated  
825 unconstitutionally collected.—

826 (6) Distribution of all proceeds under this chapter and ss.  
827 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

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

831 1. In any fiscal year, the greater of \$500 million, minus  
832 an amount equal to 4.6 percent of the proceeds of the taxes  
833 collected pursuant to chapter 201, or 5.2 percent of all other  
834 taxes and fees imposed pursuant to this chapter or remitted  
835 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in  
836 monthly installments into the General Revenue Fund.

837 2. After the distribution under subparagraph 1., 8.9744  
838 percent of the amount remitted by a sales tax dealer located  
839 within a participating county pursuant to s. 218.61 shall be  
840 transferred into the Local Government Half-cent Sales Tax  
841 Clearing Trust Fund. Beginning July 1, 2003, the amount to be  
842 transferred shall be reduced by 0.1 percent, and the department  
843 shall distribute this amount to the Public Employees Relations  
844 Commission Trust Fund less \$5,000 each month, which shall be  
845 added to the amount calculated in subparagraph 3. and  
846 distributed accordingly.

847 3. After the distribution under subparagraphs 1. and 2.,  
848 0.0966 percent shall be transferred to the Local Government  
849 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
850 to s. 218.65.

851 4. After the distributions under subparagraphs 1., 2., and  
852 3., 2.0810 percent of the available proceeds shall be



224226

853 transferred monthly to the Revenue Sharing Trust Fund for  
854 Counties pursuant to s. 218.215.

855         5. After the distributions under subparagraphs 1., 2., and  
856 3., 1.3653 percent of the available proceeds shall be  
857 transferred monthly to the Revenue Sharing Trust Fund for  
858 Municipalities pursuant to s. 218.215. If the total revenue to  
859 be distributed pursuant to this subparagraph is at least as  
860 great as the amount due from the Revenue Sharing Trust Fund for  
861 Municipalities and the former Municipal Financial Assistance  
862 Trust Fund in state fiscal year 1999-2000, no municipality shall  
863 receive less than the amount due from the Revenue Sharing Trust  
864 Fund for Municipalities and the former Municipal Financial  
865 Assistance Trust Fund in state fiscal year 1999-2000. If the  
866 total proceeds to be distributed are less than the amount  
867 received in combination from the Revenue Sharing Trust Fund for  
868 Municipalities and the former Municipal Financial Assistance  
869 Trust Fund in state fiscal year 1999-2000, each municipality  
870 shall receive an amount proportionate to the amount it was due  
871 in state fiscal year 1999-2000.

872         6. Of the remaining proceeds:

873         a. In each fiscal year, the sum of \$29,915,500 shall be  
874 divided into as many equal parts as there are counties in the  
875 state, and one part shall be distributed to each county. The  
876 distribution among the several counties must begin each fiscal  
877 year on or before January 5th and continue monthly for a total  
878 of 4 months. If a local or special law required that any moneys  
879 accruing to a county in fiscal year 1999-2000 under the then-  
880 existing provisions of s. 550.135 be paid directly to the  
881 district school board, special district, or a municipal



224226

882 government, such payment must continue until the local or  
883 special law is amended or repealed. The state covenants with  
884 holders of bonds or other instruments of indebtedness issued by  
885 local governments, special districts, or district school boards  
886 before July 1, 2000, that it is not the intent of this  
887 subparagraph to adversely affect the rights of those holders or  
888 relieve local governments, special districts, or district school  
889 boards of the duty to meet their obligations as a result of  
890 previous pledges or assignments or trusts entered into which  
891 obligated funds received from the distribution to county  
892 governments under then-existing s. 550.135. This distribution  
893 specifically is in lieu of funds distributed under s. 550.135  
894 before July 1, 2000.

895 b. The department shall distribute \$166,667 monthly to each  
896 applicant certified as a facility for a new or retained  
897 professional sports franchise pursuant to s. 288.1162. Up to  
898 \$41,667 shall be distributed monthly by the department to each  
899 certified applicant as defined in s. 288.11621 for a facility  
900 for a spring training franchise. However, not more than \$416,670  
901 may be distributed monthly in the aggregate to all certified  
902 applicants for facilities for spring training franchises.  
903 Distributions begin 60 days after such certification and  
904 continue for not more than 30 years, except as otherwise  
905 provided in s. 288.11621. A certified applicant identified in  
906 this sub-subparagraph may not receive more in distributions than  
907 expended by the applicant for the public purposes provided in s.  
908 288.1162(5) or s. 288.11621(3).

909 ~~e. Beginning 30 days after notice by the Department of~~  
910 ~~Economic Opportunity to the Department of Revenue that an~~





224226

911 ~~applicant has been certified as the professional golf hall of~~  
912 ~~fame pursuant to s. 288.1168 and is open to the public, \$166,667~~  
913 ~~shall be distributed monthly, for up to 300 months, to the~~  
914 ~~applicant.~~

915 ~~d. Beginning 30 days after notice by the Department of~~  
916 ~~Economic Opportunity to the Department of Revenue that the~~  
917 ~~applicant has been certified as the International Game Fish~~  
918 ~~Association World Center facility pursuant to s. 288.1169, and~~  
919 ~~the facility is open to the public, \$83,333 shall be distributed~~  
920 ~~monthly, for up to 168 months, to the applicant. This~~  
921 ~~distribution is subject to reduction pursuant to s. 288.1169.~~

922 ~~c.e.~~ The department shall distribute up to \$83,333 monthly  
923 to each certified applicant as defined in s. 288.11631 for a  
924 facility used by a single spring training franchise, or up to  
925 \$166,667 monthly to each certified applicant as defined in s.  
926 288.11631 for a facility used by more than one spring training  
927 franchise. Monthly distributions begin 60 days after such  
928 certification or July 1, 2016, whichever is later, and continue  
929 for not more than 20 years to each certified applicant as  
930 defined in s. 288.11631 for a facility used by a single spring  
931 training franchise or not more than 25 years to each certified  
932 applicant as defined in s. 288.11631 for a facility used by more  
933 than one spring training franchise. A certified applicant  
934 identified in this sub-subparagraph may not receive more in  
935 distributions than expended by the applicant for the public  
936 purposes provided in s. 288.11631(3).

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

939 ~~e.g.~~ (I) On or before July 25, 2021, August 25, 2021, and



224226

940 September 25, 2021, the department shall distribute \$324,533,334  
941 in each of those months to the Unemployment Compensation Trust  
942 Fund, less an adjustment for refunds issued from the General  
943 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the  
944 distribution. The adjustments made by the department to the  
945 total distributions shall be equal to the total refunds made  
946 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be  
947 subtracted from any single distribution exceeds the  
948 distribution, the department may not make that distribution and  
949 must subtract the remaining balance from the next distribution.

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

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

959 (IV) This sub-subparagraph is repealed, and the department  
960 shall end monthly distributions under sub-sub-subparagraph (II),  
961 on the date the department receives certification under sub-sub-  
962 subparagraph (III).

963 7. All other proceeds must remain in the General Revenue  
964 Fund.

965 Section 18. Section 212.205, Florida Statutes, is amended  
966 to read:

967 212.205 Sales tax distribution reporting.—By March 15 of  
968 each year, each person who received a distribution pursuant to



969 s. 212.20(6)(d)6.b. and c. ~~s. 212.20(6)(d)6.b. e.~~ in the  
970 preceding calendar year shall report to the Office of Economic  
971 and Demographic Research the following information:

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

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

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

980 Section 19. Paragraph (aa) of subsection (8) of section  
981 213.053, Florida Statutes, is amended to read:

982 213.053 Confidentiality and information sharing.—

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

985 (aa) Information relating to tax credits taken under former  
986 s. 220.194 to Space Florida.

987  
988 Disclosure of information under this subsection shall be  
989 pursuant to a written agreement between the executive director  
990 and the agency. Such agencies, governmental or nongovernmental,  
991 shall be bound by the same requirements of confidentiality as  
992 the Department of Revenue. Breach of confidentiality is a  
993 misdemeanor of the first degree, punishable as provided by s.  
994 775.082 or s. 775.083.

995 Section 20. Subsection (3) of section 218.64, Florida  
996 Statutes, is amended to read:

997 218.64 Local government half-cent sales tax; uses;



224226

998 limitations.-

999 (3) Subject to ordinances enacted by the majority of the  
1000 members of the county governing authority and by the majority of  
1001 the members of the governing authorities of municipalities  
1002 representing at least 50 percent of the municipal population of  
1003 such county, counties may use up to \$3 million annually of the  
1004 local government half-cent sales tax allocated to that county  
1005 for any of the following purposes:

1006 (a) Funding a certified applicant as a facility for a new  
1007 or retained professional sports franchise under s. 288.1162 or a  
1008 certified applicant as defined in s. 288.11621 for a facility  
1009 for a spring training franchise. It is the Legislature's intent  
1010 that the provisions of s. 288.1162, including, but not limited  
1011 to, the evaluation process by the Department of Commerce  
1012 ~~Economic Opportunity~~ except for the limitation on the number of  
1013 certified applicants or facilities as provided in that section  
1014 and the restrictions set forth in s. 288.1162(8), shall apply to  
1015 an applicant's facility to be funded by local government as  
1016 provided in this subsection.

1017 (b) Funding an a-certified applicant certified before July  
1018 1, 2023, as a "motorsport entertainment complex," as provided  
1019 for in former s. 288.1171. Funding for each franchise or  
1020 motorsport complex shall begin 60 days after certification and  
1021 shall continue for not more than 30 years.

1022 Section 21. Subsection (8) of section 220.02, Florida  
1023 Statutes, is amended to read:

1024 220.02 Legislative intent.-

1025 (8) It is the intent of the Legislature that credits  
1026 against either the corporate income tax or the franchise tax be



1027 applied in the following order: those enumerated in s. 631.828,  
1028 those enumerated in s. 220.191, those enumerated in s. 220.181,  
1029 those enumerated in s. 220.183, those enumerated in s. 220.182,  
1030 those enumerated in s. 220.1895, those enumerated in s. 220.195,  
1031 those enumerated in s. 220.184, those enumerated in s. 220.186,  
1032 those enumerated in s. 220.1845, those enumerated in s. 220.19,  
1033 those enumerated in s. 220.185, those enumerated in s. 220.1875,  
1034 those enumerated in s. 220.1876, those enumerated in s.  
1035 220.1877, those enumerated in s. 220.193, those enumerated in  
1036 former s. 288.9916, those enumerated in former s. 220.1899,  
1037 those enumerated in former s. 220.194, those enumerated in s.  
1038 220.196, those enumerated in s. 220.198, and those enumerated in  
1039 s. 220.1915.

1040 Section 22. Paragraphs (a) and (b) of subsection (1) of  
1041 section 220.13, Florida Statutes, are amended to read:

1042 220.13 "Adjusted federal income" defined.—

1043 (1) The term "adjusted federal income" means an amount  
1044 equal to the taxpayer's taxable income as defined in subsection  
1045 (2), or such taxable income of more than one taxpayer as  
1046 provided in s. 220.131, for the taxable year, adjusted as  
1047 follows:

1048 (a) *Additions*.—There shall be added to such taxable income:

1049 1.a. The amount of any tax upon or measured by income,  
1050 excluding taxes based on gross receipts or revenues, paid or  
1051 accrued as a liability to the District of Columbia or any state  
1052 of the United States which is deductible from gross income in  
1053 the computation of taxable income for the taxable year.

1054 b. Notwithstanding sub-subparagraph a., if a credit taken  
1055 under s. 220.1875, s. 220.1876, or s. 220.1877 is added to



1056 taxable income in a previous taxable year under subparagraph 11.  
1057 and is taken as a deduction for federal tax purposes in the  
1058 current taxable year, the amount of the deduction allowed shall  
1059 not be added to taxable income in the current year. The  
1060 exception in this sub-subparagraph is intended to ensure that  
1061 the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is  
1062 added in the applicable taxable year and does not result in a  
1063 duplicate addition in a subsequent year.

1064 2. The amount of interest which is excluded from taxable  
1065 income under s. 103(a) of the Internal Revenue Code or any other  
1066 federal law, less the associated expenses disallowed in the  
1067 computation of taxable income under s. 265 of the Internal  
1068 Revenue Code or any other law, excluding 60 percent of any  
1069 amounts included in alternative minimum taxable income, as  
1070 defined in s. 55(b)(2) of the Internal Revenue Code, if the  
1071 taxpayer pays tax under s. 220.11(3).

1072 3. In the case of a regulated investment company or real  
1073 estate investment trust, an amount equal to the excess of the  
1074 net long-term capital gain for the taxable year over the amount  
1075 of the capital gain dividends attributable to the taxable year.

1076 4. That portion of the wages or salaries paid or incurred  
1077 for the taxable year which is equal to the amount of the credit  
1078 allowable for the taxable year under s. 220.181. This  
1079 subparagraph shall expire on the date specified in s. 290.016  
1080 for the expiration of the Florida Enterprise Zone Act.

1081 5. That portion of the ad valorem school taxes paid or  
1082 incurred for the taxable year which is equal to the amount of  
1083 the credit allowable for the taxable year under s. 220.182. This  
1084 subparagraph shall expire on the date specified in s. 290.016



224226

1085 for the expiration of the Florida Enterprise Zone Act.

1086 6. The amount taken as a credit under s. 220.195 which is  
1087 deductible from gross income in the computation of taxable  
1088 income for the taxable year.

1089 7. That portion of assessments to fund a guaranty  
1090 association incurred for the taxable year which is equal to the  
1091 amount of the credit allowable for the taxable year.

1092 8. In the case of a nonprofit corporation which holds a  
1093 pari-mutuel permit and which is exempt from federal income tax  
1094 as a farmers' cooperative, an amount equal to the excess of the  
1095 gross income attributable to the pari-mutuel operations over the  
1096 attributable expenses for the taxable year.

1097 9. The amount taken as a credit for the taxable year under  
1098 s. 220.1895.

1099 10. Up to nine percent of the eligible basis of any  
1100 designated project which is equal to the credit allowable for  
1101 the taxable year under s. 220.185.

1102 11. Any amount taken as a credit for the taxable year under  
1103 s. 220.1875, s. 220.1876, or s. 220.1877. The addition in this  
1104 subparagraph is intended to ensure that the same amount is not  
1105 allowed for the tax purposes of this state as both a deduction  
1106 from income and a credit against the tax. This addition is not  
1107 intended to result in adding the same expense back to income  
1108 more than once.

1109 12. The amount taken as a credit for the taxable year under  
1110 s. 220.193.

1111 ~~13. Any portion of a qualified investment, as defined in s.~~  
1112 ~~288.9913, which is claimed as a deduction by the taxpayer and~~  
1113 ~~taken as a credit against income tax pursuant to s. 288.9916.~~



224226

1114 ~~14. The costs to acquire a tax credit pursuant to s.~~  
1115 ~~288.1254(5) that are deducted from or otherwise reduce federal~~  
1116 ~~taxable income for the taxable year.~~

1117 ~~15. The amount taken as a credit for the taxable year~~  
1118 ~~pursuant to s. 220.194.~~

1119 16. The amount taken as a credit for the taxable year under  
1120 s. 220.196. The addition in this subparagraph is intended to  
1121 ensure that the same amount is not allowed for the tax purposes  
1122 of this state as both a deduction from income and a credit  
1123 against the tax. The addition is not intended to result in  
1124 adding the same expense back to income more than once.

1125 ~~14.17.~~ The amount taken as a credit for the taxable year  
1126 pursuant to s. 220.198.

1127 ~~15.18.~~ The amount taken as a credit for the taxable year  
1128 pursuant to s. 220.1915.

1129 (b) *Subtractions.*—

1130 1. There shall be subtracted from such taxable income:

1131 a. The net operating loss deduction allowable for federal  
1132 income tax purposes under s. 172 of the Internal Revenue Code  
1133 for the taxable year, ~~except that any net operating loss that is~~  
1134 ~~transferred pursuant to s. 220.194(6) may not be deducted by the~~  
1135 ~~seller,~~

1136 b. The net capital loss allowable for federal income tax  
1137 purposes under s. 1212 of the Internal Revenue Code for the  
1138 taxable year,

1139 c. The excess charitable contribution deduction allowable  
1140 for federal income tax purposes under s. 170(d)(2) of the  
1141 Internal Revenue Code for the taxable year, and

1142 d. The excess contributions deductions allowable for





1143 federal income tax purposes under s. 404 of the Internal Revenue  
1144 Code for the taxable year.

1145  
1146 However, a net operating loss and a capital loss shall never be  
1147 carried back as a deduction to a prior taxable year, but all  
1148 deductions attributable to such losses shall be deemed net  
1149 operating loss carryovers and capital loss carryovers,  
1150 respectively, and treated in the same manner, to the same  
1151 extent, and for the same time periods as are prescribed for such  
1152 carryovers in ss. 172 and 1212, respectively, of the Internal  
1153 Revenue Code.

1154 2. There shall be subtracted from such taxable income any  
1155 amount to the extent included therein the following:

1156 a. Dividends treated as received from sources without the  
1157 United States, as determined under s. 862 of the Internal  
1158 Revenue Code.

1159 b. All amounts included in taxable income under s. 78, s.  
1160 951, or s. 951A of the Internal Revenue Code.

1161  
1162 However, any amount subtracted under this subparagraph is  
1163 allowed only to the extent such amount is not deductible in  
1164 determining federal taxable income. As to any amount subtracted  
1165 under this subparagraph, there shall be added to such taxable  
1166 income all expenses deducted on the taxpayer's return for the  
1167 taxable year which are attributable, directly or indirectly, to  
1168 such subtracted amount. Further, no amount shall be subtracted  
1169 with respect to dividends paid or deemed paid by a Domestic  
1170 International Sales Corporation.

1171 3. In computing "adjusted federal income" for taxable years



224226

1172 beginning after December 31, 1976, there shall be allowed as a  
1173 deduction the amount of wages and salaries paid or incurred  
1174 within this state for the taxable year for which no deduction is  
1175 allowed pursuant to s. 280C(a) of the Internal Revenue Code  
1176 (relating to credit for employment of certain new employees).

1177 4. There shall be subtracted from such taxable income any  
1178 amount of nonbusiness income included therein.

1179 5. There shall be subtracted any amount of taxes of foreign  
1180 countries allowable as credits for taxable years beginning on or  
1181 after September 1, 1985, under s. 901 of the Internal Revenue  
1182 Code to any corporation which derived less than 20 percent of  
1183 its gross income or loss for its taxable year ended in 1984 from  
1184 sources within the United States, as described in s.  
1185 861(a)(2)(A) of the Internal Revenue Code, not including credits  
1186 allowed under ss. 902 and 960 of the Internal Revenue Code,  
1187 withholding taxes on dividends within the meaning of sub-  
1188 subparagraph 2.a., and withholding taxes on royalties, interest,  
1189 technical service fees, and capital gains.

1190 6. Notwithstanding any other provision of this code, except  
1191 with respect to amounts subtracted pursuant to subparagraphs 1.  
1192 and 3., any increment of any apportionment factor which is  
1193 directly related to an increment of gross receipts or income  
1194 which is deducted, subtracted, or otherwise excluded in  
1195 determining adjusted federal income shall be excluded from both  
1196 the numerator and denominator of such apportionment factor.  
1197 Further, all valuations made for apportionment factor purposes  
1198 shall be made on a basis consistent with the taxpayer's method  
1199 of accounting for federal income tax purposes.

1200 Section 23. Subsection (5) of section 220.16, Florida



224226

1201 Statutes, is amended to read:

1202       220.16 Allocation of nonbusiness income.—Nonbusiness income  
1203 shall be allocated as follows:

1204       ~~(5) The amount of payments received in exchange for~~  
1205 ~~transferring a net operating loss authorized by s. 220.194 is~~  
1206 ~~allocable to the state.~~

1207       Section 24. Section 220.1899, Florida Statutes, is  
1208 repealed.

1209       Section 25. Present paragraphs (a) through (g) of  
1210 subsection (1) of section 220.191, Florida Statutes, are  
1211 redesignated as paragraphs (b) through (h), respectively, a new  
1212 paragraph (a) is added to that subsection, and present paragraph  
1213 (g) of subsection (1), paragraph (a) of subsection (3), and  
1214 subsections (5) and (6) of that section are amended, to read:

1215       220.191 Capital investment tax credit.—

1216       (1) DEFINITIONS.—For purposes of this section:

1217       (a) "Average private sector wage in the area" means the  
1218 statewide private sector average wage or the average of all  
1219 private sector wages and salaries in the county or in the  
1220 standard metropolitan area in which a business is located.

1221       (h) ~~(g)~~ "Qualifying project" means a facility in this state  
1222 meeting one or more of the following criteria:

1223       1. A new or expanding facility in this state which creates  
1224 at least 100 new jobs in this state and is in one of the high-  
1225 impact sectors identified and designated by Enterprise Florida,  
1226 Inc., and certified by the Department of Commerce Economic  
1227 Opportunity pursuant to s. 288.108(6), including, but not  
1228 limited to, aviation, aerospace, automotive, and silicon  
1229 technology industries. However, between July 1, 2011, and June



224226

1230 30, 2014, the requirement that a facility be in a high-impact  
1231 sector is waived for any otherwise eligible business from  
1232 another state which locates all or a portion of its business to  
1233 a Disproportionally Affected County. For purposes of this  
1234 section, the term "Disproportionally Affected County" means Bay  
1235 County, Escambia County, Franklin County, Gulf County, Okaloosa  
1236 County, Santa Rosa County, Walton County, or Wakulla County.

1237 2. A new or expanded facility in this state which is  
1238 engaged in a target industry designated pursuant to the  
1239 procedure specified in s. 288.005(7) ~~s. 288.106(2)~~ and which is  
1240 induced by this credit to create or retain at least 1,000 jobs  
1241 in this state, provided that at least 100 of those jobs are new,  
1242 pay an annual average wage of at least 130 percent of the  
1243 average private sector wage in the area ~~as defined in s.~~  
1244 ~~288.106(2)~~, and make a cumulative capital investment of at least  
1245 \$100 million. Jobs may be considered retained only if there is  
1246 significant evidence that the loss of jobs is imminent.  
1247 Notwithstanding subsection (2), annual credits against the tax  
1248 imposed by this chapter may not exceed 50 percent of the  
1249 increased annual corporate income tax liability or the premium  
1250 tax liability generated by or arising out of a project  
1251 qualifying under this subparagraph. A facility that qualifies  
1252 under this subparagraph for an annual credit against the tax  
1253 imposed by this chapter may take the tax credit for a period not  
1254 to exceed 5 years.

1255 3. A new or expanded headquarters facility in this state  
1256 which locates in an enterprise zone and brownfield area and is  
1257 induced by this credit to create at least 1,500 jobs which on  
1258 average pay at least 200 percent of the statewide average annual



224226

1259 private sector wage, as published by the Department of Commerce  
1260 ~~Economic Opportunity~~, and which new or expanded headquarters  
1261 facility makes a cumulative capital investment in this state of  
1262 at least \$250 million.

1263 (3) (a) Notwithstanding subsection (2), an annual credit  
1264 against the tax imposed by this chapter shall be granted to a  
1265 qualifying business which establishes a qualifying project  
1266 pursuant to subparagraph (1) (h) 3. ~~(1) (g) 3.~~, in an amount equal  
1267 to the lesser of \$15 million or 5 percent of the eligible  
1268 capital costs made in connection with a qualifying project, for  
1269 a period not to exceed 20 years beginning with the commencement  
1270 of operations of the project. The tax credit shall be granted  
1271 against the corporate income tax liability of the qualifying  
1272 business and as further provided in paragraph (c). The total tax  
1273 credit provided pursuant to this subsection shall be equal to no  
1274 more than 100 percent of the eligible capital costs of the  
1275 qualifying project.

1276 (5) Applications shall be reviewed and certified pursuant  
1277 to s. 288.061. The Department of Commerce ~~Economic Opportunity,~~  
1278 ~~upon a recommendation by Enterprise Florida, Inc.,~~ shall first  
1279 certify a business as eligible to receive tax credits pursuant  
1280 to this section prior to the commencement of operations of a  
1281 qualifying project, and such certification shall be transmitted  
1282 to the Department of Revenue. Upon receipt of the certification,  
1283 the Department of Revenue shall enter into a written agreement  
1284 with the qualifying business specifying, at a minimum, the  
1285 method by which income generated by or arising out of the  
1286 qualifying project will be determined.

1287 (6) The Department of Commerce ~~Economic Opportunity,~~ in



224226

1288 ~~consultation with Enterprise Florida, Inc.,~~ is authorized to  
1289 develop the necessary guidelines and application materials for  
1290 the certification process described in subsection (5).

1291 Section 26. Section 220.194, Florida Statutes, is repealed.

1292 Section 27. Paragraph (b) of subsection (1) and paragraph  
1293 (a) of subsection (2) of section 220.196, Florida Statutes, are  
1294 amended to read:

1295 220.196 Research and development tax credit.—

1296 (1) DEFINITIONS.—As used in this section, the term:

1297 (b) "Business enterprise" means any corporation as defined  
1298 in s. 220.03 which meets the definition of a target industry  
1299 business as defined in s. 288.005 ~~s. 288.106~~.

1300 (2) TAX CREDIT.—

1301 (a) As provided in this section, a business enterprise is  
1302 eligible for a credit against the tax imposed by this chapter if  
1303 it:

1304 1. Has qualified research expenses in this state in the  
1305 taxable year exceeding the base amount;

1306 2. Claims and is allowed a research credit for such  
1307 qualified research expenses under 26 U.S.C. s. 41 for the same  
1308 taxable year as subparagraph 1.; and

1309 3. Is a qualified target industry business as defined in  
1310 former s. 288.106(2)(n), Florida Statutes 2022. Only qualified  
1311 target industry businesses in the manufacturing, life sciences,  
1312 information technology, aviation and aerospace, homeland  
1313 security and defense, cloud information technology, marine  
1314 sciences, materials science, and nanotechnology industries may  
1315 qualify for a tax credit under this section. A business applying  
1316 for a credit pursuant to this section shall include a letter



224226

1317 from the Department of Commerce ~~Economic Opportunity~~ certifying  
1318 whether the business meets the requirements of this subparagraph  
1319 with its application for credit. The Department of Commerce  
1320 ~~Economic Opportunity~~ shall provide such a letter upon receiving  
1321 a request.

1322 Section 28. Section 272.11, Florida Statutes, is amended to  
1323 read:

1324 272.11 Capitol information center.—The Florida Tourism  
1325 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, shall  
1326 establish, maintain, and operate a Capitol information center  
1327 somewhere within the area of the Capitol Center and employ  
1328 personnel or enter into contracts to maintain same.

1329 Section 29. Paragraph (f) of subsection (1) of section  
1330 287.0947, Florida Statutes, is amended to read:

1331 287.0947 Florida Advisory Council on Small and Minority  
1332 Business Development; creation; membership; duties.—

1333 (1) The Secretary of Management Services may create the  
1334 Florida Advisory Council on Small and Minority Business  
1335 Development with the purpose of advising and assisting the  
1336 secretary in carrying out the secretary's duties with respect to  
1337 minority businesses and economic and business development. It is  
1338 the intent of the Legislature that the membership of such  
1339 council include practitioners, laypersons, financiers, and  
1340 others with business development experience who can provide  
1341 invaluable insight and expertise for this state in the  
1342 diversification of its markets and networking of business  
1343 opportunities. The council shall initially consist of 19  
1344 persons, each of whom is or has been actively engaged in small  
1345 and minority business development, either in private industry,



1346 in governmental service, or as a scholar of recognized  
1347 achievement in the study of such matters. Initially, the council  
1348 shall consist of members representing all regions of the state  
1349 and shall include at least one member from each group identified  
1350 within the definition of "minority person" in s. 288.703(4),  
1351 considering also gender and nationality subgroups, and shall  
1352 consist of the following:

1353 (f) The Secretary of Commerce or his or her designee ~~A~~  
1354 ~~member from the board of directors of Enterprise Florida, Inc.~~  
1355

1356 A candidate for appointment may be considered if eligible to be  
1357 certified as an owner of a minority business enterprise, or if  
1358 otherwise qualified under the criteria above. Vacancies may be  
1359 filled by appointment of the secretary, in the manner of the  
1360 original appointment.

1361 Section 30. Paragraph (e) of subsection (1) of section  
1362 287.137, Florida Statutes, is amended to read:

1363 287.137 Antitrust violations; denial or revocation of the  
1364 right to transact business with public entities; denial of  
1365 economic benefits.—

1366 (1) As used in this section, the term:

1367 (e) "Economic incentives" means state grants, cash grants,  
1368 tax exemptions, tax refunds, tax credits, state funds, and other  
1369 state incentives under chapter 288 or administered by the  
1370 Department of Commerce ~~Enterprise Florida, Inc.~~

1371 Section 31. Subsections (2) and (4) of section 288.0001,  
1372 Florida Statutes, are amended to read:

1373 288.0001 Economic Development Programs Evaluation.—The  
1374 Office of Economic and Demographic Research and the Office of





224226

1375 Program Policy Analysis and Government Accountability (OPPAGA)  
1376 shall develop and present to the Governor, the President of the  
1377 Senate, the Speaker of the House of Representatives, and the  
1378 chairs of the legislative appropriations committees the Economic  
1379 Development Programs Evaluation.

1380 (2) The Office of Economic and Demographic Research and  
1381 OPPAGA shall provide a detailed analysis of economic development  
1382 programs as provided in the following schedule:

1383 (a) By January 1, 2014, and every 3 years thereafter, an  
1384 analysis of the following:

1385 1. The capital investment tax credit established under s.  
1386 220.191.

1387 2. Space Florida established under s. 331.302.

1388 3. The research and development tax credit established  
1389 under 220.196.

1390 4. The Urban High-Crime Area Job Tax Credit Program  
1391 established under s. 212.097 and authorized under s. 220.1895.

1392 5. The Rural Job Tax Credit Program established under s.  
1393 212.098 and authorized under s. 220.1895.

1394 6. The Florida Job Growth Grant Fund established under s.  
1395 288.101 ~~The qualified target industry tax refund established~~  
1396 ~~under s. 288.106.~~

1397 ~~7.3.~~ The brownfield redevelopment bonus refund established  
1398 under s. 288.107.

1399 ~~4. High-impact business performance grants established~~  
1400 ~~under s. 288.108.~~

1401 ~~5. The Quick Action Closing Fund established under s.~~  
1402 ~~288.1088.~~

1403 ~~6. The Innovation Incentive Program established under s.~~



224226

1404 ~~288.1089.~~  
1405 ~~7. Enterprise Zone Program incentives established under ss.~~  
1406 ~~212.08(5) and (15), 212.096, 220.181, and 220.182.~~  
1407 ~~8. The New Markets Development Program established under~~  
1408 ~~ss. 288.991-288.9922.~~  
1409 (b) By January 1, 2015, and every 3 years thereafter, an  
1410 analysis of ~~the following:~~  
1411 1. ~~The entertainment industry financial incentive program~~  
1412 ~~established under s. 288.1254.~~  
1413 2. The entertainment industry sales tax exemption program  
1414 established under s. 288.1258.  
1415 ~~2.3.~~ VISIT Florida and its programs established or funded  
1416 under ss. 288.122, 288.1226, 288.12265, and 288.124.  
1417 ~~3.4.~~ The Florida Sports Foundation and related programs,  
1418 including those established under ss. 288.1162, 288.11621,  
1419 288.1166, and 288.1167, ~~288.1168, 288.1169, and 288.1171.~~  
1420 (c) By January 1, 2016, and every 3 years thereafter, an  
1421 analysis of the following:  
1422 1. ~~The qualified defense contractor and space flight~~  
1423 ~~business tax refund program established under s. 288.1045.~~  
1424 2. The tax exemption for semiconductor, defense, or space  
1425 technology sales established under s. 212.08(5)(j).  
1426 ~~2.3.~~ The Military Base Protection Program established under  
1427 s. 288.980.  
1428 ~~3.4.~~ The Quick Response Training Program established under  
1429 s. 288.047.  
1430 ~~4.5.~~ The Incumbent Worker Training Program established  
1431 under s. 445.003.  
1432 ~~5.6.~~ The direct-support organization and international



224226

1433 trade and business development programs established or funded  
1434 under s. 288.012 or s. 288.826.

1435 ~~6.(d) By January 1, 2019, and every 3 years thereafter, an~~  
1436 ~~analysis of~~ The grant and entrepreneur initiative programs  
1437 established under s. 295.22(3)(d) and (e).

1438 (4) Pursuant to the schedule established in subsection (2),  
1439 OPPAGA shall evaluate each program over the previous 3 years for  
1440 its effectiveness and value to the taxpayers of this state and  
1441 include recommendations on each program for consideration by the  
1442 Legislature. The analysis may include relevant economic  
1443 development reports or analyses prepared by the department ~~of~~  
1444 ~~Economic Opportunity, Enterprise Florida, Inc.,~~ or local or  
1445 regional economic development organizations, ~~+~~ interviews with  
1446 the parties involved, ~~+~~ or any other relevant data.

1447 Section 32. Paragraph (b) of subsection (4) of section  
1448 288.001, Florida Statutes, is amended to read:

1449 288.001 The Florida Small Business Development Center  
1450 Network.—

1451 (4) STATEWIDE ADVISORY BOARD.—

1452 (b) The statewide advisory board shall consist of 19  
1453 members from across the state. At least 12 members must be  
1454 representatives of the private sector who are knowledgeable of  
1455 the needs and challenges of small businesses. The members must  
1456 represent various segments and industries of the economy in this  
1457 state and must bring knowledge and skills to the statewide  
1458 advisory board which would enhance the board's collective  
1459 knowledge of small business assistance needs and challenges.  
1460 Minority and gender representation must be considered when  
1461 making appointments to the board. The board must include the



224226

1462 following members:

1463 1. Three members appointed from the private sector by the  
1464 President of the Senate.

1465 2. Three members appointed from the private sector by the  
1466 Speaker of the House of Representatives.

1467 3. Three members appointed from the private sector by the  
1468 Governor.

1469 4. Three members appointed from the private sector by the  
1470 network's statewide director.

1471 5. One member appointed by the host institution.

1472 6. The Secretary of Commerce ~~President of Enterprise~~  
1473 ~~Florida, Inc.~~, or his or her designee.

1474 7. The Chief Financial Officer or his or her designee.

1475 8. The President of the Florida Chamber of Commerce or his  
1476 or her designee.

1477 9. The Small Business Development Center Project Officer  
1478 from the U.S. Small Business Administration at the South Florida  
1479 District Office or his or her designee.

1480 10. The executive director of the National Federation of  
1481 Independent Businesses, Florida, or his or her designee.

1482 11. The executive director of the Florida United Business  
1483 Association or his or her designee.

1484 Section 33. Present subsections (1), (3), (4), and (5) of  
1485 section 288.005, Florida Statutes, are redesignated as  
1486 subsections (3), (4), (5), and (6), respectively, and a new  
1487 subsection (1) and subsections (7), (8), and (9) are added to  
1488 that section, to read:

1489 288.005 Definitions.—As used in this chapter, the term:

1490 (1) "County destination marketing organization" means a



224226

1491 public or private agency that is funded by local option tourist  
1492 development tax revenues under s. 125.0104, or local option  
1493 convention development tax revenues under s. 212.0305, and is  
1494 officially designated by a county commission to market and  
1495 promote the area for tourism or convention business or, in any  
1496 county that has not levied such taxes, a public or private  
1497 agency that is officially designated by the county commission to  
1498 market and promote the area for tourism or convention business.

1499 (7) "Target industry business" means a corporate  
1500 headquarters business or any business that is engaged in one of  
1501 the target industries identified pursuant to the following  
1502 criteria developed by the Department of Commerce:

1503 (a) *Future growth.*—The industry forecast indicates strong  
1504 expectation for future growth in employment and output,  
1505 according to the most recent available data. Special  
1506 consideration should be given to businesses that export goods  
1507 to, or provide services in, international markets and businesses  
1508 that onshore business operations to replace domestic and  
1509 international imports of goods or services.

1510 (b) *Stability.*—The industry is not subject to periodic  
1511 layoffs, whether due to seasonality or sensitivity to volatile  
1512 economic variables such as weather. The industry is also  
1513 relatively resistant to recession, so that the demand for  
1514 products of this industry is not typically subject to decline  
1515 during an economic downturn.

1516 (c) *High wage.*—The industry pays relatively high wages  
1517 compared to statewide or area averages.

1518 (d) *Market and resource independent.*—The industry business  
1519 location is not dependent on markets or resources in the state



224226

1520 as indicated by industry analysis, except for businesses in the  
1521 renewable energy industry.

1522 (e) *Industrial base diversification and strengthening.*—The  
1523 industry contributes toward expanding or diversifying the  
1524 state's or area's economic base, as indicated by analysis of  
1525 employment and output shares compared to national and regional  
1526 trends. Special consideration should be given to industries that  
1527 strengthen regional economies by adding value to basic products  
1528 or building regional industrial clusters as indicated by  
1529 industry analysis. Special consideration should also be given to  
1530 the development of strong industrial clusters that include  
1531 defense and homeland security businesses.

1532 (f) *Positive economic impact.*—The industry has strong  
1533 positive economic impacts on or benefits to the state or  
1534 regional economies. Special consideration should be given to  
1535 industries that facilitate the development of the state as a hub  
1536 for domestic and global trade and logistics.

1537  
1538 The term does not include any business engaged in retail  
1539 industry activities; any electrical utility company as defined  
1540 in s. 366.02(4); any phosphate or other solid minerals  
1541 severance, mining, or processing operation; any oil or gas  
1542 exploration or production operation; or any business subject to  
1543 regulation by the Division of Hotels and Restaurants of the  
1544 Department of Business and Professional Regulation. Any business  
1545 within NAICS code 5611 or 5614, office administrative services  
1546 and business support services, respectively, may be considered a  
1547 target industry business only after the local governing body and  
1548 the Department of Commerce determine that the community in which



224226

1549 the business may locate has conditions affecting the fiscal and  
1550 economic viability of the local community or area, including,  
1551 but not limited to, low per capita income, high unemployment,  
1552 high underemployment, and a lack of year-round stable employment  
1553 opportunities, and such conditions may be improved by the  
1554 business locating in such community. By January 1 of every 3rd  
1555 year, beginning January 1, 2011, the Department of Commerce, in  
1556 consultation with economic development organizations, the State  
1557 University System, local governments, employee and employer  
1558 organizations, market analysts, and economists, shall review  
1559 and, as appropriate, revise the list of target industries and  
1560 submit the list to the Governor, the President of the Senate,  
1561 and the Speaker of the House of Representatives.

1562 (8) "Tourism marketing" means any effort exercised to  
1563 attract domestic and international visitors from outside the  
1564 state to destinations in this state and to stimulate Florida  
1565 resident tourism to areas within the state.

1566 (9) "Tourist" means any person who participates in trade or  
1567 recreation activities outside the county of his or her permanent  
1568 residence or who rents or leases transient living quarters or  
1569 accommodations as described in s. 125.0104(3)(a).

1570 Section 34. Section 288.012, Florida Statutes, is amended  
1571 to read:

1572 288.012 State of Florida international offices; direct-  
1573 support organization.—The Legislature finds that the expansion  
1574 of international trade and tourism is vital to the overall  
1575 health and growth of the economy of this state. This expansion  
1576 is hampered by the lack of technical and business assistance,  
1577 financial assistance, and information services for businesses in



1578 this state. The Legislature finds that these businesses could be  
1579 assisted by providing these services at State of Florida  
1580 international offices. The Legislature further finds that the  
1581 accessibility and provision of services at these offices can be  
1582 enhanced through cooperative agreements or strategic alliances  
1583 between private businesses and state, local, and international  
1584 governmental entities.

1585 (1) The department is authorized to:

1586 (a) Establish and operate offices in other countries for  
1587 the purpose of promoting trade and economic development  
1588 opportunities of the state, and promoting the gathering of trade  
1589 data information and research on trade opportunities in specific  
1590 countries.

1591 (b) Enter into agreements with governmental and private  
1592 sector entities to establish and operate offices in other  
1593 countries which contain provisions that may conflict with the  
1594 general laws of the state pertaining to the purchase of office  
1595 space, employment of personnel, and contracts for services. When  
1596 agreements pursuant to this section are made which set  
1597 compensation in another country's currency, such agreements  
1598 shall be subject to the requirements of s. 215.425, but the  
1599 purchase of another country's currency by the department to meet  
1600 such obligations shall be subject only to s. 216.311.

1601 (2) Each international office shall have in place an  
1602 operational plan approved by the participating boards or other  
1603 governing authority, a copy of which shall be provided to the  
1604 department. These operating plans shall be reviewed and updated  
1605 each fiscal year and shall include, at a minimum, the following:

1606 (a) Specific policies and procedures encompassing the





224226

1607 entire scope of the operation and management of each office.

1608 (b) A comprehensive, commercial strategic plan identifying  
1609 marketing opportunities and industry sector priorities for the  
1610 country in which an international office is located.

1611 (c) Provisions for access to information for Florida  
1612 businesses related to trade leads and inquiries.

1613 (d) Identification of new and emerging market opportunities  
1614 for Florida businesses. This information shall be provided  
1615 either free of charge or on a fee basis with fees set only to  
1616 recover the costs of providing the information.

1617 (e) Provision of access for Florida businesses to  
1618 international trade assistance services provided by state and  
1619 local entities, seaport and airport information, and other  
1620 services identified by the department.

1621 (f) Qualitative and quantitative performance measures for  
1622 each office, including, but not limited to, the number of  
1623 businesses assisted, the number of trade leads and inquiries  
1624 generated, the number of international buyers and importers  
1625 contacted, and the amount and type of marketing conducted.

1626 (3) Each international office shall annually submit to the  
1627 department ~~Enterprise Florida, Inc.~~, a complete and detailed  
1628 report on its activities and accomplishments during the previous  
1629 fiscal year. ~~for inclusion in the annual report required under~~  
1630 ~~s. 288.906. In the format and by the annual date prescribed by~~  
1631 ~~Enterprise Florida, Inc.~~, The report must set forth information  
1632 on:

1633 (a) The number of Florida companies assisted.

1634 (b) The number of inquiries received about investment  
1635 opportunities in this state.



224226

- 1636 (c) The number of trade leads generated.
- 1637 (d) The number of investment projects announced.
- 1638 (e) The estimated U.S. dollar value of sales confirmations.
- 1639 (f) The number of representation agreements.
- 1640 (g) The number of company consultations.
- 1641 (h) Barriers or other issues affecting the effective
- 1642 operation of the office.
- 1643 (i) Changes in office operations which are planned for the
- 1644 current fiscal year.
- 1645 (j) Marketing activities conducted.
- 1646 (k) Strategic alliances formed with organizations in the
- 1647 country in which the office is located.
- 1648 (l) Activities conducted with Florida's other international
- 1649 offices.
- 1650 (m) Any other information that the office believes would
- 1651 contribute to an understanding of its activities.
- 1652 (4) The Department of Commerce ~~Economic Opportunity~~, in
- 1653 connection with the establishment, operation, and management of
- 1654 any of its offices located in another country, is exempt from
- 1655 the provisions of ss. 255.21, 255.25, and 255.254 relating to
- 1656 leasing of buildings; ss. 283.33 and 283.35 relating to bids for
- 1657 printing; ss. 287.001-287.20 relating to purchasing and motor
- 1658 vehicles; and ss. 282.003-282.00515 and 282.702-282.7101
- 1659 relating to communications, and from all statutory provisions
- 1660 relating to state employment.
- 1661 (a) The department may exercise such exemptions only upon
- 1662 prior approval of the Governor.
- 1663 (b) If approval for an exemption under this section is
- 1664 granted as an integral part of a plan of operation for a



224226

1665 specified international office, such action shall constitute  
1666 continuing authority for the department to exercise the  
1667 exemption, but only in the context and upon the terms originally  
1668 granted. Any modification of the approved plan of operation with  
1669 respect to an exemption contained therein must be resubmitted to  
1670 the Governor for his or her approval. An approval granted to  
1671 exercise an exemption in any other context shall be restricted  
1672 to the specific instance for which the exemption is to be  
1673 exercised.

1674 (c) As used in this subsection, the term "plan of  
1675 operation" means the plan developed pursuant to subsection (2).

1676 (d) Upon final action by the Governor with respect to a  
1677 request to exercise the exemption authorized in this subsection,  
1678 the department shall report such action, along with the original  
1679 request and any modifications thereto, to the President of the  
1680 Senate and the Speaker of the House of Representatives within 30  
1681 days.

1682 (5) Where feasible and appropriate, international offices  
1683 established and operated under this section may provide one-stop  
1684 access to the economic development, trade, and tourism  
1685 information, services, and programs of the state. Where feasible  
1686 and appropriate, such offices may also be collocated with other  
1687 international offices of the state.

1688 (6) (a) The department shall establish and contract with a  
1689 direct-support organization, organized as a nonprofit under  
1690 chapter 617 and recognized under s. 501(c)(3) of the Internal  
1691 Revenue Code, to carry out the provisions of this section,  
1692 assist with the coordination of international trade development  
1693 efforts, and assist in development and planning related to



224226

1694 foreign investment, international partnerships, and other  
1695 international business and trade development. The organization  
1696 is exempt from paying fees under s. 617.0122.

1697 (b) The direct-support organization shall act as the  
1698 international trade and travel mission organization for the  
1699 state, utilizing private sector and public sector expertise in  
1700 collaboration with the department. The direct-support  
1701 organization shall provide assistance and promotional support  
1702 for international offices, trade and promotion, development and  
1703 planning related to foreign investment, international  
1704 partnerships, and other international business and trade  
1705 development in conjunction with the department. The direct-  
1706 support organization may coordinate and plan international trade  
1707 missions, including setting up travel, arranging for  
1708 participation by Florida businesses, and tracking data related  
1709 to outcomes of the trade missions on behalf of the department.  
1710 The organization shall comply with the per diem and travel  
1711 expense provisions of s. 112.061.

1712 (c)1. The direct-support organization shall be governed by  
1713 a board of directors. The Secretary of Commerce, or his or her  
1714 designee, shall serve as the ex officio, nonvoting executive  
1715 director of the board. The Secretary of Commerce, or his or her  
1716 designee, shall appoint seven board members, including a chair  
1717 of the board. Appointed members must represent and reflect the  
1718 state's interest in international trade and development efforts  
1719 and have experience or knowledge that will assist in development  
1720 and planning related to foreign investment, international  
1721 partnerships, and other international business and trade  
1722 development. All appointments must be made by December 1, 2023.



224226

1723           2. Appointed members shall serve for a term of 4 years. A  
1724 vacancy shall be filled for the remainder of the unexpired term  
1725 in the same manner as the initial appointment. All members of  
1726 the board are eligible for reappointment.

1727           3. Members of the board of directors shall serve without  
1728 compensation; however, the members may be reimbursed for  
1729 reasonable, necessary, and actual travel expenses pursuant to s.  
1730 112.061.

1731           4. The board of directors shall meet at least quarterly and  
1732 at other times upon the call of the chair, and may use any  
1733 method of telecommunications to conduct, or establish a quorum  
1734 at, its meetings or the meetings of a subcommittee or other  
1735 subdivision if the public is given proper notice of the  
1736 telecommunications meeting and provided reasonable access to  
1737 observe and, if appropriate, to participate. A majority of the  
1738 total current membership of the board of directors constitutes a  
1739 quorum of the board.

1740           (d) The senior managers and members of the board of  
1741 directors of the organization of the organization are subject to  
1742 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
1743 112.3143(2). For purposes of applying ss. 112.313(1)-(8), (10),  
1744 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
1745 president and staff, those persons shall be considered public  
1746 officers or employees and the corporation shall be considered  
1747 their agency. The exemption set forth in s. 112.313(12) for  
1748 advisory boards applies to the members of board of directors.  
1749 Further, each member of the board of directors who is not  
1750 otherwise required to file financial disclosures pursuant to s.  
1751 8, Art. II of the State Constitution or s. 112.3144, shall file



224226

1752 disclosure of financial interests pursuant to s. 112.3145.

1753 (e) The Legislature determines it is in the public interest  
1754 and reflects the state's public policy that the direct-support  
1755 organization operate in the most open and accessible manner  
1756 consistent with its public purposes. As such, its divisions,  
1757 boards, and advisory councils, or similar entities created or  
1758 managed by the organization are subject to the provisions of  
1759 chapter 119 relating to public records and those provisions of  
1760 chapter 286 relating to public meetings and records.

1761 (f) The department and the direct-support organization must  
1762 enter into a performance-based contract, pursuant to s. 20.60,  
1763 that includes:

1764 1. Specification of the approval of the department, the  
1765 powers and duties of the direct-support organization, and rules  
1766 with which the direct-support organization must comply. The  
1767 department must approve the articles of incorporation and bylaws  
1768 of the direct-support organization.

1769 2. Authorization by the department, without charge, for  
1770 appropriate use of property, facilities, and personnel of the  
1771 department by the direct-support organization for approved  
1772 purposes. The contract must prescribe the conditions with which  
1773 the organization must comply in order to use property,  
1774 facilities, or personnel of the department. Such conditions must  
1775 provide for budget and audit review and oversight by the  
1776 department. However, the department may not authorize the use of  
1777 property, facilities, or personnel of the department by the  
1778 direct-support organization that does not provide equal  
1779 employment opportunities to all persons regardless of race,  
1780 color, religion, sex, age, or national origin.



224226

1781           3. Conditions for termination of the contract by the  
1782 department, at any time, if the department determines that the  
1783 direct-support organization no longer meets the objectives of  
1784 this section.

1785           (g) The direct-support organization may conduct programs  
1786 and activities; raise funds; request and receive grants, gifts,  
1787 and bequests of money; acquire, receive, hold, invest, and  
1788 administer, in its own name, securities, funds, objects of  
1789 value, or other property, real or personal; and make  
1790 expenditures to or for the direct or indirect benefit of the  
1791 organization if such furthers the duties and mission of the  
1792 organization and is in the best interests of this state.

1793           (h) The direct-support organization may accept grants or  
1794 other donations in order to facilitate trade missions and  
1795 conduct other related international activities. Funds of the  
1796 organization must be held in a separate depository account in  
1797 the name of the organization, subject to the provisions of the  
1798 contract with the department, and must be used in a manner  
1799 consistent with the goals of the organization. Any funds and  
1800 property held by the organization shall revert to the department  
1801 if the organization is no longer approved to operate by the  
1802 department, fails to maintain its tax-exempt status, or ceases  
1803 to exist.

1804           (i) The department must determine and annually certify that  
1805 the direct-support organization is complying with the terms of  
1806 the contract and is doing so consistent with the goals and  
1807 purposes of the organization and in the best interests of the  
1808 state. The organization is required to annually submit to the  
1809 department its federal Internal Revenue Service Application for



224226

1810 Recognition of Exemption form (Form 1023) and federal Internal  
1811 Revenue Service Return of Organization Exempt from Income Tax  
1812 form (Form 990); an annual budget for approval by the  
1813 department; an annual financial audit in accordance with s.  
1814 215.981; and an annual itemized accounting of the total amount  
1815 of travel and entertainment expenses.

1816 (j) The fiscal year of the direct-support organization  
1817 begins on July 1 of each year and ends on June 30 of the  
1818 following year. By August 15 of each fiscal year, the department  
1819 shall submit a proposed operating budget for the direct-support  
1820 organization, including amounts to be expended on international  
1821 offices, trade missions, events, other operating capital outlay,  
1822 salaries and benefits for each employee, and contributions and  
1823 expenditures, to the Governor, the President of the Senate, and  
1824 the Speaker of the House of Representatives.

1825 (k) This subsection is repealed October 1, 2028, unless  
1826 reviewed and saved from repeal by the Legislature ~~The department~~  
1827 ~~is authorized to make and to enter into contracts with~~  
1828 ~~Enterprise Florida, Inc., to carry out the provisions of this~~  
1829 ~~section. The authority, duties, and exemptions provided in this~~  
1830 ~~section apply to Enterprise Florida, Inc., to the same degree~~  
1831 ~~and subject to the same conditions as applied to the department.~~  
1832 ~~To the greatest extent possible, such contracts shall include~~  
1833 ~~provisions for cooperative agreements or strategic alliances~~  
1834 ~~between private businesses and state, international, and local~~  
1835 ~~governmental entities to operate international offices.~~

1836 Section 35. Section 288.017, Florida Statutes, is amended  
1837 to read:

1838 288.017 Cooperative advertising matching grants program.—





224226

1839           (1) The Florida Tourism Industry Marketing Corporation  
1840 ~~Enterprise Florida, Inc.~~, is authorized to establish a  
1841 cooperative advertising matching grants program and, pursuant  
1842 thereto, to make expenditures and enter into contracts with  
1843 local governments and nonprofit corporations for the purpose of  
1844 publicizing the tourism advantages of the state. The department,  
1845 based on recommendations from the corporation ~~Enterprise~~  
1846 ~~Florida, Inc.~~, shall have final approval of grants awarded  
1847 through this program. ~~Enterprise Florida, Inc., may contract~~  
1848 ~~with its direct support organization to administer the program.~~

1849           (2) The total annual allocation of funds for this grant  
1850 program may not exceed \$40,000. Each grant awarded under the  
1851 program shall be limited to no more than \$2,500 and shall be  
1852 matched by nonstate dollars. All grants shall be restricted to  
1853 local governments and nonprofit corporations serving and located  
1854 in municipalities having a population of 50,000 persons or less  
1855 or in counties with an unincorporated area having a population  
1856 of 200,000 persons or less.

1857           (3) The Florida Tourism Marketing Corporation ~~Enterprise~~  
1858 ~~Florida, Inc.~~, shall conduct an annual competitive selection  
1859 process for the award of grants under the program. In  
1860 determining its recommendations for the grant awards, the  
1861 corporation ~~commission~~ shall consider the demonstrated need of  
1862 the applicant for advertising assistance, the feasibility and  
1863 projected benefit of the applicant's proposal, the amount of  
1864 nonstate funds that will be leveraged, and such other criteria  
1865 as the department ~~commission~~ deems appropriate. In evaluating  
1866 grant applications, the department shall consider  
1867 recommendations from the corporation ~~Enterprise Florida, Inc.~~



224226

1868 The department, however, has final approval authority for any  
1869 grant under this section.

1870 Section 36. Subsection (4) of section 288.018, Florida  
1871 Statutes, is amended to read:

1872 288.018 Regional Rural Development Grants Program.—

1873 (4) The department may expend up to \$750,000 each fiscal  
1874 year from funds appropriated to the Rural Community Development  
1875 Revolving Loan Fund for the purposes outlined in this section.  
1876 ~~The department may contract with Enterprise Florida, Inc., for~~  
1877 ~~the administration of the purposes specified in this section.~~  
1878 ~~Funds released to Enterprise Florida, Inc., for this purpose~~  
1879 ~~shall be released quarterly and shall be calculated based on the~~  
1880 ~~applications in process.~~

1881 Section 37. Subsections (1), (9), and (10) of section  
1882 288.047, Florida Statutes, are amended to read:

1883 288.047 Quick-response training for economic development.—

1884 (1) The Quick-Response Training Program is created to meet  
1885 the workforce-skill needs of existing, new, and expanding  
1886 industries. The program shall be administered by CareerSource  
1887 Florida, Inc., in conjunction with ~~Enterprise Florida, Inc.,~~ and  
1888 the Department of Education. CareerSource Florida, Inc., shall  
1889 adopt guidelines for the administration of this program, shall  
1890 provide technical services, and shall identify businesses that  
1891 seek services through the program. ~~CareerSource Florida, Inc.,~~  
1892 ~~may contract with Enterprise Florida, Inc., or administer this~~  
1893 ~~program directly, if it is determined that such an arrangement~~  
1894 ~~maximizes the amount of the Quick Response grant going to direct~~  
1895 ~~services.~~

1896 ~~(9) Notwithstanding any other provision of law, eligible~~



224226

1897 ~~matching contributions received under this section from the~~  
1898 ~~Quick Response Training Program may be counted toward the~~  
1899 ~~private sector support of Enterprise Florida, Inc., under s.~~  
1900 ~~288.904.~~

1901 ~~(10) CareerSource Florida, Inc., and Enterprise Florida,~~  
1902 ~~Inc., shall coordinate and cooperate in administering this~~  
1903 ~~section so that any division of responsibility between the two~~  
1904 ~~organizations which relates to marketing or administering the~~  
1905 ~~Quick Response Training Program is not apparent to a business~~  
1906 ~~that inquires about or applies for funding under this section. A~~  
1907 ~~business shall be provided with a single point of contact for~~  
1908 ~~information and assistance.~~

1909 Section 38. Subsections (1) and (4) of section 288.061,  
1910 Florida Statutes, are amended to read:

1911 288.061 Economic development incentive application  
1912 process.—

1913 (1) Upon receiving a submitted economic development  
1914 incentive application, the Division of Economic Strategie  
1915 ~~Business~~ Development of the department of ~~Economic Opportunity~~  
1916 ~~and designated staff of Enterprise Florida, Inc.,~~ shall review  
1917 the application to ensure that the application is complete,  
1918 whether and what type of state and local permits may be  
1919 necessary for the applicant's project, whether it is possible to  
1920 waive such permits, and what state incentives and amounts of  
1921 such incentives may be available to the applicant. The  
1922 department shall recommend to the Secretary of Commerce Economic  
1923 ~~Opportunity~~ to approve or disapprove an applicant business. If  
1924 review of the application demonstrates that the application is  
1925 incomplete, the secretary shall notify the applicant business



224226

1926 within the first 5 business days after receiving the  
1927 application.

1928 (4) The department shall validate contractor performance  
1929 and report such validation in the annual incentives report  
1930 required under s. 288.0065 ~~s. 288.907~~.

1931 Section 39. Paragraph (e) of subsection (2) and subsections  
1932 (3) and (4) of section 288.0655, Florida Statutes, are amended  
1933 to read:

1934 288.0655 Rural Infrastructure Fund.—

1935 (2)

1936 (e) To enable local governments to access the resources  
1937 available pursuant to s. 403.973(17) ~~s. 403.973(18)~~, the  
1938 department may award grants for surveys, feasibility studies,  
1939 and other activities related to the identification and  
1940 preclearance review of land which is suitable for preclearance  
1941 review. Authorized grants under this paragraph may not exceed  
1942 \$75,000 each, except in the case of a project in a rural area of  
1943 opportunity, in which case the grant may not exceed \$300,000.  
1944 Any funds awarded under this paragraph must be matched at a  
1945 level of 50 percent with local funds, except that any funds  
1946 awarded for a project in a rural area of opportunity must be  
1947 matched at a level of 33 percent with local funds. If an  
1948 application for funding is for a catalyst site, as defined in s.  
1949 288.0656, the requirement for local match may be waived pursuant  
1950 to the process in s. 288.06561. In evaluating applications under  
1951 this paragraph, the department shall consider the extent to  
1952 which the application seeks to minimize administrative and  
1953 consultant expenses.

1954 (3) The department, in consultation with ~~Enterprise~~



224226

1955 ~~Florida, Inc.,~~ the Florida Tourism Industry Marketing  
1956 Corporation, the Department of Environmental Protection, and the  
1957 Florida Fish and Wildlife Conservation Commission, as  
1958 appropriate, shall review and certify applications pursuant to  
1959 s. 288.061. The review shall include an evaluation of the  
1960 economic benefit of the projects and their long-term viability.  
1961 The department shall have final approval for any grant under  
1962 this section.

1963 ~~(4) By September 1, 2021, the department shall, in~~  
1964 ~~consultation with the organizations listed in subsection (3),~~  
1965 ~~and other organizations, reevaluate existing guidelines and~~  
1966 ~~criteria governing submission of applications for funding,~~  
1967 ~~review and evaluation of such applications, and approval of~~  
1968 ~~funding under this section. The department shall consider~~  
1969 ~~factors including, but not limited to, the project's potential~~  
1970 ~~for enhanced job creation or increased capital investment, the~~  
1971 ~~demonstration and level of local public and private commitment,~~  
1972 ~~whether the project is located in a community development~~  
1973 ~~corporation service area, or in an urban high-crime area as~~  
1974 ~~designated under s. 212.097, the unemployment rate of the county~~  
1975 ~~in which the project would be located, and the poverty rate of~~  
1976 ~~the community.~~

1977 Section 40. Paragraph (a) of subsection (6) and paragraphs  
1978 (a) and (c) of subsection (7) of section 288.0656, Florida  
1979 Statutes, are amended to read:

1980 288.0656 Rural Economic Development Initiative.—

1981 (6) (a) By August 1 of each year, the head of each of the  
1982 following agencies and organizations shall designate a deputy  
1983 secretary or higher-level staff person from within the agency or



224226

1984 organization to serve as the REDI representative for the agency  
1985 or organization:

- 1986 1. The Department of Transportation.
- 1987 2. The Department of Environmental Protection.
- 1988 3. The Department of Agriculture and Consumer Services.
- 1989 4. The Department of State.
- 1990 5. The Department of Health.
- 1991 6. The Department of Children and Families.
- 1992 7. The Department of Corrections.
- 1993 8. The Department of Education.
- 1994 9. The Department of Juvenile Justice.
- 1995 10. The Fish and Wildlife Conservation Commission.
- 1996 11. Each water management district.
- 1997 12. ~~Enterprise Florida, Inc.~~
- 1998 ~~13.~~ CareerSource Florida, Inc.
- 1999 ~~13.~~~~14.~~ VISIT Florida.
- 2000 ~~14.~~~~15.~~ The Florida Regional Planning Council Association.
- 2001 ~~15.~~~~16.~~ The Agency for Health Care Administration.
- 2002 ~~16.~~~~17.~~ The Institute of Food and Agricultural Sciences  
2003 (IFAS).

2004  
2005 An alternate for each designee shall also be chosen, and the  
2006 names of the designees and alternates shall be sent to the  
2007 Secretary of Commerce ~~Economic Opportunity~~.

2008 (7)

2009 (a) REDI may recommend to the Governor up to three rural  
2010 areas of opportunity. The Governor may by executive order  
2011 designate up to three rural areas of opportunity which will  
2012 establish these areas as priority assignments for REDI as well



224226

2013 as to allow the Governor, acting through REDI, to waive  
2014 criteria, requirements, or similar provisions of any economic  
2015 development incentive. Such incentives shall include, but are  
2016 not limited to, ~~the Qualified Target Industry Tax Refund Program~~  
2017 ~~under s. 288.106,~~ the Quick Response Training Program under s.  
2018 288.047, the Quick Response Training Program for participants in  
2019 the welfare transition program under s. 288.047(8),  
2020 transportation projects under s. 339.2821, the brownfield  
2021 redevelopment bonus refund under s. 288.107, and the rural job  
2022 tax credit program under ss. 212.098 and 220.1895.

2023 (c) Each rural area of opportunity may designate catalyst  
2024 projects, provided that each catalyst project is specifically  
2025 recommended by REDI, ~~identified as a catalyst project by~~  
2026 ~~Enterprise Florida, Inc.,~~ and confirmed as a catalyst project by  
2027 the department. All state agencies and departments shall use all  
2028 available tools and resources to the extent permissible by law  
2029 to promote the creation and development of each catalyst project  
2030 and the development of catalyst sites.

2031 Section 41. Section 288.0658, Florida Statutes, is amended  
2032 to read:

2033 288.0658 Nature-based recreation; promotion and other  
2034 assistance by Fish and Wildlife Conservation Commission.—The  
2035 Florida Fish and Wildlife Conservation Commission is directed to  
2036 assist ~~Enterprise Florida, Inc.;~~ the Florida Tourism Industry  
2037 Marketing Corporation, doing business as VISIT Florida;  
2038 convention and visitor bureaus; tourist development councils;  
2039 economic development organizations; and local governments  
2040 through the provision of marketing advice, technical expertise,  
2041 promotional support, and product development related to nature-



224226

2042 based recreation and sustainable use of natural resources. In  
2043 carrying out this responsibility, the Florida Fish and Wildlife  
2044 Conservation Commission shall focus its efforts on fostering  
2045 nature-based recreation in rural communities and regions  
2046 encompassing rural communities. As used in this section, the  
2047 term "nature-based recreation" means leisure activities related  
2048 to the state's lands, waters, and fish and wildlife resources,  
2049 including, but not limited to, wildlife viewing, fishing,  
2050 hiking, canoeing, kayaking, camping, hunting, backpacking, and  
2051 nature photography.

2052 Section 42. Subsection (6) of section 288.075, Florida  
2053 Statutes, is amended to read:

2054 288.075 Confidentiality of records.—

2055 (6) ECONOMIC INCENTIVE PROGRAMS.—

2056 (a) The following information held by an economic  
2057 development agency pursuant to the administration of an economic  
2058 incentive program for qualified businesses is confidential and  
2059 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2060 Constitution for a period not to exceed the duration of the  
2061 incentive agreement, including an agreement authorizing a tax  
2062 refund or tax credit, or upon termination of the incentive  
2063 agreement:

2064 1. The percentage of the business's sales occurring outside  
2065 this state and, ~~for businesses applying under s. 288.1045, the~~  
2066 ~~percentage of the business's gross receipts derived from~~  
2067 ~~Department of Defense contracts during the 5 years immediately~~  
2068 ~~preceding the date the business's application is submitted.~~

2069 2. An individual employee's personal identifying  
2070 information that is held as evidence of the achievement or





224226

2071 nonachievement of the wage requirements of the tax refund, tax  
2072 credit, or incentive agreement programs or of the job creation  
2073 requirements of such programs.

2074 3. The amount of:

2075 a. Taxes on sales, use, and other transactions paid  
2076 pursuant to chapter 212;

2077 b. Corporate income taxes paid pursuant to chapter 220;

2078 c. Intangible personal property taxes paid pursuant to  
2079 chapter 199;

2080 d. Insurance premium taxes paid pursuant to chapter 624;

2081 e. Excise taxes paid on documents pursuant to chapter 201;

2082 f. Ad valorem taxes paid, as defined in s. 220.03(1); or

2083 g. State communications services taxes paid pursuant to  
2084 chapter 202.

2085

2086 However, an economic development agency may disclose in the  
2087 annual incentives report required under s. 288.0065 ~~s. 288.907~~  
2088 the aggregate amount of each tax identified in this subparagraph  
2089 and paid by all businesses participating in each economic  
2090 incentive program.

2091 (b)~~1~~. The following information held by an economic  
2092 development agency relating to a specific business participating  
2093 in an economic incentive program is no longer confidential or  
2094 exempt 180 days after a final project order for an economic  
2095 incentive agreement is issued, until a date specified in the  
2096 final project order, or if the information is otherwise  
2097 disclosed, whichever occurs first:

2098 1.a. The name of the qualified business.

2099 2.b. The total number of jobs the business committed to



224226

2100 create or retain.

2101 ~~3.e.~~ The total number of jobs created or retained by the  
2102 business.

2103 ~~4.d.~~ Notwithstanding s. 213.053(2), the amount of tax  
2104 refunds, tax credits, or incentives awarded to, claimed by, or,  
2105 if applicable, refunded to the state by the business.

2106 ~~5.e.~~ The anticipated total annual wages of employees the  
2107 business committed to hire or retain.

2108 ~~2. For a business applying for certification under s.~~  
2109 ~~288.1045 which is based on obtaining a new Department of Defense~~  
2110 ~~contract, the total number of jobs expected and the amount of~~  
2111 ~~tax refunds claimed may not be released until the new Department~~  
2112 ~~of Defense contract is awarded.~~

2113 Section 43. Paragraphs (a) and (c) of subsection (1),  
2114 paragraph (e) of subsection (3), and subsections (6), (7), and  
2115 (8) of section 288.076, Florida Statutes, are amended to read:

2116 288.076 Return on investment reporting for economic  
2117 development programs.—

2118 (1) As used in this section, the term:

2119 (a) "Jobs" means full-time equivalent positions, including,  
2120 but not limited to, positions obtained from a temporary  
2121 employment agency or employee leasing company or through a union  
2122 agreement or coemployment under a professional employer  
2123 organization agreement, that result directly from a project in  
2124 this state. The term does not include temporary construction  
2125 jobs involved with the construction of facilities for the  
2126 project or any jobs previously included in any application for  
2127 tax refunds ~~has the same meaning as provided in s.~~

2128 ~~288.106(2)(i).~~



224226

2129           (c) "Project" means the creation of a new business or  
2130 expansion of an existing business ~~has the same meaning as~~  
2131 ~~provided in s. 288.106(2)(m).~~

2132           (3) Within 48 hours after expiration of the period of  
2133 confidentiality for project information deemed confidential and  
2134 exempt pursuant to s. 288.075, the department shall publish the  
2135 following information pertaining to each project:

2136           (e) *Project performance goals.*—

2137           1. The incremental direct jobs attributable to the project,  
2138 identifying the number of jobs generated and the number of jobs  
2139 retained.

2140           2. The number of jobs generated and the number of jobs  
2141 retained by the project, and ~~for projects commencing after~~  
2142 ~~October 1, 2013,~~ the average annual wage of persons holding such  
2143 jobs.

2144           3. The incremental direct capital investment in the state  
2145 generated by the project.

2146           (6) Annually, the department shall publish information  
2147 relating to the progress of Quick Action Closing Fund projects,  
2148 awarded under former s. 288.1088, until all contracts are  
2149 complete or terminated ~~including the average number of days~~  
2150 ~~between the date the department receives a completed application~~  
2151 ~~and the date on which the application is approved.~~

2152           (7) ~~(a)~~ Within 48 hours after expiration of the period of  
2153 confidentiality provided under s. 288.075, the department shall  
2154 publish the contract or agreement described in s. 288.061,  
2155 redacted to protect the participant business from disclosure of  
2156 information that remains confidential or exempt by law.

2157           ~~(b) Within 48 hours after submitting any report of findings~~



224226

2158 ~~and recommendations made pursuant to s. 288.106(7)(d) concerning~~  
2159 ~~a business's failure to complete a tax refund agreement pursuant~~  
2160 ~~to the tax refund program for qualified target industry~~  
2161 ~~businesses, the department shall publish such report.~~

2162 ~~(8) For projects completed before October 1, 2013, the~~  
2163 ~~department shall compile and, by October 1, 2014, shall publish~~  
2164 ~~the information described in subsections (3), (4), and (5), to~~  
2165 ~~the extent such information is available and applicable.~~

2166 Section 44. Section 288.095, Florida Statutes, is amended  
2167 to read:

2168 288.095 Economic Development Trust Fund.—

2169 (1) The Economic Development Trust Fund is created within  
2170 the department ~~of Economic Opportunity~~. Moneys deposited into  
2171 the fund must be used only to support the authorized activities  
2172 and operations of the department.

2173 (2) There is created, within the Economic Development Trust  
2174 Fund, the Economic Development Incentives Account. The Economic  
2175 Development Incentives Account consists of moneys appropriated  
2176 to the account for purposes of the tax incentives programs  
2177 authorized under s. 288.107 and former s. 288.106 ~~ss. 288.1045~~  
2178 ~~and 288.106~~, and local financial support provided under former  
2179 s. 288.106 ~~ss. 288.1045 and 288.106~~. Moneys in the Economic  
2180 Development Incentives Account shall be subject to the  
2181 provisions of s. 216.301(1)(a).

2182 (3)(a) ~~The department may approve applications for~~  
2183 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~  
2184 ~~The total state share of tax refund payments may not exceed \$35~~  
2185 ~~million.~~

2186 (b) The total amount of tax refund claims approved for



224226

2187 payment by the department based on actual project performance  
2188 may not exceed the amount appropriated to the Economic  
2189 Development Incentives Account for such purposes for the fiscal  
2190 year. Claims for tax refunds under s. 288.107 and former ss.  
2191 288.1045 and 288.106 shall be paid in the order the claims are  
2192 approved by the department. In the event the Legislature does  
2193 not appropriate an amount sufficient to satisfy the tax refunds  
2194 under s. 288.107 and former s. 288.106 ~~ss. 288.1045 and 288.106~~  
2195 in a fiscal year, the department shall pay the tax refunds from  
2196 the appropriation for the following fiscal year. By March 1 of  
2197 each year, the department shall notify the legislative  
2198 appropriations committees of the Senate and House of  
2199 Representatives of any anticipated shortfall in the amount of  
2200 funds needed to satisfy claims for tax refunds from the  
2201 appropriation for the current fiscal year.

2202 (c) Moneys in the Economic Development Incentives Account  
2203 may be used only to pay tax refunds and make other payments  
2204 authorized under ~~s. 288.1045, s. 288.106, or~~ s. 288.107 or in  
2205 agreements authorized under former s. 288.106. The department  
2206 shall report within 10 days after the end of each quarter to the  
2207 Office of Policy and Budget in the Executive Officer of the  
2208 Governor, the chair of the Senate Appropriations Committee or  
2209 its successor, and the chair of the House of Representatives  
2210 Appropriations Committee or its successor regarding the status  
2211 of payments made for all economic development programs  
2212 administered by the department under this chapter, including s.  
2213 288.107 and former ss. 288.106 and 288.108.

2214 (d) The department may adopt rules necessary to carry out  
2215 ~~the provisions of~~ this subsection, including rules providing for



2216 the use of moneys in the Economic Development Incentives Account  
2217 and for the administration of the Economic Development  
2218 Incentives Account.

2219 (4) The department shall create a separate account for  
2220 funds transferred from the former Enterprise Florida, Inc., held  
2221 for payments for agreements under the Quick Action Closing Fund  
2222 under former s. 288.1088 or the Innovation Incentive Program  
2223 under former s. 288.1089. The department shall report within 10  
2224 days after the end of each quarter to the Office of Policy and  
2225 Budget in the Executive Office of the Governor, the chair of the  
2226 Senate Appropriations Committee or its successor, and the chair  
2227 of the House of Representatives Appropriations Committee or its  
2228 successor regarding all escrow activity relating to both  
2229 programs, including payments made pursuant to confirmed  
2230 performance under the remaining contracts, payments returned to  
2231 the state due to noncompliance, and contracts terminated due to  
2232 noncompliance. The department must transfer to the General  
2233 Revenue Fund any payments returned to the state, either returned  
2234 by the recipient or through action by the department to  
2235 administratively or otherwise legally obtain repayment of funds,  
2236 and any funds associated with terminated contracts.

2237 Section 45. Subsection (2) and paragraph (c) of subsection  
2238 (3) of section 288.101, Florida Statutes, as amended by chapter  
2239 2023-17, Laws of Florida, are amended to read:

2240 288.101 Florida Job Growth Grant Fund.—

2241 (2) The department ~~and Enterprise Florida, Inc.,~~ may  
2242 identify projects, solicit proposals, and make funding  
2243 recommendations to the Governor, who is authorized to approve:

2244 (a) State or local public infrastructure projects to



224226

2245 promote:

- 2246 1. Economic recovery in specific regions of this state;  
2247 2. Economic diversification; or  
2248 3. Economic enhancement in a targeted industry.

2249 (b) State or local public infrastructure projects to  
2250 facilitate the development or construction of affordable  
2251 housing. This paragraph is repealed July 1, 2033.

2252 ~~(c) Infrastructure funding to accelerate the rehabilitation~~  
2253 ~~of the Herbert Hoover Dike. The department or the South Florida~~  
2254 ~~Water Management District may enter into agreements, as~~  
2255 ~~necessary, with the United States Army Corps of Engineers to~~  
2256 ~~implement this paragraph.~~

2257 ~~(d)~~ Workforce training grants to support programs at state  
2258 colleges and state technical centers that provide participants  
2259 with transferable, sustainable workforce skills applicable to  
2260 more than a single employer, and for equipment associated with  
2261 these programs. The department shall work with CareerSource  
2262 Florida, Inc., to ensure programs are offered to the public  
2263 based on criteria established by the state college or state  
2264 technical center and do not exclude applicants who are  
2265 unemployed or underemployed.

2266 (3) For purposes of this section:

2267 (c) "Targeted industry" means any industry identified in  
2268 the most recent list provided to the Governor, the President of  
2269 the Senate, and the Speaker of the House of Representatives in  
2270 accordance with s. 288.005 ~~s. 288.106(2)(c)~~.

2271 Section 46. Section 288.1045, Florida Statutes, is  
2272 repealed.

2273 Section 47. Section 288.106, Florida Statutes, is repealed.



224226

2274 Section 48. Paragraphs (d) and (f) of subsection (1),  
2275 subsection (2), paragraph (b) of subsection (3), subsection (4),  
2276 and paragraph (b) of subsection (5) of section 288.107, Florida  
2277 Statutes, are amended, and paragraph (c) is added to subsection  
2278 (5) of that section, to read:

2279 288.107 Brownfield redevelopment bonus refunds.—

2280 (1) DEFINITIONS.—As used in this section:

2281 (d) “Eligible business” means:

2282 ~~1. A qualified target industry business as defined in s.~~  
2283 ~~288.106(2); or~~

2284 ~~2.~~ a business that can demonstrate a fixed capital  
2285 investment of at least \$2 million in mixed-use business  
2286 activities, including multiunit housing, commercial, retail, and  
2287 industrial in brownfield areas eligible for bonus refunds, and  
2288 that provides benefits to its employees.

2289 (f) “Project” means the creation of a new business or the  
2290 expansion of an existing business ~~as defined in s. 288.106.~~

2291 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.—Bonus refunds  
2292 shall be approved by the department as specified in the final  
2293 order and allowed from the account as follows:

2294 ~~(a) A bonus refund of \$2,500 shall be allowed to any~~  
2295 ~~qualified target industry business as defined in s. 288.106 for~~  
2296 ~~each new Florida job created in a brownfield area eligible for~~  
2297 ~~bonus refunds which is claimed on the qualified target industry~~  
2298 ~~business’s annual refund claim authorized in s. 288.106(6).~~

2299 ~~(b)~~ a bonus refund of up to \$2,500 shall be allowed to any  
2300 ~~other~~ eligible business as defined in subparagraph (1)(d)2. for  
2301 each new Florida job created in a brownfield area eligible for  
2302 bonus refunds which is claimed under an annual claim procedure





224226

2303 similar to the annual refund claim authorized in former s.  
2304 288.106(6). The amount of the refund shall be equal to 20  
2305 percent of the average annual wage for the jobs created.

2306 (3) CRITERIA.—The minimum criteria for participation in the  
2307 brownfield redevelopment bonus refund are:

2308 (b) The completion of a fixed capital investment of at  
2309 least \$2 million in mixed-use business activities, including  
2310 multiunit housing, commercial, retail, and industrial in  
2311 brownfield areas eligible for bonus refunds, by an eligible  
2312 business applying for a refund under subsection (2) paragraph  
2313 ~~(2)(b)~~ which provides benefits to its employees.

2314 (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

2315 (a) To be eligible to receive a bonus refund for new  
2316 Florida jobs created in a brownfield area eligible for bonus  
2317 refunds, a business must have been certified as an a-qualified  
2318 ~~target industry business under s. 288.106~~ or eligible business  
2319 as defined in paragraph (1)(d) and must have indicated on the  
2320 ~~qualified target industry business~~ tax refund application form  
2321 ~~submitted to the department in accordance with s. 288.106(4) or~~  
2322 ~~other similar agreement for other eligible business as defined~~  
2323 ~~in paragraph (1)(d)~~ that the project for which the application  
2324 is submitted is or will be located in a brownfield area eligible  
2325 for bonus refunds and that the business is applying for  
2326 certification as a qualified brownfield business under this  
2327 section, and must have signed a ~~qualified target industry~~  
2328 ~~business~~ tax refund agreement with the department that indicates  
2329 that the business has been certified as ~~a-qualified target~~  
2330 ~~industry business~~ located in a brownfield area eligible for  
2331 bonus refunds and specifies the schedule of brownfield



224226

2332 redevelopment bonus refunds that the business may be eligible to  
2333 receive in each fiscal year.

2334 (b) To be considered to receive an eligible brownfield  
2335 redevelopment bonus refund payment, the business meeting the  
2336 requirements of paragraph (a) must submit a claim once each  
2337 fiscal year on a claim form approved by the department which  
2338 indicates the location of the brownfield site for which a  
2339 rehabilitation agreement with the Department of Environmental  
2340 Protection or a local government delegated by the Department of  
2341 Environmental Protection has been executed under s. 376.80, the  
2342 address of the business facility's brownfield location, the name  
2343 of the brownfield in which it is located, the number of jobs  
2344 created, and the average wage of the jobs created by the  
2345 business within the brownfield ~~as defined in s. 288.106 or other~~  
2346 ~~eligible business as defined in paragraph (1)(d) and the~~  
2347 ~~administrative rules and policies for that section.~~

2348 (c) ~~The bonus refunds shall be available on the same~~  
2349 ~~schedule as the qualified target industry tax refund payments~~  
2350 ~~scheduled in the qualified target industry tax refund agreement~~  
2351 ~~authorized in s. 288.106 or other similar agreement for other~~  
2352 ~~eligible businesses as defined in paragraph (1)(e).~~

2353 ~~(d)~~ After entering into a tax refund agreement ~~as provided~~  
2354 ~~in s. 288.106 or other similar agreement for other eligible~~  
2355 ~~businesses as defined in paragraph (1)(e),~~ an eligible business  
2356 may receive brownfield redevelopment bonus refunds from the  
2357 account:

2358 1. For both of the following taxes due and paid by that  
2359 business beginning with the first taxable year of the business  
2360 that begins after entering into the agreement:



224226

2361           a. Corporate income taxes under chapter 220.  
2362           b. Insurance premium tax under s. 624.509.  
2363           2. For all of the following taxes due and paid by that  
2364 business after entering into the agreement:  
2365           a. Taxes on sales, use, and other transactions under  
2366 chapter 212.  
2367           b. Intangible personal property taxes under chapter 199.  
2368           c. Excise taxes on documents under chapter 201.  
2369           d. Ad valorem taxes paid, as defined in s. 220.03(1).  
2370           e. State communications services taxes administered under  
2371 chapter 202. This provision does not apply to the gross receipts  
2372 tax imposed under chapter 203 and administered under chapter 202  
2373 or the local communications services tax authorized under s.  
2374 202.19 pursuant to s. 288.106(3)(d).  
2375           (d)(e) An eligible business that fraudulently claims a  
2376 refund under this section:  
2377           1. Is liable for repayment of the amount of the refund to  
2378 the account, plus a mandatory penalty in the amount of 200  
2379 percent of the tax refund, which shall be deposited into the  
2380 General Revenue Fund.  
2381           2. Commits a felony of the third degree, punishable as  
2382 provided in s. 775.082, s. 775.083, or s. 775.084.  
2383           (e)(f) Applications shall be reviewed and certified  
2384 pursuant to s. 288.061 before the business has made a decision  
2385 to locate or expand a facility in this state. The department  
2386 shall review all applications submitted under s. 288.106 or  
2387 other similar application forms for other eligible businesses as  
2388 defined in paragraph (1)(d) which indicate that the proposed  
2389 project will be located in a brownfield area eligible for bonus



224226

2390 refunds and determine, with the assistance of the Department of  
2391 Environmental Protection, that the project location is within a  
2392 brownfield area eligible for bonus refunds as provided in this  
2393 act.

2394 (f)~~(g)~~ The department shall approve all claims for a  
2395 brownfield redevelopment bonus refund payment that are found to  
2396 meet the requirements of this section ~~paragraphs (b) and (d)~~.

2397 (g)~~(h)~~ The department, with such assistance as may be  
2398 required from the Department of Environmental Protection, shall  
2399 specify by written final order the amount of the brownfield  
2400 redevelopment bonus refund that is authorized for the ~~qualified~~  
2401 ~~target industry~~ business for the fiscal year within 30 days  
2402 after the date that the claim for the annual tax refund is  
2403 received by the department.

2404 (h)~~(i)~~ The total amount of the bonus refunds approved by  
2405 the department under this section in any fiscal year must not  
2406 exceed the total amount appropriated to the Economic Development  
2407 Incentives Account for this purpose for the fiscal year. In the  
2408 event that the Legislature does not appropriate an amount  
2409 sufficient to satisfy projections by the department for  
2410 brownfield redevelopment bonus refunds under this section in a  
2411 fiscal year, the department shall, not later than July 15 of  
2412 such year, determine the proportion of each brownfield  
2413 redevelopment bonus refund claim which shall be paid by dividing  
2414 the amount appropriated for tax refunds for the fiscal year by  
2415 the projected total of brownfield redevelopment bonus refund  
2416 claims for the fiscal year. The amount of each claim for a  
2417 brownfield redevelopment bonus tax refund shall be multiplied by  
2418 the resulting quotient. If, after the payment of all such refund



224226

2419 claims, funds remain in the Economic Development Incentives  
2420 Account for brownfield redevelopment tax refunds, the department  
2421 shall recalculate the proportion for each refund claim and  
2422 adjust the amount of each claim accordingly.

2423 ~~(i)-(j)~~ Upon approval of the brownfield redevelopment bonus  
2424 refund, payment shall be made for the amount specified in the  
2425 final order. If the final order is appealed, payment may not be  
2426 made for a refund to the ~~qualified target industry~~ business  
2427 until the conclusion of all appeals of that order.

2428 (5) ADMINISTRATION.—

2429 (b) To facilitate the process of monitoring and auditing  
2430 applications made under this program, the department may provide  
2431 a list of ~~qualified target industry~~ businesses to the Department  
2432 of Revenue, to the Department of Environmental Protection, or to  
2433 any local government authority. The department may request the  
2434 assistance of those entities with respect to monitoring the  
2435 payment of the taxes listed in paragraph (3)(c) s. 288.106(3).

2436 (c) The department may adopt rules, including an  
2437 application form, to administer this section.

2438 Section 49. Paragraph (c) of subsection (2) and subsection  
2439 (6) of section 288.108, Florida Statutes, are amended to read:

2440 288.108 High-impact business.—

2441 (2) DEFINITIONS.—As used in this section, the term:

2442 (c) "Eligible ~~high-impact~~ business" means a business in one  
2443 of the designated high-impact sectors ~~identified by Enterprise~~  
2444 ~~Florida, Inc., and certified by the department~~ as provided in  
2445 subsection (5), which is making a cumulative investment in the  
2446 state of at least \$50 million and creating at least 50 new full-  
2447 time equivalent jobs in the state or a research and development



224226

2448 facility making a cumulative investment of at least \$25 million  
2449 and creating at least 25 new full-time equivalent jobs. Such  
2450 investment and employment must be achieved in a period not to  
2451 exceed 3 years after the date the business is certified as a  
2452 qualified high-impact business.

2453 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT SECTORS.—

2454 (a) The department ~~Enterprise Florida, Inc.~~, shall, by  
2455 January 1, of every third year, beginning January 1, 2011,  
2456 initiate the process of reviewing and, if appropriate, selecting  
2457 a new high-impact sector for designation or recommending the  
2458 deactivation of a designated high-impact sector. The process of  
2459 reviewing designated high-impact sectors or recommending the  
2460 deactivation of a designated high-impact sector shall be in  
2461 consultation with ~~the department~~, economic development  
2462 organizations, the State University System, local governments,  
2463 employee and employer organizations, market analysts, and  
2464 economists.

2465 (b) The department has authority, after meeting the  
2466 requirements of this subsection ~~recommendation from Enterprise~~  
2467 ~~Florida, Inc.~~, to designate a high-impact sector or to  
2468 deauthorize a designated high-impact sector.

2469 (c) To begin the process of selecting and designating a new  
2470 high-impact sector, the department ~~Enterprise Florida, Inc.~~,  
2471 shall undertake a thorough study of the proposed sector. This  
2472 study must consider the definition of the sector, including the  
2473 types of facilities which characterize the sector that might  
2474 qualify for a high-impact performance grant and whether a  
2475 powerful incentive like the high-impact performance grant is  
2476 needed to induce major facilities in the sector to locate or



224226

2477 grow in this state; the benefits that major facilities in the  
2478 sector have or could have on the state's economy and the  
2479 relative significance of those benefits; the needs of the sector  
2480 and major sector facilities, including natural, public, and  
2481 human resources and benefits and costs with regard to these  
2482 resources; the sector's current and future markets; the current  
2483 fiscal and potential fiscal impacts of the sector, to both the  
2484 state and its communities; any geographic opportunities or  
2485 limitations with regard to the sector, including areas of the  
2486 state most likely to benefit from the sector and areas unlikely  
2487 to benefit from the sector; the state's advantages or  
2488 disadvantages with regard to the sector; and the long-term  
2489 expectations for the industry on a global level and in the  
2490 state. If the department ~~Enterprise Florida, Inc.~~, finds  
2491 favorable conditions for the designation of the sector as a  
2492 high-impact sector, it shall include in the study  
2493 recommendations for a complete and comprehensive sector  
2494 strategy, including appropriate marketing and workforce  
2495 strategies for the entire sector and any recommendations ~~that~~  
2496 ~~Enterprise Florida, Inc.~~, may have for statutory or policy  
2497 changes needed to improve the state's business climate and to  
2498 attract and grow Florida businesses, particularly small  
2499 businesses, in the proposed sector. The study shall reflect the  
2500 finding of the sector-business network specified in paragraph  
2501 (d).

2502 (d) In conjunction with the study required in paragraph  
2503 (c), the department ~~Enterprise Florida, Inc.~~, shall develop and  
2504 consult with a network of sector businesses. While this network  
2505 may include non-Florida businesses, it must include any



224226

2506 businesses currently within the state. If the number of Florida  
2507 businesses in the sector is large, a representative cross-  
2508 section of Florida sector businesses may form the core of this  
2509 network.

2510 (e) The study and its findings and recommendations and the  
2511 recommendations gathered from the sector-business network must  
2512 be discussed and considered during at least one meeting per  
2513 calendar year of leaders in business, government, education,  
2514 workforce development, and economic development called by the  
2515 Governor to address the business climate in the state, develop a  
2516 common vision for the economic future of the state, and identify  
2517 economic development efforts to fulfill that vision.

2518 (f) If after consideration of the completed study required  
2519 in paragraph (c) and the input derived from consultation with  
2520 the sector-business network in paragraph (d) and the meeting as  
2521 required in paragraph (e), the department ~~board of directors of~~  
2522 ~~Enterprise Florida, Inc.,~~ finds that the sector will have  
2523 exceptionally large and widespread benefits to the state and its  
2524 citizens, relative to any public costs; that the sector is  
2525 characterized by the types of facilities that require  
2526 exceptionally large investments and provide employment  
2527 opportunities to a relatively large number of workers in high-  
2528 quality, high-income jobs that might qualify for a high-impact  
2529 performance grant; and that given the competition for such  
2530 businesses it may be necessary for the state to be able to offer  
2531 a large inducement, such as a high-impact performance grant, to  
2532 attract such a business to the state or to encourage businesses  
2533 to continue to grow in the state, ~~the board of directors of~~  
2534 ~~Enterprise Florida, Inc., may recommend that~~ the department may





224226

2535 ~~designate~~ ~~consider the designation of~~ the sector as a high-  
2536 impact business sector ~~or may~~.

2537 ~~(g) Upon receiving a recommendation from the board of~~  
2538 ~~directors of Enterprise Florida, Inc., together with the study~~  
2539 ~~required in paragraph (c) and a summary of the findings and~~  
2540 ~~recommendations of the sector-business network required in~~  
2541 ~~paragraph (d), including a list of all meetings of the sector~~  
2542 ~~network and participants in those meetings and the findings and~~  
2543 ~~recommendations from the meeting as required in paragraph (c),~~  
2544 ~~the department shall after a thorough evaluation of the study~~  
2545 ~~and accompanying materials report its findings and either concur~~  
2546 ~~in the recommendation of Enterprise Florida, Inc., and designate~~  
2547 ~~the sector as a high-impact business sector or notify Enterprise~~  
2548 ~~Florida, Inc., that it does not concur and deny the board's~~  
2549 ~~request for designation or return the recommendation and study~~  
2550 ~~to Enterprise Florida, Inc., for further evaluation. In any~~  
2551 ~~case, the department's decision must be in writing and justify~~  
2552 ~~the reasons for the decision.~~

2553 ~~(g)(h)~~ If the department designates the sector as a high-  
2554 impact sector, it shall, within 30 days, notify the Governor,  
2555 the President of the Senate, and the Speaker of the House of  
2556 Representatives of its decision and provide a complete report on  
2557 its decision, including copies of the material compiled in the  
2558 evaluation, studies, and meetings required under this subsection  
2559 ~~provided by Enterprise Florida, Inc.,~~ and the department's  
2560 evaluation and comment on any statutory or policy changes  
2561 ~~recommended by Enterprise Florida, Inc.~~

2562 ~~(h)(i)~~ For the purposes of this subsection, a high-impact  
2563 sector consists of the silicon technology sector ~~that Enterprise~~



224226

2564 ~~Florida, Inc.,~~ has found to be focused around the type of high-  
2565 impact businesses for which the incentive created in this  
2566 subsection is required and will create the kinds of sector and  
2567 economy wide benefits that justify the use of state resources to  
2568 encourage these investments and require substantial inducements  
2569 to compete with the incentive packages offered by other states  
2570 and nations.

2571 Section 50. Section 288.1081, Florida Statutes, is  
2572 repealed.

2573 Section 51. Section 288.1082, Florida Statutes, is  
2574 repealed.

2575 Section 52. Section 288.1088, Florida Statutes, is  
2576 repealed.

2577 Section 53. Section 288.1089, Florida Statutes, is  
2578 repealed.

2579 Section 54. Section 288.111, Florida Statutes, is amended  
2580 to read:

2581 288.111 Information concerning local manufacturing  
2582 development programs.—The department shall develop materials  
2583 that identify each local government that establishes a local  
2584 manufacturing development program under s. 163.3252. The  
2585 materials, which the department may elect to develop and  
2586 maintain in electronic format or in any other format deemed by  
2587 the department to provide public access, must be updated at  
2588 least annually. ~~Enterprise Florida, Inc., shall, and other State~~  
2589 ~~agencies may,~~ distribute the materials to prospective, new,  
2590 expanding, and relocating businesses seeking to conduct business  
2591 in this state.

2592 Section 55. Subsection (7) of section 288.11621, Florida



224226

2593 Statutes, is amended to read:

2594 288.11621 Spring training baseball franchises.—

2595 (7) STRATEGIC PLANNING.—The department shall request  
2596 assistance from ~~Enterprise Florida, Inc.,~~ and the Florida  
2597 Grapefruit League Association to develop a comprehensive  
2598 strategic plan to:

2599 (a) Finance spring training facilities.

2600 (b) Monitor and oversee the use of state funds awarded to  
2601 applicants.

2602 (c) Identify the financial impact that spring training has  
2603 on the state and ways in which to maintain or improve that  
2604 impact.

2605 (d) Identify opportunities to develop public-private  
2606 partnerships to engage in marketing activities and advertise  
2607 spring training baseball.

2608 (e) Identify efforts made by other states to maintain or  
2609 develop partnerships with baseball spring training teams.

2610 (f) Develop recommendations for the Legislature to sustain  
2611 or improve this state's spring training tradition.

2612 Section 56. Paragraph (c) of subsection (2) and paragraphs  
2613 (a), (c), and (d) of subsection (3) of section 288.11631,  
2614 Florida Statutes, are amended to read:

2615 288.11631 Retention of Major League Baseball spring  
2616 training baseball franchises.—

2617 (2) CERTIFICATION PROCESS.—

2618 (c) Each applicant certified on or after July 1, 2013,  
2619 shall enter into an agreement with the department which:

2620 1. Specifies the amount of the state incentive funding to  
2621 be distributed. The amount of state incentive funding per



224226

2622 certified applicant may not exceed \$20 million. However, if a  
2623 certified applicant's facility is used by more than one spring  
2624 training franchise, the maximum amount may not exceed \$50  
2625 million, and the Department of Revenue shall make distributions  
2626 to the applicant pursuant to s. 212.20(6)(d)6.c. ~~s.~~  
2627 ~~212.20(6)(d)6.e.~~

2628         2. States the criteria that the certified applicant must  
2629 meet in order to remain certified. These criteria must include a  
2630 provision stating that the spring training franchise must  
2631 reimburse the state for any funds received if the franchise does  
2632 not comply with the terms of the contract. If bonds were issued  
2633 to construct or renovate a facility for a spring training  
2634 franchise, the required reimbursement must be equal to the total  
2635 amount of state distributions expected to be paid from the date  
2636 the franchise violates the agreement with the applicant through  
2637 the final maturity of the bonds.

2638         3. States that the certified applicant is subject to  
2639 decertification if the certified applicant fails to comply with  
2640 this section or the agreement.

2641         4. States that the department may recover state incentive  
2642 funds if the certified applicant is decertified.

2643         5. Specifies the information that the certified applicant  
2644 must report to the department.

2645         6. Includes any provision deemed prudent by the department.

2646         (3) USE OF FUNDS.—

2647         (a) A certified applicant may use funds provided under s.  
2648 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ only to:

2649             1. Serve the public purpose of constructing or renovating a  
2650 facility for a spring training franchise.



224226

2651           2. Pay or pledge for the payment of debt service on, or to  
2652 fund debt service reserve funds, arbitrage rebate obligations,  
2653 or other amounts payable with respect thereto, bonds issued for  
2654 the construction or renovation of such facility, or for the  
2655 reimbursement of such costs or the refinancing of bonds issued  
2656 for such purposes.

2657           (c) The Department of Revenue may not distribute funds  
2658 under s. 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ until July 1,  
2659 2016. Further, the Department of Revenue may not distribute  
2660 funds to an applicant certified on or after July 1, 2013, until  
2661 it receives notice from the department that:

2662           1. The certified applicant has encumbered funds under  
2663 either subparagraph (a)1. or subparagraph (a)2.; and

2664           2. If applicable, any existing agreement with a spring  
2665 training franchise for the use of a facility has expired.

2666           (d)1. All certified applicants shall place unexpended state  
2667 funds received pursuant to s. 212.20(6)(d)6.c. ~~s.~~  
2668 ~~212.20(6)(d)6.e.~~ in a trust fund or separate account for use  
2669 only as authorized in this section.

2670           2. A certified applicant may request that the department  
2671 notify the Department of Revenue to suspend further  
2672 distributions of state funds made available under s.  
2673 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ for 12 months after  
2674 expiration of an existing agreement with a spring training  
2675 franchise to provide the certified applicant with an opportunity  
2676 to enter into a new agreement with a spring training franchise,  
2677 at which time the distributions shall resume.

2678           3. The expenditure of state funds distributed to an  
2679 applicant certified after July 1, 2013, must begin within 48



2680 months after the initial receipt of the state funds. In  
2681 addition, the construction or renovation of a spring training  
2682 facility must be completed within 24 months after the project's  
2683 commencement.

2684 Section 57. Section 288.1168, Florida Statutes, is  
2685 repealed.

2686 Section 58. Section 288.1169, Florida Statutes, is  
2687 repealed.

2688 Section 59. Section 288.1171, Florida Statutes, is  
2689 repealed.

2690 Section 60. Section 288.122, Florida Statutes, is amended  
2691 to read:

2692 288.122 Tourism Promotional Trust Fund.—There is created  
2693 within the department the Tourism Promotional Trust Fund. Moneys  
2694 deposited in the Tourism Promotional Trust Fund shall only be  
2695 used to support the authorized activities and operations and the  
2696 tourism promotion and marketing activities, services, functions,  
2697 and programs administered by the department ~~Enterprise Florida,~~  
2698 ~~Inc.~~, through a contract with the direct-support organization  
2699 created under s. 288.1226.

2700 Section 61. Present subsection (13) of section 288.1226,  
2701 Florida Statutes, as amended by chapter 2023-20, Laws of  
2702 Florida, is redesignated as subsection (15), a new subsection  
2703 (13) and subsection (14) are added to that section, and  
2704 subsections (2), (3), and (4), paragraphs (a), (c), (g), (h),  
2705 (i), and (k) of subsection (5), and subsections (7) and (8) of  
2706 that section are amended, to read:

2707 288.1226 Florida Tourism Industry Marketing Corporation;  
2708 use of property; board of directors; duties; audit.—



2709 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing  
2710 Corporation is a direct-support organization of the department  
2711 ~~Enterprise Florida, Inc.~~

2712 (a) The Florida Tourism Industry Marketing Corporation is a  
2713 corporation not for profit, as defined in s. 501(c)(6) of the  
2714 Internal Revenue Code of 1986, as amended, that is incorporated  
2715 under the provisions of chapter 617 and approved by the  
2716 Department of State.

2717 (b) The corporation is organized and operated exclusively  
2718 to request, receive, hold, invest, and administer property and  
2719 to manage and make expenditures for the operation of the  
2720 activities, services, functions, and programs of this state  
2721 which relate to the statewide, national, and international  
2722 promotion and marketing of tourism.

2723 (c)1. The corporation is not an agency for the purposes of  
2724 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,  
2725 relating to leasing of buildings; ss. 283.33 and 283.35,  
2726 relating to bids for printing; s. 215.31; and parts I, II, and  
2727 IV-VIII of chapter 112. However, the corporation shall comply  
2728 with the per diem and travel expense provisions of s. 112.061.

2729 2. It is not a violation of s. 112.3143(2) or (4) for the  
2730 officers or members of the board of directors of the corporation  
2731 to:

2732 a. Vote on the 4-year marketing plan required under  
2733 subsection (13) ~~s. 288.923~~ or vote on any individual component  
2734 of or amendment to the plan.

2735 b. Participate in the establishment or calculation of  
2736 payments related to the private match requirements of subsection  
2737 (6). The officer or member must file an annual disclosure



224226

2738 describing the nature of his or her interests or the interests  
2739 of his or her principals, including corporate parents and  
2740 subsidiaries of his or her principal, in the private match  
2741 requirements. This annual disclosure requirement satisfies the  
2742 disclosure requirement of s. 112.3143(4). This disclosure must  
2743 be placed on the corporation's website or included in the  
2744 minutes of each meeting of the corporation's board of directors  
2745 at which the private match requirements are discussed or voted  
2746 upon.

2747 (d) The corporation is subject to the provisions of chapter  
2748 119, relating to public meetings, and those provisions of  
2749 chapter 286 relating to public meetings and records.

2750 (3) USE OF PROPERTY.—The department ~~Enterprise Florida,~~  
2751 ~~Inc.:~~

2752 (a) Is authorized to permit the use of property and  
2753 facilities of the department ~~Enterprise Florida, Inc.,~~ by the  
2754 corporation, subject to the provisions of this section.

2755 (b) Shall prescribe conditions with which the corporation  
2756 must comply in order to use property and facilities of the  
2757 department ~~Enterprise Florida, Inc.~~ Such conditions shall  
2758 provide for budget and audit review and for oversight by the  
2759 department ~~Enterprise Florida, Inc.~~

2760 (c) May not permit the use of property and facilities of  
2761 the department ~~Enterprise Florida, Inc.,~~ if the corporation does  
2762 not provide equal employment opportunities to all persons,  
2763 regardless of race, color, national origin, sex, age, or  
2764 religion.

2765 (4) BOARD OF DIRECTORS.—The board of directors of the  
2766 corporation shall be composed of 32 tourism-industry-related





224226

2767 members, appointed by ~~Enterprise Florida, Inc., in conjunction~~  
2768 ~~with~~ the department. Board members shall serve without  
2769 compensation, but are entitled to receive reimbursement for per  
2770 diem and travel expenses pursuant to s. 112.061. Such expenses  
2771 must be paid out of funds of the corporation. The board shall be  
2772 composed of all of the following members:

2773 (a) Sixteen members, appointed in such a manner as to  
2774 equitably represent all geographic areas of this state, with no  
2775 fewer than two members from any of the following regions:

2776 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,  
2777 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,  
2778 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

2779 2. Region 2, composed of Alachua, Baker, Bradford, Clay,  
2780 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,  
2781 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,  
2782 Taylor, and Union Counties.

2783 3. Region 3, composed of Brevard, Indian River, Lake,  
2784 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and  
2785 Volusia Counties.

2786 4. Region 4, composed of Citrus, Hernando, Hillsborough,  
2787 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

2788 5. Region 5, composed of Charlotte, Collier, DeSoto,  
2789 Glades, Hardee, Hendry, Highlands, and Lee Counties.

2790 6. Region 6, composed of Broward, Martin, Miami-Dade,  
2791 Monroe, and Palm Beach Counties.

2792 (b) The following industry and organization  
2793 representatives: 1 representative from the statewide rental car  
2794 industry; 7 representatives from tourist-related statewide  
2795 associations, including those that represent hotels,



224226

2796 campgrounds, county destination marketing organizations,  
2797 museums, restaurants, retail, and attractions; 3 representatives  
2798 from county destination marketing organizations; 1  
2799 representative from the cruise industry; 1 representative from  
2800 an automobile and travel services membership organization that  
2801 has at least 2.8 million members in Florida; 1 representative  
2802 from the airline industry; 1 representative from the nature-  
2803 based tourism industry; and 1 representative from the space  
2804 tourism industry, who will each serve for a term of 2 years.

2805 (5) POWERS AND DUTIES.—The corporation, in the performance  
2806 of its duties:

2807 (a) May make and enter into contracts and assume such other  
2808 functions as are necessary to carry out the provisions of the 4-  
2809 year marketing plan required by subsection (13) s. 288.923, and  
2810 the corporation's contract with the department Enterprise  
2811 Florida, Inc., which are not inconsistent with this or any other  
2812 provision of law. A proposed contract with a total cost of  
2813 \$750,000 or more is subject to the notice and review procedures  
2814 of s. 216.177. If the chair and vice chair of the Legislative  
2815 Budget Commission, or the President of the Senate and the  
2816 Speaker of the House of Representatives, timely advise the  
2817 corporation in writing that such proposed contract is contrary  
2818 to legislative policy and intent, the corporation may not  
2819 execute such proposed contract. The corporation may not enter  
2820 into multiple related contracts to avoid the requirements of  
2821 this paragraph.

2822 (c) May establish a cooperative marketing program with  
2823 other public and private entities which allows the use of the  
2824 VISIT Florida logo in tourism promotion campaigns which meet the



224226

2825 standards of the department ~~Enterprise Florida, Inc.~~, for which  
2826 the corporation may charge a reasonable fee.

2827 (g) Shall hire and establish salaries and personnel and  
2828 employee benefit programs for such permanent and temporary  
2829 employees as are necessary to carry out the provisions of the 4-  
2830 year marketing plan and the corporation's contract with the  
2831 department ~~Enterprise Florida, Inc.~~, which are not inconsistent  
2832 with this or any other provision of law. However, an employee  
2833 may not receive public compensation for employment that exceeds  
2834 the salary and benefits authorized to be paid to the Governor.  
2835 Any public payments of performance bonuses or severance pay to  
2836 employees of the corporation are prohibited unless specifically  
2837 authorized by law.

2838 (h) May adopt, change, amend, and repeal bylaws, not  
2839 inconsistent with law or its articles of incorporation, for the  
2840 administration of the provisions of the 4-year marketing plan  
2841 and the corporation's contract with the department ~~Enterprise~~  
2842 ~~Florida, Inc.~~

2843 (i) May conduct its affairs, carry on its operations, and  
2844 have offices and exercise the powers granted by this act in any  
2845 state, territory, district, or possession of the United States  
2846 or any foreign country. Where feasible, appropriate, and  
2847 recommended by the 4-year marketing plan developed by the  
2848 corporation in consultation with the department ~~Division of~~  
2849 ~~Tourism Promotion of Enterprise Florida, Inc.~~, the corporation  
2850 may collocate the programs of foreign tourism offices in  
2851 cooperation with any foreign office operated by any agency of  
2852 this state.

2853 (k) May request or accept any grant, payment, or gift, of



224226

2854 funds or property made by this state or by the United States or  
2855 any department or agency thereof or by any individual, firm,  
2856 corporation, municipality, county, or organization for any or  
2857 all of the purposes of the 4-year marketing plan and the  
2858 corporation's contract with the department ~~Enterprise Florida,~~  
2859 ~~Inc.~~, that are not inconsistent with this or any other provision  
2860 of law. Such funds shall be deposited in a bank account  
2861 established by the corporation's board of directors. The  
2862 corporation may expend such funds in accordance with the terms  
2863 and conditions of any such grant, payment, or gift, in the  
2864 pursuit of its administration or in support of the programs it  
2865 administers. The corporation shall separately account for the  
2866 public funds and the private funds deposited into the  
2867 corporation's bank account.

2868 (7) ANNUAL AUDIT.—The corporation shall provide for an  
2869 annual financial audit in accordance with s. 215.981. The annual  
2870 audit report shall be submitted to the Auditor General; the  
2871 Office of Program Policy Analysis and Government Accountability;  
2872 ~~Enterprise Florida, Inc.~~; and the department for review. The  
2873 Office of Program Policy Analysis and Government Accountability;  
2874 ~~Enterprise Florida, Inc.~~; the department; and the Auditor  
2875 General have the authority to require and receive from the  
2876 corporation or from its independent auditor any detail or  
2877 supplemental data relative to the operation of the corporation.  
2878 The department shall annually certify whether the corporation is  
2879 operating in a manner and achieving the objectives that are  
2880 consistent with the policies and goals of the department  
2881 ~~Enterprise Florida, Inc.~~, and its long-range marketing plan. The  
2882 identity of a donor or prospective donor to the corporation who



224226

2883 desires to remain anonymous and all information identifying such  
2884 donor or prospective donor are confidential and exempt from the  
2885 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
2886 Constitution. Such anonymity shall be maintained in the  
2887 auditor's report.

2888 (8) REPORT.—The corporation shall provide to the department  
2889 a quarterly report that to Enterprise Florida, Inc., which  
2890 shall:

2891 (a) Measures Measure the current vitality of the visitor  
2892 industry of this state as compared to the vitality of such  
2893 industry for the year to date and for comparable quarters of  
2894 past years. Indicators of vitality shall be determined by the  
2895 department Enterprise Florida, Inc., and shall include, but not  
2896 be limited to, estimated visitor count and party size, length of  
2897 stay, average expenditure per party, and visitor origin and  
2898 destination.

2899 (b) Provides Provide detailed, unaudited financial  
2900 statements of sources and uses of public and private funds.

2901 (c) Measures Measure progress toward towards annual goals  
2902 and objectives set forth in the 4-year marketing plan.

2903 (d) Reviews Review all pertinent research findings.

2904 (e) Provides Provide other measures of accountability as  
2905 requested by the department Enterprise Florida, Inc.

2906  
2907 The corporation must take all steps necessary to provide all  
2908 data that is used to develop the report, including source data,  
2909 to the Office of Economic and Demographic Research.

2910 (13) FOUR-YEAR MARKETING PLAN.—

2911 (a) The corporation shall, in collaboration with the



224226

2912 department, develop a 4-year marketing plan. At a minimum, the  
2913 marketing plan must discuss the following:  
2914 1. Continuation of overall tourism growth in this state.  
2915 2. Expansion to new or under-represented tourist markets.  
2916 3. Maintenance of traditional and loyal tourist markets.  
2917 4. Coordination of efforts with county destination  
2918 marketing organizations, other local government marketing  
2919 groups, privately owned attractions and destinations, and other  
2920 private sector partners to create a seamless, four-season  
2921 advertising campaign for the state and its regions.  
2922 5. Development of innovative techniques or promotions to  
2923 build repeat visitation by targeted segments of the tourist  
2924 population.  
2925 6. Consideration of innovative sources of state funding for  
2926 tourism marketing.  
2927 7. Promotion of nature-based tourism, including, but not  
2928 limited to, promotion of the Florida Greenways and Trails System  
2929 as described under s. 260.014 and the Florida Shared-Use  
2930 Nonmotorized Trail Network as described under s. 339.81.  
2931 8. Coordination of efforts with the Office of Greenways and  
2932 Trails of the Department of Environmental Protection and the  
2933 department to promote and assist local communities, including,  
2934 but not limited to, communities designated as trail towns by the  
2935 Office of Greenways and Trails, to maximize use of nearby trails  
2936 as economic assets, including specific promotion of trail-based  
2937 tourism.  
2938 9. Promotion of heritage tourism.  
2939 10. Development of a component to address emergency  
2940 response to natural and manmade disasters from a marketing



224226

2941 standpoint.

2942 (b) The plan must be annual in construction and ongoing in  
2943 nature. Any annual revisions of the plan must carry forward the  
2944 concepts of the remaining 3-year portion of the plan and  
2945 consider a continuum portion to preserve the 4-year timeframe of  
2946 the plan. The plan also must include recommendations for  
2947 specific performance standards and measurable outcomes for the  
2948 corporation. The department shall base the actual performance  
2949 metrics on these recommendations.

2950 (c) The plan shall be annually reviewed and approved by the  
2951 board of directors of the corporation.

2952 (14) ANNUAL REPORT.—The corporation shall draft and submit  
2953 to the department, the Governor, the President of the Senate,  
2954 and the Speaker of the House of Representatives by December 1 of  
2955 each year an annual report. The annual report must set forth for  
2956 the corporation:

2957 (a) Operations and accomplishments during the fiscal year,  
2958 including the economic benefit of the state's investment and  
2959 effectiveness of the marketing plan.

2960 (b) The 4-year marketing plan, including recommendations on  
2961 methods for implementing and funding the plan.

2962 (c) The assets and liabilities of the corporation at the  
2963 end of its most recent fiscal year.

2964 (d) A copy of the annual financial and compliance audit  
2965 conducted under subsection (7).

2966 Section 62. Section 288.12265, Florida Statutes, is amended  
2967 to read:

2968 288.12265 Welcome centers.—

2969 (1) Responsibility for the welcome centers is assigned to



224226

2970 ~~Enterprise Florida, Inc., which shall contract with the Florida~~  
2971 ~~Tourism Industry Marketing Corporation to employ all welcome~~  
2972 ~~center staff.~~

2973       (2) The Florida Tourism Industry Marketing Corporation  
2974 ~~Enterprise Florida, Inc.,~~ shall administer and operate the  
2975 welcome centers and, pursuant to a contract with the Department  
2976 of Transportation, ~~Enterprise Florida, Inc.,~~ shall be  
2977 responsible for routine repair, replacement, or improvement and  
2978 the day-to-day management of interior areas occupied by the  
2979 welcome centers. All other repairs, replacements, or  
2980 improvements to the welcome centers shall be the responsibility  
2981 of the Department of Transportation. ~~Enterprise Florida, Inc.,~~  
2982 ~~may contract with the Florida Tourism Industry Marketing~~  
2983 ~~Corporation for the management and operation of the welcome~~  
2984 ~~centers.~~

2985       Section 63. Notwithstanding the repeal of section 288.1229,  
2986 Florida Statutes, in section 485 of chapter 2011-142, Laws of  
2987 Florida, that section is revived, readopted, and amended to  
2988 read:

2989       288.1229 Promotion and development of sports-related  
2990 industries and amateur athletics; direct-support organization  
2991 established; powers and duties.-

2992       (1) The department shall establish a direct-support  
2993 organization known as the Florida Sports Foundation. The  
2994 foundation shall ~~The Office of Tourism, Trade, and Economic~~  
2995 ~~Development may authorize a direct support organization to~~  
2996 assist the department ~~office~~ in:

2997       (a) The promotion and development of the sports industry  
2998 and related industries for the purpose of improving the economic





224226

2999 presence of these industries in Florida.

3000 (b) The promotion of amateur athletic participation for the  
3001 citizens of Florida and the promotion of Florida as a host for  
3002 national and international amateur athletic competitions for the  
3003 purpose of encouraging and increasing the direct and ancillary  
3004 economic benefits of amateur athletic events and competitions.

3005 (c) The retention of professional sports franchises,  
3006 including the spring training operations of Major League  
3007 Baseball.

3008 (2) The Florida Sports Foundation ~~To be authorized as a~~  
3009 ~~direct support organization, an organization~~ must:

3010 (a) Be incorporated as a corporation not for profit  
3011 pursuant to chapter 617.

3012 (b) Be governed by a board of directors, which must consist  
3013 of up to 15 members appointed by the Governor ~~and up to 15~~  
3014 ~~members appointed by the existing board of directors~~. In making  
3015 appointments, the Governor ~~board~~ must consider a potential  
3016 member's background in community service and sports activism in,  
3017 and financial support of, the sports industry, professional  
3018 sports, or organized amateur athletics. Members must be  
3019 residents of the state and highly knowledgeable about or active  
3020 in professional or organized amateur sports.

3021 1. The board must contain representatives of all  
3022 geographical regions of the state and must represent ethnic and  
3023 gender diversity.

3024 2. The terms of office of the members shall be 4 years. No  
3025 member may serve more than two consecutive terms. The Governor  
3026 may remove any member for cause and shall fill all vacancies  
3027 that occur.



224226

3028 (c) Have as its purpose, as stated in its articles of  
3029 incorporation, to receive, hold, invest, and administer  
3030 property; to raise funds and receive gifts; and to promote and  
3031 develop the sports industry and related industries for the  
3032 purpose of increasing the economic presence of these industries  
3033 in Florida.

3034 (d) Have a prior determination by the department ~~Office of~~  
3035 ~~Tourism, Trade, and Economic Development~~ that the foundation  
3036 ~~organization~~ will benefit the department ~~office~~ and act in the  
3037 best interests of the state as a direct-support organization to  
3038 the department ~~office~~.

3039 (3) The Florida Sports Foundation shall operate under  
3040 contract with the department. The contract must provide ~~Office~~  
3041 ~~of Tourism, Trade, and Economic Development~~ shall contract with  
3042 the ~~organization~~ and shall include in the contract that:

3043 (a) The department ~~office~~ may review the foundation's  
3044 ~~organization's~~ articles of incorporation.

3045 (b) The foundation ~~organization~~ shall submit an annual  
3046 budget proposal to the department ~~office~~, on a form provided by  
3047 the department ~~office~~, in accordance with department ~~office~~  
3048 procedures for filing budget proposals based upon the  
3049 recommendation of the department ~~office~~.

3050 (c) Any funds that the foundation ~~organization~~ holds in  
3051 trust will revert to the state upon the expiration or  
3052 cancellation of the contract.

3053 (d) The foundation ~~organization~~ is subject to an annual  
3054 financial and performance review by the department ~~office~~ to  
3055 determine whether the foundation ~~organization~~ is complying with  
3056 the terms of the contract and whether it is acting in a manner



224226

3057 consistent with the goals of the department ~~office~~ and in the  
3058 best interests of the state.

3059 (e) The fiscal year of the foundation ~~begins~~ ~~organization~~  
3060 ~~will begin~~ July 1 of each year and ends ~~end~~ June 30 of the next  
3061 ensuing year.

3062 (4) The department ~~Office of Tourism, Trade, and Economic~~  
3063 ~~Development~~ may allow the foundation ~~organization~~ to use the  
3064 property, facilities, personnel, and services of the department  
3065 ~~office~~ if the foundation ~~organization~~ provides equal employment  
3066 opportunities to all persons regardless of race, color,  
3067 religion, sex, age, or national origin, subject to the approval  
3068 of the executive director of the department ~~office~~.

3069 (5) The foundation ~~organization~~ shall provide for an annual  
3070 financial audit in accordance with s. 215.981.

3071 (6) The foundation ~~organization~~ is not granted any taxing  
3072 power.

3073 (7) ~~In exercising the power provided in this section, the~~  
3074 ~~Office of Tourism, Trade, and Economic Development may authorize~~  
3075 ~~and contract with the direct support organization existing on~~  
3076 ~~June 30, 1996, and authorized by the former Florida Department~~  
3077 ~~of Commerce to promote sports-related industries. An appointed~~  
3078 ~~member of the board of directors of such direct support~~  
3079 ~~organization as of June 30, 1996, may serve the remainder of his~~  
3080 ~~or her unexpired term.~~

3081 ~~(8)~~ To promote amateur sports and physical fitness, the  
3082 foundation ~~direct support organization~~ shall:

3083 (a) Develop, foster, and coordinate services and programs  
3084 for amateur sports for the people of Florida.

3085 (b) Sponsor amateur sports workshops, clinics, conferences,



224226

3086 and other similar activities.

3087 (c) Give recognition to outstanding developments and  
3088 achievements in, and contributions to, amateur sports.

3089 (d) Encourage, support, and assist local governments and  
3090 communities in the development of or hosting of local amateur  
3091 athletic events and competitions.

3092 (e) Promote Florida as a host for national and  
3093 international amateur athletic competitions.

3094 (f) Develop ~~a~~ statewide programs ~~program~~ of amateur  
3095 athletic competition to be known as the "Florida Senior Games"  
3096 and the "Sunshine State Games."

3097 (g) Continue the successful amateur sports programs  
3098 previously conducted by the Florida Governor's Council on  
3099 Physical Fitness and Amateur Sports created under former s.  
3100 14.22.

3101 (h) Encourage and continue the use of volunteers in its  
3102 amateur sports programs to the maximum extent possible.

3103 (i) Develop, foster, and coordinate services and programs  
3104 designed to encourage the participation of Florida's youth in  
3105 Olympic sports activities and competitions.

3106 (j) Foster and coordinate services and programs designed to  
3107 contribute to the physical fitness of the citizens of Florida.

3108 ~~(8)-(9)~~ (a) The Sunshine State Games and Florida Senior Games  
3109 shall both be patterned after the Summer Olympics with  
3110 variations as necessitated by availability of facilities,  
3111 equipment, and expertise. The games shall be designed to  
3112 encourage the participation of athletes representing a broad  
3113 range of age groups, skill levels, and Florida communities.  
3114 ~~Participants shall be residents of this state. Regional~~



224226

3115 ~~competitions shall be held throughout the state, and the top~~  
3116 ~~qualifiers in each sport shall proceed to the final competitions~~  
3117 ~~to be held at a site in the state with the necessary facilities~~  
3118 ~~and equipment for conducting the competitions.~~

3119 (b) The department ~~Executive Office of the Governor~~ is  
3120 authorized to permit the use of property, facilities, and  
3121 personal services of or at any State University System facility  
3122 or institution by the direct-support organization operating the  
3123 Sunshine State Games and Florida Senior Games. For the purposes  
3124 of this paragraph, personal services includes full-time or part-  
3125 time personnel as well as payroll processing.

3126 Section 64. Section 288.125, Florida Statutes, is amended  
3127 to read:

3128 288.125 Definition of "entertainment industry."—For the  
3129 purposes of s. 288.1258 ~~ss. 288.1251-288.1258~~, the term  
3130 "entertainment industry" means those persons or entities engaged  
3131 in the operation of motion picture or television studios or  
3132 recording studios; those persons or entities engaged in the  
3133 preproduction, production, or postproduction of motion pictures,  
3134 made-for-television movies, television programming, digital  
3135 media projects, commercial advertising, music videos, or sound  
3136 recordings; and those persons or entities providing products or  
3137 services directly related to the preproduction, production, or  
3138 postproduction of motion pictures, made-for-television movies,  
3139 television programming, digital media projects, commercial  
3140 advertising, music videos, or sound recordings, including, but  
3141 not limited to, the broadcast industry.

3142 Section 65. Section 288.1251, Florida Statutes, is  
3143 repealed.



224226

3144           Section 66. Section 288.1252, Florida Statutes, is  
3145 repealed.

3146           Section 67. Section 288.1253, Florida Statutes, is  
3147 repealed.

3148           Section 68. Section 288.1254, Florida Statutes, is  
3149 repealed.

3150           Section 69. Section 288.1258, Florida Statutes, is amended  
3151 to read:

3152           288.1258 Entertainment industry qualified production  
3153 companies; application procedure; categories; duties of the  
3154 Department of Revenue; records and reports.—

3155           (1) PRODUCTION COMPANIES AUTHORIZED TO APPLY.—

3156           (a) Any production company engaged in this state in the  
3157 production of motion pictures, made-for-TV motion pictures,  
3158 television series, commercial advertising, music videos, or  
3159 sound recordings may submit an application to the Department of  
3160 Revenue to be approved by the department ~~Office of Film and~~  
3161 ~~Entertainment~~ as a qualified production company for the purpose  
3162 of receiving a sales and use tax certificate of exemption from  
3163 the Department of Revenue.

3164           (b) For the purposes of this section, "qualified production  
3165 company" means any production company that has submitted a  
3166 properly completed application to the Department of Revenue and  
3167 that is subsequently qualified by the department ~~Office of Film~~  
3168 ~~and Entertainment~~.

3169           (2) APPLICATION PROCEDURE.—

3170           (a) The Department of Revenue will review all submitted  
3171 applications for the required information. Within 10 working  
3172 days after the receipt of a properly completed application, the



224226

3173 Department of Revenue will forward the completed application to  
3174 the department ~~Office of Film and Entertainment~~ for approval.

3175 (b)1. The department ~~Office of Film and Entertainment~~ shall  
3176 establish a process by which an entertainment industry  
3177 production company may be approved by the department ~~office~~ as a  
3178 qualified production company and may receive a certificate of  
3179 exemption from the Department of Revenue for the sales and use  
3180 tax exemptions under ss. 212.031, 212.06, and 212.08.

3181 2. Upon determination by the department ~~Office of Film and~~  
3182 ~~Entertainment~~ that a production company meets the established  
3183 approval criteria and qualifies for exemption, the department  
3184 ~~Office of Film and Entertainment~~ shall return the approved  
3185 application or application renewal or extension to the  
3186 Department of Revenue, which shall issue a certificate of  
3187 exemption.

3188 3. The department ~~Office of Film and Entertainment~~ shall  
3189 deny an application or application for renewal or extension from  
3190 a production company if it determines that the production  
3191 company does not meet the established approval criteria.

3192 (c) The department ~~Office of Film and Entertainment~~ shall  
3193 develop, with the cooperation of the Department of Revenue and  
3194 local government entertainment industry promotion agencies, a  
3195 standardized application form for use in approving qualified  
3196 production companies.

3197 1. The application form shall include, but not be limited  
3198 to, production-related information on employment, proposed  
3199 budgets, planned purchases of items exempted from sales and use  
3200 taxes under ss. 212.031, 212.06, and 212.08, a signed  
3201 affirmation from the applicant that any items purchased for



224226

3202 which the applicant is seeking a tax exemption are intended for  
3203 use exclusively as an integral part of entertainment industry  
3204 preproduction, production, or postproduction activities engaged  
3205 in primarily in this state, and a signed affirmation from the  
3206 department ~~Office of Film and Entertainment~~ that the information  
3207 on the application form has been verified and is correct. In  
3208 lieu of information on projected employment, proposed budgets,  
3209 or planned purchases of exempted items, a production company  
3210 seeking a 1-year certificate of exemption may submit summary  
3211 historical data on employment, production budgets, and purchases  
3212 of exempted items related to production activities in this  
3213 state. Any information gathered from production companies for  
3214 the purposes of this section shall be considered confidential  
3215 taxpayer information and shall be disclosed only as provided in  
3216 s. 213.053.

3217 2. The application form may be distributed to applicants by  
3218 the department ~~Office of Film and Entertainment~~ or local film  
3219 commissions.

3220 (d) All applications, renewals, and extensions for  
3221 designation as a qualified production company shall be processed  
3222 by the department ~~Office of Film and Entertainment~~.

3223 (e) In the event that the Department of Revenue determines  
3224 that a production company no longer qualifies for a certificate  
3225 of exemption, or has used a certificate of exemption for  
3226 purposes other than those authorized by this section and chapter  
3227 212, the Department of Revenue shall revoke the certificate of  
3228 exemption of that production company, and any sales or use taxes  
3229 exempted on items purchased or leased by the production company  
3230 during the time such company did not qualify for a certificate





224226

3231 of exemption or improperly used a certificate of exemption shall  
3232 become immediately due to the Department of Revenue, along with  
3233 interest and penalty as provided by s. 212.12. In addition to  
3234 the other penalties imposed by law, any person who knowingly and  
3235 willfully falsifies an application, or uses a certificate of  
3236 exemption for purposes other than those authorized by this  
3237 section and chapter 212, commits a felony of the third degree,  
3238 punishable as provided in ss. 775.082, 775.083, and 775.084.

3239 (3) CATEGORIES.—

3240 (a)1. A production company may be qualified for designation  
3241 as a qualified production company for a period of 1 year if the  
3242 company has operated a business in Florida at a permanent  
3243 address for a period of 12 consecutive months. Such a qualified  
3244 production company shall receive a single 1-year certificate of  
3245 exemption from the Department of Revenue for the sales and use  
3246 tax exemptions under ss. 212.031, 212.06, and 212.08, which  
3247 certificate shall expire 1 year after issuance or upon the  
3248 cessation of business operations in the state, at which time the  
3249 certificate shall be surrendered to the Department of Revenue.

3250 2. The department ~~Office of Film and Entertainment~~ shall  
3251 develop a method by which a qualified production company may  
3252 annually renew a 1-year certificate of exemption for a period of  
3253 up to 5 years without requiring the production company to  
3254 resubmit a new application during that 5-year period.

3255 3. Any qualified production company may submit a new  
3256 application for a 1-year certificate of exemption upon the  
3257 expiration of that company's certificate of exemption.

3258 (b)1. A production company may be qualified for designation  
3259 as a qualified production company for a period of 90 days. Such



224226

3260 production company shall receive a single 90-day certificate of  
3261 exemption from the Department of Revenue for the sales and use  
3262 tax exemptions under ss. 212.031, 212.06, and 212.08, which  
3263 certificate shall expire 90 days after issuance, with extensions  
3264 contingent upon approval of the department ~~Office of Film and~~  
3265 ~~Entertainment~~. The certificate shall be surrendered to the  
3266 Department of Revenue upon its expiration.

3267 2. Any production company may submit a new application for  
3268 a 90-day certificate of exemption upon the expiration of that  
3269 company's certificate of exemption.

3270 (4) DUTIES OF THE DEPARTMENT OF REVENUE.—

3271 (a) The Department of Revenue shall review the initial  
3272 application and notify the applicant of any omissions and  
3273 request additional information if needed. An application shall  
3274 be complete upon receipt of all requested information. The  
3275 Department of Revenue shall forward all complete applications to  
3276 the department ~~Office of Film and Entertainment~~ within 10  
3277 working days.

3278 (b) The Department of Revenue shall issue a numbered  
3279 certificate of exemption to a qualified production company  
3280 within 5 working days of the receipt of an approved application,  
3281 application renewal, or application extension from the  
3282 department ~~Office of Film and Entertainment~~.

3283 (c) The Department of Revenue may promulgate such rules and  
3284 shall prescribe and publish such forms as may be necessary to  
3285 effectuate the purposes of this section or any of the sales tax  
3286 exemptions which are reasonably related to the provisions of  
3287 this section.

3288 (d) The Department of Revenue is authorized to establish



224226

3289 audit procedures in accordance with the provisions of ss.  
3290 212.12, 212.13, and 213.34 which relate to the sales tax  
3291 exemption provisions of this section.

3292 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO  
3293 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The department  
3294 ~~Office of Film and Entertainment~~ shall keep annual records from  
3295 the information provided on taxpayer applications for tax  
3296 exemption certificates. These records also must reflect a ratio  
3297 of the annual amount of sales and use tax exemptions under this  
3298 section, ~~plus the incentives awarded pursuant to s. 288.1254 to~~  
3299 the estimated amount of funds expended by certified productions.  
3300 In addition, the department ~~office~~ shall maintain data showing  
3301 annual growth in Florida-based entertainment industry companies  
3302 and entertainment industry employment and wages. ~~The employment~~  
3303 ~~information must include an estimate of the full-time equivalent~~  
3304 ~~positions created by each production that received tax credits~~  
3305 ~~pursuant to s. 288.1254.~~ The department ~~Office of Film and~~  
3306 ~~Entertainment~~ shall annually report ~~include~~ this information in  
3307 the annual report required under s. 20.60 ~~for the entertainment~~  
3308 ~~industry financial incentive program required under s.~~  
3309 ~~288.1254(10).~~

3310 Section 70. Section 288.7015, Florida Statutes, is amended  
3311 to read:

3312 288.7015 Appointment of rules ombudsman; duties.—The  
3313 Governor shall appoint a rules ombudsman, as defined in s.  
3314 288.703, in the Executive Office of the Governor, for  
3315 considering the impact of agency rules on the state's citizens  
3316 and businesses. ~~In carrying out duties as provided by law, the~~  
3317 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~



224226

3318 ~~point the department may recommend to improve the regulatory~~  
3319 ~~environment of this state.~~ The duties of the rules ombudsman are  
3320 to:

3321 (1) Carry out the responsibility provided in s.  
3322 120.54(3)(b), with respect to small businesses.

3323 (2) Review state agency rules that adversely or  
3324 disproportionately impact businesses, particularly those  
3325 relating to small and minority businesses.

3326 (3) Make recommendations on any existing or proposed rules  
3327 to alleviate unnecessary or disproportionate adverse effects to  
3328 businesses.

3329 (4) Each state agency shall cooperate fully with the rules  
3330 ombudsman in identifying such rules. Further, each agency shall  
3331 take the necessary steps to waive, modify, or otherwise minimize  
3332 such adverse effects of any such rules. However, nothing in this  
3333 section authorizes any state agency to waive, modify, provide  
3334 exceptions to, or otherwise alter any rule that is:

3335 (a) Expressly required to implement or enforce any  
3336 statutory provision or the express legislative intent thereof;

3337 (b) Designed to protect persons against discrimination on  
3338 the basis of race, color, national origin, religion, sex, age,  
3339 handicap, or marital status; or

3340 (c) Likely to prevent a significant risk or danger to the  
3341 public health, the public safety, or the environment of the  
3342 state.

3343 (5) The modification or waiver of any such rule pursuant to  
3344 this section must be accomplished in accordance with the  
3345 provisions of chapter 120.

3346 Section 71. Subsection (11) of section 288.706, Florida



224226

3347 Statutes, is amended to read:

3348       288.706 Florida Minority Business Loan Mobilization  
3349 Program.—

3350       (11) The Department of Management Services shall  
3351 collaborate with ~~Enterprise Florida, Inc.~~, and the department to  
3352 assist in the development and enhancement of black business  
3353 enterprises.

3354       Section 72. Subsection (1) of section 288.773, Florida  
3355 Statutes, is amended to read:

3356       288.773 Florida Export Finance Corporation.—The Florida  
3357 Export Finance Corporation is hereby created as a corporation  
3358 not for profit, to be incorporated under the provisions of  
3359 chapter 617 and approved by the Department of State. The  
3360 corporation is organized on a nonstock basis. The purpose of the  
3361 corporation is to expand employment and income opportunities for  
3362 residents of this state through increased exports of goods and  
3363 services, by providing businesses domiciled in this state  
3364 information and technical assistance on export opportunities,  
3365 exporting techniques, and financial assistance through  
3366 guarantees and direct loan originations for sale in support of  
3367 export transactions. The corporation shall have the power and  
3368 authority to carry out the following functions:

3369       (1) To coordinate the efforts of the corporation with  
3370 programs and goals of the United States Export-Import Bank, the  
3371 International Trade Administration of the United States  
3372 Department of Commerce, the Foreign Credit Insurance  
3373 Association, the department ~~Enterprise Florida, Inc.~~, and other  
3374 private and public programs and organizations, domestic and  
3375 foreign, designed to provide export assistance and export-



224226

3376 related financing.

3377 Section 73. Paragraph (a) of subsection (1) and paragraphs  
3378 (a), (c), and (g) of subsection (3) of section 288.776, Florida  
3379 Statutes, are amended to read:

3380 288.776 Board of directors; powers and duties.—

3381 (1) (a) The corporation shall have a board of directors  
3382 consisting of 15 members representing all geographic areas of  
3383 the state. Minority and gender representation must be considered  
3384 when making appointments to the board. The board membership must  
3385 include:

3386 1. A representative of the following businesses, all of  
3387 which must be registered to do business in this state: a foreign  
3388 bank, a state bank, a federal bank, an insurance company  
3389 involved in covering trade financing risks, and a small or  
3390 medium-sized exporter.

3391 2. The following persons or their designee: the Secretary  
3392 of Commerce ~~the President of Enterprise Florida, Inc.~~, the Chief  
3393 Financial Officer, the Secretary of State, and a senior official  
3394 of the United States Department of Commerce.

3395 (3) The board shall:

3396 (a) Prior to the expenditure of funds from the export  
3397 finance account, adopt bylaws and policies which are necessary  
3398 to carry out the responsibilities under this part, particularly  
3399 with respect to the implementation of the corporation's programs  
3400 to insure, coinsure, lend, provide loan guarantees, and make  
3401 direct, guaranteed, or collateralized loans by the corporation  
3402 to support export transactions. The corporation's bylaws and  
3403 policies shall be reviewed and approved by the department  
3404 ~~Enterprise Florida, Inc.~~, prior to final adoption by the board.



224226

3405 (c) Issue an annual report to the department ~~Enterprise~~  
3406 ~~Florida, Inc.~~, on the activities of the corporation, including  
3407 an evaluation of activities and recommendations for change. The  
3408 evaluation shall include the corporation's impact on the  
3409 following:

3410 1. Participation of private banks and other private  
3411 organizations and individuals in the corporation's export  
3412 financing programs.

3413 2. Access of small and medium-sized businesses in this  
3414 state to federal export financing programs.

3415 3. Export volume of the small and medium-sized businesses  
3416 in this state accessing the corporation's programs.

3417 4. Other economic and social benefits to international  
3418 programs in this state.

3419 (g) Consult with the department ~~Enterprise Florida, Inc.~~,  
3420 or any state or federal agency, to ensure that the respective  
3421 loan guarantee or working capital loan origination programs are  
3422 not duplicative and that each program makes full use of, to the  
3423 extent practicable, the resources of the other.

3424 Section 74. Section 288.7771, Florida Statutes, is amended  
3425 to read:

3426 288.7771 Annual report of Florida Export Finance  
3427 Corporation.—The corporation shall annually prepare and submit  
3428 to the department ~~Enterprise Florida, Inc.~~, for inclusion in its  
3429 annual report required under s. 20.60 ~~s. 288.906~~, a complete and  
3430 detailed report setting forth:

3431 (1) The report required in s. 288.776(3).

3432 (2) Its assets and liabilities at the end of its most  
3433 recent fiscal year.



224226

3434 Section 75. Subsections (4) and (6) of section 288.816,  
3435 Florida Statutes, are amended to read:

3436 288.816 Intergovernmental relations.—

3437 (4) The state protocol officer shall serve as a contact for  
3438 the state with the Florida Washington Office, the Florida  
3439 Congressional Delegation, and United States Government agencies  
3440 with respect to laws or policies which may affect the interests  
3441 of the state in the area of international relations. All  
3442 inquiries received regarding international economic trade  
3443 development or reverse investment opportunities shall be  
3444 referred to the department ~~Enterprise Florida, Inc.~~ In addition,  
3445 the state protocol officer shall serve as liaison with other  
3446 states with respect to international programs of interest to  
3447 Florida. The state protocol officer shall also investigate and  
3448 make suggestions regarding possible areas of joint action or  
3449 regional cooperation with these states.

3450 (6) The department ~~and Enterprise Florida, Inc.,~~ shall help  
3451 to contribute an international perspective to the state's  
3452 development efforts.

3453 Section 76. Section 288.826, Florida Statutes, is amended  
3454 to read:

3455 288.826 Florida International Trade and Promotion Trust  
3456 Fund.—There is hereby established in the State Treasury the  
3457 Florida International Trade and Promotion Trust Fund. The moneys  
3458 deposited into this trust fund shall be administered by the  
3459 department for the operation of the direct-support organization  
3460 created pursuant to s. 288.012 ~~Enterprise Florida, Inc.,~~ and for  
3461 the operation of Florida international offices under s. 288.012.

3462 Section 77. Section 288.901, Florida Statutes, is repealed.





224226

3463           Section 78. Section 288.9015, Florida Statutes, is  
3464 repealed.

3465           Section 79. Section 288.903, Florida Statutes, is repealed.

3466           Section 80. Section 288.904, Florida Statutes, is repealed.

3467           Section 81. Section 288.905, Florida Statutes, is repealed.

3468           Section 82. Section 288.906, Florida Statutes, is repealed.

3469           Section 83. Section 288.907, Florida Statutes, is  
3470 renumbered as section 288.0065, Florida Statutes, and amended to  
3471 read:

3472           288.0065 ~~288.907~~ Annual incentives report.—By December 30  
3473 of each year, ~~Enterprise Florida, Inc., in conjunction with the~~  
3474 ~~department,~~ shall provide the Governor, the President of the  
3475 Senate, and the Speaker of the House of Representatives a  
3476 detailed incentives report quantifying the economic benefits for  
3477 all of the economic development incentive programs administered  
3478 by the department and its public-private partnerships ~~marketed~~  
3479 ~~by Enterprise Florida, Inc.~~ The annual incentives report must  
3480 include:

3481           (1) For each incentive program:

3482           (a) A brief description of the incentive program.

3483           (b) The amount of awards granted, by year, since inception  
3484 and the annual amount actually transferred from the state  
3485 treasury to businesses or for the benefit of businesses for each  
3486 of the previous 3 years.

3487           ~~(c) The actual amount of private capital invested, actual~~  
3488 ~~number of jobs created, and actual wages paid for incentive~~  
3489 ~~agreements completed during the previous 3 years for each target~~  
3490 ~~industry sector.~~

3491           (2) For projects completed during the previous state fiscal



224226

3492 year:

3493 (a) The number of economic development incentive  
3494 applications received.

3495 ~~(b) The number of recommendations made to the department by~~  
3496 ~~Enterprise Florida, Inc., including the number recommended for~~  
3497 ~~approval and the number recommended for denial.~~

3498 ~~(c)~~ The number of final decisions issued by the department  
3499 for approval and for denial.

3500 (c) ~~(d)~~ The projects for which a tax refund, tax credit, or  
3501 cash grant agreement was executed, identifying for each project:

3502 1. The number of jobs committed to be created.

3503 2. The amount of capital investments committed to be made.

3504 3. The annual average wage committed to be paid.

3505 4. The amount of state economic development incentives  
3506 committed to the project from each incentive program under the  
3507 project's terms of agreement with the Department of Commerce  
3508 ~~Economic Opportunity~~.

3509 5. The amount and type of local matching funds committed to  
3510 the project.

3511 (d) ~~(e)~~ Tax refunds paid or other payments made funded out  
3512 of the Economic Development Incentives Account for each project.

3513 (e) ~~(f)~~ The types of projects supported.

3514 (3) For economic development projects that received tax  
3515 refunds, tax credits, or cash grants under the terms of an  
3516 agreement for incentives:

3517 (a) The number of jobs actually created.

3518 (b) The amount of capital investments actually made.

3519 (c) The annual average wage paid.

3520 (4) For a project receiving economic development incentives



224226

3521 approved by the department and receiving federal or local  
3522 incentives, a description of the federal or local incentives, if  
3523 available.

3524 (5) The number of withdrawn or terminated projects that did  
3525 not fulfill the terms of their agreements with the department  
3526 and, consequently, are not receiving incentives.

3527 ~~(6) For any agreements signed after July 1, 2010, findings~~  
3528 ~~and recommendations on the efforts of the department to~~  
3529 ~~ascertain the causes of any business's inability to complete its~~  
3530 ~~agreement made under s. 288.106.~~

3531 ~~(7)~~ The amount of tax refunds, tax credits, or other  
3532 payments made to projects locating or expanding in state  
3533 enterprise zones, rural communities, brownfield areas, or  
3534 distressed urban communities. The report must include a separate  
3535 analysis of the impact of such tax refunds on state enterprise  
3536 zones designated under s. 290.0065, rural communities,  
3537 brownfield areas, and distressed urban communities.

3538 ~~(8) The name of and tax refund amount for each business~~  
3539 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~  
3540 ~~during the preceding fiscal year.~~

3541 ~~(7)~~~~(9)~~ An identification of the target industry businesses  
3542 and high-impact businesses.

3543 ~~(8)~~~~(10)~~ A description of the trends relating to business  
3544 interest in, and usage of, the various incentives, and the  
3545 number of minority-owned or woman-owned businesses receiving  
3546 incentives.

3547 ~~(9)~~~~(11)~~ An identification of incentive programs not used  
3548 and recommendations for program changes or program elimination.

3549 ~~(10)~~~~(12)~~ Information related to the validation of



224226

3550 contractor performance required under s. 288.061.  
3551 ~~(13) Beginning in 2014, A summation of the activities~~  
3552 ~~related to the Florida Space Business Incentives Act.~~  
3553 Section 84. Section 288.911, Florida Statutes, is repealed.  
3554 Section 85. Section 288.912, Florida Statutes, is  
3555 renumbered as section 288.007, Florida Statutes, and amended to  
3556 read:  
3557 288.007 ~~288.912~~ Inventory of communities seeking to recruit  
3558 businesses.—By September 30 of each year, a county or  
3559 municipality that has a population of at least 25,000 or its  
3560 local economic development organization must submit to the  
3561 department ~~Enterprise Florida, Inc.~~, a brief overview of the  
3562 strengths, services, and economic development incentives that  
3563 its community offers. The local government or its local economic  
3564 development organization also must identify any industries that  
3565 it is encouraging to locate or relocate to its area. A county or  
3566 municipality having a population of 25,000 or fewer or its local  
3567 economic development organization seeking to recruit businesses  
3568 may submit information as required in this section and may  
3569 participate in any activity or initiative resulting from the  
3570 collection, analysis, and reporting of the information to the  
3571 department ~~Enterprise Florida, Inc.~~, pursuant to this section.  
3572 Section 86. Section 288.92, Florida Statutes, is repealed.  
3573 Section 87. Section 288.923, Florida Statutes, is repealed.  
3574 Section 88. Section 288.95155, Florida Statutes, is  
3575 repealed.  
3576 Section 89. Section 288.9519, Florida Statutes, is  
3577 repealed.  
3578 Section 90. Section 288.9520, Florida Statutes, is



224226

3579 renumbered as section 288.002, Florida Statutes, and amended to  
3580 read:

3581 288.002 ~~288.9520~~ Public records exemption for certain  
3582 materials held by the former Enterprise Florida, Inc.—Materials  
3583 that relate to methods of manufacture or production, potential  
3584 trade secrets, potentially patentable material, actual trade  
3585 secrets, business transactions, financial and proprietary  
3586 information, and agreements or proposals to receive funding that  
3587 are received, generated, ascertained, or discovered by the  
3588 former Enterprise Florida, Inc., including its affiliates or  
3589 subsidiaries and partnership participants, such as private  
3590 enterprises, educational institutions, and other organizations,  
3591 are confidential and exempt from the provisions of s. 119.07(1)  
3592 and s. 24(a), Art. I of the State Constitution, except that a  
3593 recipient of the former Enterprise Florida, Inc., research funds  
3594 shall make available, upon request, the title and description of  
3595 the research project, the name of the researcher, and the amount  
3596 and source of funding provided for the project. Effective July  
3597 1, 2023, the Department of Commerce is the custodian of any  
3598 public records made confidential and exempt under this section.

3599 Section 91. Section 288.955, Florida Statutes, is repealed.

3600 Section 92. Subsection (10) of section 288.9603, Florida  
3601 Statutes, is amended to read:

3602 288.9603 Definitions.—

3603 (10) "Partnership" means the department ~~Enterprise Florida,~~  
3604 ~~Inc.~~

3605 Section 93. Subsection (5) of section 288.9604, Florida  
3606 Statutes, is amended to read:

3607 288.9604 Creation of the corporation.—



224226

3608           ~~(5) This section is repealed July 1, 2023, and July 1 of~~  
3609 ~~every fourth year thereafter, unless reviewed and saved from~~  
3610 ~~repeal by the Legislature.~~

3611           Section 94. Paragraph (v) of subsection (2) of section  
3612 288.9605, Florida Statutes, is amended to read:

3613           288.9605 Corporation powers.—

3614           (2) The corporation is authorized and empowered to:

3615           (v) Enter into investment agreements with the department  
3616 ~~Enterprise Florida, Inc.~~, concerning the issuance of bonds and  
3617 other forms of indebtedness and capital.

3618           Section 95. Section 288.9614, Florida Statutes, is amended  
3619 to read:

3620           288.9614 Authorized programs.—The department ~~Enterprise~~  
3621 ~~Florida, Inc.~~, may take any action that it deems necessary to  
3622 achieve the purposes of this act in partnership with private  
3623 enterprises, public agencies, and other organizations,  
3624 including, but not limited to, efforts to address the long-term  
3625 debt needs of small-sized and medium-sized firms, to address the  
3626 needs of microenterprises, to expand availability of venture  
3627 capital, and to increase international trade and export finance  
3628 opportunities for firms critical to achieving the purposes of  
3629 this act.

3630           Section 96. Paragraphs (a) and (b) of subsection (1) of  
3631 section 288.9624, Florida Statutes, are amended to read:

3632           288.9624 Florida Opportunity Fund; creation; duties.—

3633           (1) (a) ~~Enterprise Florida, Inc.~~, shall facilitate the  
3634 ~~creation of~~ The Florida Opportunity Fund is, a private, not-for-  
3635 profit corporation organized and operated under chapter 617.  
3636 ~~Enterprise Florida, Inc.~~, shall be the fund's sole shareholder



224226

3637 ~~or member.~~ The fund is not a public corporation or  
3638 instrumentality of the state. The fund shall manage its business  
3639 affairs and conduct business consistent with its organizational  
3640 documents and the purposes set forth in this section and under  
3641 contract with the department. Notwithstanding the powers granted  
3642 under chapter 617, the corporation may not amend, modify, or  
3643 repeal a bylaw or article of incorporation without the express  
3644 written consent of the department ~~Enterprise Florida, Inc.~~

3645 (b) The board of directors of the Florida Opportunity Fund  
3646 shall have five members, appointed by the Governor ~~vote of the~~  
3647 ~~board of directors of Enterprise Florida, Inc.~~ Board members  
3648 shall serve terms as provided in the fund's organizational  
3649 documents. Within 90 days before an anticipated vacancy by  
3650 expiration of the term of a board member, the board of directors  
3651 of the fund shall submit a list of three eligible nominees,  
3652 which may include the incumbent, to the Governor. ~~The Governor~~  
3653 ~~board of directors of Enterprise Florida, Inc.~~ ~~The board of~~  
3654 ~~directors of Enterprise Florida, Inc.,~~ may appoint a board  
3655 member from the nominee list or may request and appoint from a  
3656 new list of three nominees not included on the previous list.

3657 Section 97. Subsection (2) and paragraph (a) of subsection  
3658 (9) of section 288.9625, Florida Statutes, are amended to read:

3659 288.9625 Institute for Commercialization of Florida  
3660 Technology.—

3661 (2) The purpose of the institute is to assist, without any  
3662 financial support or specific appropriations from the state, in  
3663 the commercialization of products developed by the research and  
3664 development activities of an innovation business, including, but  
3665 not limited to, those defined in former s. 288.1089. The



224226

3666 institute shall fulfill its purpose in the best interests of the  
3667 state. The institute:

3668 (a) Is a corporation primarily acting as an instrumentality  
3669 of the state pursuant to s. 768.28(2), for the purposes of  
3670 sovereign immunity;

3671 (b) Is not an agency within the meaning of s. 20.03(11);

3672 (c) Is subject to the open records and meetings  
3673 requirements of s. 24, Art. I of the State Constitution, chapter  
3674 119, and s. 286.011;

3675 (d) Is not subject to chapter 287;

3676 (e) Is governed by the code of ethics for public officers  
3677 and employees as set forth in part III of chapter 112;

3678 (f) May create corporate subsidiaries; and

3679 (g) May not receive any financial support or specific  
3680 appropriations from the state.

3681 (9) By December 1 of each year, the institute shall issue  
3682 an annual report concerning its activities to the Governor, the  
3683 President of the Senate, and the Speaker of the House of  
3684 Representatives. The annual report shall be considered a public  
3685 record, as provided in paragraph (3)(b), subject to any  
3686 appropriate exemptions under s. 288.9627. The annual report must  
3687 include the following:

3688 (a) Information on any assistance provided by the institute  
3689 to an innovation business, as defined in former s. 288.1089.

3690 Section 98. Subsection (4) of section 288.96255, Florida  
3691 Statutes, is amended to read:

3692 288.96255 Florida Technology Seed Capital Fund; creation;  
3693 duties.—

3694 (4) The private fund manager shall use a thorough and





224226

3695 detailed process that is modeled after investment industry  
3696 practices to evaluate a proposal. In order to approve a company  
3697 for investment, the private fund manager, on behalf of the  
3698 institute, must consider if:

3699 (a) The company has a strong intellectual property  
3700 position, a capable management team, readily identifiable paths  
3701 to market or commercialization, significant job-growth  
3702 potential, the ability to provide other sources of capital to  
3703 leverage the state's investment, and the potential to attract  
3704 additional funding;

3705 (b) The private fund manager has had an opportunity to  
3706 complete due diligence to its satisfaction;

3707 (c) The company is a target industry business as defined in  
3708 s. 288.005 ~~s. 288.106(2)~~; and

3709 (d) An approved private-sector lead investor who has  
3710 demonstrated due diligence typical of start-up investments in  
3711 evaluating the potential of the company has identified the  
3712 company.

3713 Section 99. Paragraph (b) of subsection (1) of section  
3714 288.980, Florida Statutes, is amended to read:

3715 288.980 Military base retention; legislative intent; grants  
3716 program.—

3717 (1)

3718 (b) The Florida Defense Alliance, an organization within  
3719 the department ~~Enterprise Florida, Inc.~~, is designated as the  
3720 organization to ensure that Florida, its resident military bases  
3721 and missions, and its military host communities are in  
3722 competitive positions as the United States continues its defense  
3723 realignment and downsizing. The defense alliance shall serve as



224226

3724 an overall advisory body for defense-related activity of the  
3725 department ~~Enterprise Florida, Inc.~~ The Florida Defense Alliance  
3726 may receive funding from appropriations made for that purpose  
3727 administered by the department.

3728 Section 100. Subsection (7) of section 288.987, Florida  
3729 Statutes, is amended to read:

3730 288.987 Florida Defense Support Task Force.—

3731 (7) The department shall support the task force and  
3732 contract with the task force for expenditure of appropriated  
3733 funds, which may be used by the task force for economic and  
3734 product research and development, joint planning with host  
3735 communities to accommodate military missions and prevent base  
3736 encroachment, advocacy on the state's behalf with federal  
3737 civilian and military officials, assistance to school districts  
3738 in providing a smooth transition for large numbers of additional  
3739 military-related students, job training and placement for  
3740 military spouses in communities with high proportions of active  
3741 duty military personnel, and promotion of the state to military  
3742 and related contractors and employers. The task force may  
3743 annually spend up to \$250,000 of funds appropriated to the  
3744 department for the task force for staffing and administrative  
3745 expenses of the task force, including travel and per diem costs  
3746 incurred by task force members who are not otherwise eligible  
3747 for state reimbursement.

3748 Section 101. Section 288.991, Florida Statutes, is  
3749 repealed.

3750 Section 102. Section 288.9912, Florida Statutes, is  
3751 repealed.

3752 Section 103. Section 288.9913, Florida Statutes, is



3753 repealed.

3754       Section 104. Section 288.9914, Florida Statutes, is  
3755 repealed.

3756       Section 105. Section 288.9915, Florida Statutes, is  
3757 repealed.

3758       Section 106. Section 288.9916, Florida Statutes, is  
3759 repealed.

3760       Section 107. Section 288.9917, Florida Statutes, is  
3761 repealed.

3762       Section 108. Section 288.9918, Florida Statutes, is  
3763 repealed.

3764       Section 109. Section 288.9919, Florida Statutes, is  
3765 repealed.

3766       Section 110. Section 288.9920, Florida Statutes, is  
3767 repealed.

3768       Section 111. Section 288.9921, Florida Statutes, is  
3769 repealed.

3770       Section 112. Section 288.9922, Florida Statutes, is  
3771 repealed.

3772       Section 113. Subsection (2) of section 288.9932, Florida  
3773 Statutes, is amended to read:  
3774       288.9932 Definitions.—As used in this part, the term:  
3775       ~~(2) "Domiciled in this state" means authorized to do~~  
3776 ~~business in this state and located in this state.~~

3777       Section 114. Section 288.9934, Florida Statutes, is  
3778 repealed.

3779       Section 115. Subsections (3) through (9) of section  
3780 288.9935, Florida Statutes, are amended to read:  
3781       288.9935 Microfinance Guarantee Program.—



224226

3782           (3) The department ~~must enter into a contract with~~  
3783 ~~Enterprise Florida, Inc.,~~ to administer the Microfinance  
3784 Guarantee Program. ~~In administering the program, Enterprise~~  
3785 ~~Florida, Inc.,~~ must, at a minimum:

3786           (a) Establish lender and borrower eligibility requirements  
3787 in addition to those provided in this section;

3788           (b) Determine a reasonable leverage ratio of loan amounts  
3789 guaranteed to state funds; however, the leverage ratio may not  
3790 exceed 3 to 1;

3791           (c) Establish reasonable fees and interest;

3792           (d) Promote the program to financial institutions that  
3793 provide loans to entrepreneurs and small businesses in order to  
3794 maximize the number of lenders throughout the state which  
3795 participate in the program;

3796           (e) Enter into a memorandum of understanding with the  
3797 network to promote the program to underserved entrepreneurs and  
3798 small businesses;

3799           (f) Establish limits on the total amount of loan guarantees  
3800 a single lender can receive;

3801           (g) Establish an average loan guarantee amount for loans  
3802 guaranteed under this section;

3803           (h) Establish a risk-sharing strategy to be employed in the  
3804 event of a loan failure; and

3805           (i) Establish financial performance measures and objectives  
3806 for the program in order to maximize the state funds.

3807           (4) ~~The department Enterprise Florida, Inc.,~~ is limited to  
3808 providing loan guarantees for loans with total loan amounts of  
3809 at least \$50,000 and not more than \$250,000. A loan guarantee  
3810 may not exceed 50 percent of the total loan amount.



224226

3811           (5) The department ~~Enterprise Florida, Inc.,~~ may not  
3812 guarantee a loan if the direct or indirect purpose or result of  
3813 the loan would be to:

3814           (a) Pay off any creditors of the applicant, including the  
3815 refund of a debt owed to a small business investment company  
3816 organized pursuant to 15 U.S.C. s. 681;

3817           (b) Provide funds, directly or indirectly, for payment,  
3818 distribution, or as a loan to owners, partners, or shareholders  
3819 of the applicant's business, except as ordinary compensation for  
3820 services rendered;

3821           (c) Finance the acquisition, construction, improvement, or  
3822 operation of real property which is, or will be, held primarily  
3823 for sale or investment;

3824           (d) Pay for lobbying activities; or

3825           (e) Replenish funds used for any of the purposes specified  
3826 in paragraphs (a)-(d).

3827           (6) The department ~~Enterprise Florida, Inc.,~~ may not use  
3828 funds appropriated from the state for costs associated with  
3829 administering the guarantee program.

3830           (7) To be eligible to receive a loan guarantee under the  
3831 Microfinance Guarantee Program, a borrower must, at a minimum:

3832           (a) Be an entrepreneur or small business located in this  
3833 state;

3834           (b) Employ 25 or fewer people;

3835           (c) Generate average annual gross revenues of \$1.5 million  
3836 or less per year for the last 2 years; and

3837           (d) Meet any additional requirements established by the  
3838 department ~~Enterprise Florida, Inc.~~

3839           (8) The department must, ~~By October 1 of each year,~~



224226

3840 ~~Enterprise Florida, Inc., shall submit a complete and detailed~~  
3841 ~~annual report to the department for inclusion in the~~  
3842 ~~department's report required under s. 20.60(10), include an~~  
3843 ~~annual report on the program.~~ The report must, at a minimum,  
3844 provide:

3845 (a) A comprehensive description of the program, including  
3846 an evaluation of its application and guarantee activities,  
3847 recommendations for change, and identification of any other  
3848 state programs that overlap with the program;

3849 (b) An assessment of the current availability of and access  
3850 to credit for entrepreneurs and small businesses in this state;

3851 (c) A summary of the financial and employment results of  
3852 the entrepreneurs and small businesses receiving loan  
3853 guarantees, including the number of full-time equivalent jobs  
3854 created as a result of the guaranteed loans and the amount of  
3855 wages paid to employees in the newly created jobs;

3856 (d) Industry data about the borrowers, including the six-  
3857 digit North American Industry Classification System (NAICS)  
3858 code;

3859 (e) The name and location of lenders that receive loan  
3860 guarantees;

3861 ~~(f) The amount of state funds received by Enterprise~~  
3862 ~~Florida, Inc.;~~

3863 ~~(g)~~ The number of loan guarantee applications received;

3864 (g) ~~(h)~~ The number, duration, location, and amount of  
3865 guarantees made;

3866 (h) ~~(i)~~ The number and amount of guaranteed loans  
3867 outstanding, if any;

3868 (i) ~~(j)~~ The number and amount of guaranteed loans with



224226

3869 payments overdue, if any;  
3870       (j)~~(k)~~ The number and amount of guaranteed loans in  
3871 default, if any;  
3872       (k)~~(l)~~ The repayment history of the guaranteed loans made;  
3873 and  
3874       (l)~~(m)~~ An evaluation of the program's ability to meet the  
3875 financial performance measures and objectives specified in  
3876 subsection (3).  
3877       (9) The credit of the state ~~or Enterprise Florida, Inc.,~~  
3878 may not be pledged except for funds appropriated by law to the  
3879 Microfinance Guarantee Program. The state is not liable or  
3880 obligated in any way for claims on the program or against  
3881 ~~Enterprise Florida, Inc., or~~ the department.  
3882       Section 116. Section 288.9936, Florida Statutes, is  
3883 repealed.  
3884       Section 117. Section 288.9937, Florida Statutes, is  
3885 repealed.  
3886       Section 118. Subsection (3) of section 288.9961, Florida  
3887 Statutes, is amended to read:  
3888       288.9961 Promotion of broadband adoption; Florida Office of  
3889 Broadband.—  
3890       (3) STATE AGENCY.—The department is designated as the lead  
3891 state agency to facilitate the expansion of broadband Internet  
3892 service in this state. The department shall work collaboratively  
3893 with private businesses and receive staffing support and other  
3894 resources from ~~Enterprise Florida, Inc.,~~ state agencies, local  
3895 governments, and community organizations.  
3896       Section 119. Paragraph (h) of subsection (8) of section  
3897 290.0056, Florida Statutes, is amended to read:



224226

3898 290.0056 Enterprise zone development agency.—  
3899 (8) The enterprise zone development agency shall have the  
3900 following powers and responsibilities:  
3901 (h) To work with the department ~~and Enterprise Florida,~~  
3902 ~~Inc.,~~ to ensure that the enterprise zone coordinator receives  
3903 training on an annual basis.  
3904 Section 120. Paragraph (b) of subsection (4) and subsection  
3905 (7) of section 290.0065, Florida Statutes, are amended to read:  
3906 290.0065 State designation of enterprise zones.—  
3907 (4)  
3908 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The  
3909 department shall, based on the enterprise zone profile and the  
3910 grounds for redesignation expressed in the resolution, determine  
3911 whether the enterprise zone merits redesignation. The department  
3912 may also examine and consider the following:  
3913 1. Progress made, if any, in the enterprise zone's  
3914 strategic plan.  
3915 2. Use of enterprise zone incentives during the life of the  
3916 enterprise zone.  
3917  
3918 If the department determines that the enterprise zone merits  
3919 redesignation, the department shall notify the governing body in  
3920 writing of its approval of redesignation.  
3921 (7) Upon approval by the department of a resolution  
3922 authorizing an area to be an enterprise zone pursuant to this  
3923 section, the department shall assign a unique identifying number  
3924 to that resolution. The department shall provide the Department  
3925 of Revenue ~~and Enterprise Florida, Inc.,~~ with a copy of each  
3926 resolution approved, together with its identifying number.





224226

3927           Section 121. Section 290.00677, Florida Statutes, is  
3928 amended to read:

3929           290.00677 Rural enterprise zones; special qualifications.—

3930           (1) Notwithstanding the enterprise zone residency  
3931 requirements set out in s. 212.096(1)(c), eligible businesses as  
3932 defined in s. 212.096(1)(a) located in rural enterprise zones as  
3933 defined in s. 290.004 may receive the basic minimum credit  
3934 provided under s. 212.096 for creating a new job and hiring a  
3935 person residing within the jurisdiction of a rural community as  
3936 defined in former s. 288.106(2). All other provisions of s.  
3937 212.096, including, but not limited to, those relating to the  
3938 award of enhanced credits, apply to such businesses.

3939           (2) Notwithstanding the enterprise zone residency  
3940 requirements set out in s. 220.03(1)(q), businesses as defined  
3941 in s. 220.03(1)(c) located in rural enterprise zones as defined  
3942 in s. 290.004 may receive the basic minimum credit provided  
3943 under s. 220.181 for creating a new job and hiring a person  
3944 residing within the jurisdiction of a rural community as defined  
3945 in former s. 288.106(2). All other provisions of s. 220.181,  
3946 including, but not limited to, those relating to the award of  
3947 enhanced credits, apply to such businesses.

3948           Section 122. Subsections (3) and (4) of section 290.053,  
3949 Florida Statutes, are amended to read:

3950           290.053 Response to economic emergencies in small  
3951 communities.—

3952           (3) A local government entity shall notify the Governor  
3953 ~~and~~ the Department of Commerce ~~Economic Opportunity, and~~  
3954 ~~Enterprise Florida, Inc.,~~ when one or more of the conditions  
3955 specified in subsection (2) have occurred or will occur if



224226

3956 action is not taken to assist the local governmental entity or  
3957 the affected community.

3958 (4) Upon notification that one or more of the conditions  
3959 described in subsection (2) exist, the Governor or his or her  
3960 designee shall contact the local governmental entity to  
3961 determine what actions have been taken by the local governmental  
3962 entity or the affected community to resolve the economic  
3963 emergency. The Governor may waive the eligibility criteria of  
3964 any program or activity administered by the Department of  
3965 Commerce ~~Economic Opportunity or Enterprise Florida, Inc.~~, to  
3966 provide economic relief to the affected community by granting  
3967 participation in such programs or activities. The Governor shall  
3968 consult with the President of the Senate and the Speaker of the  
3969 House of Representatives and shall take other action, as  
3970 necessary, to resolve the economic emergency in the most  
3971 expedient manner possible. All actions taken pursuant to this  
3972 section shall be within current appropriations and shall have no  
3973 annualized impact beyond normal growth.

3974 Section 123. Paragraph (d) of subsection (3) and subsection  
3975 (4) of section 295.22, Florida Statutes, are amended to read:

3976 295.22 Veterans Employment and Training Services Program.—

3977 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall  
3978 administer the Veterans Employment and Training Services Program  
3979 and perform all of the following functions:

3980 (d) Create a grant program to provide funding to assist  
3981 veterans in meeting the workforce-skill needs of businesses  
3982 seeking to hire, promote, or generally improve specialized  
3983 skills of veterans, establish criteria for approval of requests  
3984 for funding, and maximize the use of funding for this program.



224226

3985 Grant funds may be used only in the absence of available  
3986 veteran-specific federally funded programs. Grants may fund  
3987 specialized training specific to a particular business.

3988 1. If grant funds are used to provide a technical  
3989 certificate, a licensure, or a degree, funds may be allocated  
3990 only upon a review that includes, but is not limited to,  
3991 documentation of accreditation and licensure. Instruction funded  
3992 through the program terminates when participants demonstrate  
3993 competence at the level specified in the request but may not  
3994 exceed 12 months. Preference shall be given to target industry  
3995 businesses, as defined in s. 288.005 ~~s. 288.106~~, and to  
3996 businesses in the defense supply, cloud virtualization, or  
3997 commercial aviation manufacturing industries.

3998 2. Costs and expenditures shall be limited to \$8,000 per  
3999 veteran trainee. Qualified businesses must cover the entire cost  
4000 for all of the training provided before receiving reimbursement  
4001 from the corporation equal to 50 percent of the cost to train a  
4002 veteran who is a permanent, full-time employee. Eligible costs  
4003 and expenditures include:

- 4004 a. Tuition and fees.
- 4005 b. Books and classroom materials.
- 4006 c. Rental fees for facilities.

4007 3. Before funds are allocated for a request pursuant to  
4008 this section, the corporation shall prepare a grant agreement  
4009 between the business requesting funds and the corporation. Such  
4010 agreement must include, but need not be limited to:

- 4011 a. Identification of the personnel necessary to conduct the  
4012 instructional program, instructional program description, and  
4013 any vendors used to conduct the instructional program.



224226

4014           b. Identification of the estimated duration of the  
4015 instructional program.

4016           c. Identification of all direct, training-related costs.

4017           d. Identification of special program requirements that are  
4018 not otherwise addressed in the agreement.

4019           e. Permission to access aggregate information specific to  
4020 the wages and performance of participants upon the completion of  
4021 instruction for evaluation purposes. The agreement must specify  
4022 that any evaluation published subsequent to the instruction may  
4023 not identify the employer or any individual participant.

4024           4. A business may receive a grant under the Quick-Response  
4025 Training Program created under s. 288.047 and a grant under this  
4026 section for the same veteran trainee. If a business receives  
4027 funds under both programs, one grant agreement may be entered  
4028 into with CareerSource Florida, Inc., as the grant  
4029 administrator.

4030           ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC.—Enterprise Florida,~~  
4031 ~~Inc., shall provide information about the corporation and its~~  
4032 ~~services to prospective, new, expanding, and relocating~~  
4033 ~~businesses seeking to conduct business in this state. Enterprise~~  
4034 ~~Florida, Inc., shall, to the greatest extent possible,~~  
4035 ~~collaborate with the corporation to meet the employment needs,~~  
4036 ~~including meeting the job creation requirements, of any business~~  
4037 ~~receiving assistance or services from Enterprise Florida, Inc.~~

4038           Section 124. Paragraph (a) of subsection (6), paragraph (b)  
4039 of subsection (9), paragraph (a) of subsection (34), subsection  
4040 (57), and paragraph (b) of subsection (61) of section 320.08058,  
4041 Florida Statutes, are amended to read:

4042           320.08058 Specialty license plates.—



224226

4043 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE  
4044 PLATES.—

4045 (a) Because the United States Olympic Committee has  
4046 selected this state to participate in a combined fundraising  
4047 program that provides for one-half of all money raised through  
4048 volunteer giving to stay in this state and be administered by  
4049 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, to  
4050 support amateur sports, and because the United States Olympic  
4051 Committee and the Florida Sports Foundation ~~Enterprise Florida,~~  
4052 ~~Inc.~~ are nonprofit organizations dedicated to providing  
4053 athletes with support and training and preparing athletes of all  
4054 ages and skill levels for sports competition, and because the  
4055 Florida Sports Foundation ~~Enterprise Florida, Inc.~~ assists in  
4056 the bidding for sports competitions that provide significant  
4057 impact to the economy of this state, and the Legislature  
4058 supports the efforts of the United States Olympic Committee and  
4059 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, the  
4060 Legislature establishes a Florida United States Olympic  
4061 Committee license plate for the purpose of providing a  
4062 continuous funding source to support this worthwhile effort.  
4063 Florida United States Olympic Committee license plates must  
4064 contain the official United States Olympic Committee logo and  
4065 must bear a design and colors that are approved by the  
4066 department. The word "Florida" must be centered at the top of  
4067 the plate.

4068 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

4069 (b) The license plate annual use fees are to be annually  
4070 distributed as follows:

4071 1. Fifty-five percent of the proceeds from the Florida



224226

4072 Professional Sports Team plate must be deposited into the  
4073 Professional Sports Development Trust Fund within the Department  
4074 of Commerce ~~Economic Opportunity~~. These funds must be used  
4075 solely to attract and support major sports events in this state.  
4076 As used in this subparagraph, the term "major sports events"  
4077 means, but is not limited to, championship or all-star contests  
4078 of Major League Baseball, the National Basketball Association,  
4079 the National Football League, the National Hockey League, Major  
4080 League Soccer, the men's and women's National Collegiate  
4081 Athletic Association Final Four basketball championship, or a  
4082 horseracing or dogracing Breeders' Cup. All funds must be used  
4083 to support and promote major sporting events, and the uses must  
4084 be approved by the Department of Commerce ~~Economic Opportunity~~.

4085 2. The remaining proceeds of the Florida Professional  
4086 Sports Team license plate must be allocated to the Florida  
4087 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be  
4088 deposited into the Professional Sports Development Trust Fund  
4089 within the Department of Commerce ~~Economic Opportunity~~. These  
4090 funds must be used by the Florida Sports Foundation ~~Enterprise~~  
4091 ~~Florida, Inc.~~, to promote the economic development of the sports  
4092 industry; to distribute licensing and royalty fees to  
4093 participating professional sports teams; to promote education  
4094 programs in Florida schools that provide an awareness of the  
4095 benefits of physical activity and nutrition standards; to  
4096 partner with the Department of Education and the Department of  
4097 Health to develop a program that recognizes schools whose  
4098 students demonstrate excellent physical fitness or fitness  
4099 improvement; to institute a grant program for communities  
4100 bidding on minor sporting events that create an economic impact



224226

4101 for the state; to distribute funds to Florida-based charities  
4102 designated by the Florida Sports Foundation ~~Enterprise Florida,~~  
4103 ~~Inc.~~, and the participating professional sports teams; and to  
4104 fulfill the sports promotion responsibilities of the Department  
4105 of Commerce ~~Economic Opportunity~~.

4106 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.~~,  
4107 shall provide an annual financial audit in accordance with s.  
4108 215.981 of its financial accounts and records by an independent  
4109 certified public accountant pursuant to the contract established  
4110 by the Department of Commerce as specified in s. 288.1229(5)  
4111 ~~Economic Opportunity~~. The auditor shall submit the audit report  
4112 to the Department of Commerce ~~Economic Opportunity~~ for review  
4113 and approval. If the audit report is approved, the Department of  
4114 Commerce ~~Economic Opportunity~~ shall certify the audit report to  
4115 the Auditor General for review.

4116 4. Notwithstanding the provisions of subparagraphs 1. and  
4117 2., proceeds from the Professional Sports Development Trust Fund  
4118 may also be used for operational expenses of the Florida Sports  
4119 Foundation ~~Enterprise Florida, Inc.~~, and financial support of  
4120 the Sunshine State Games.

4121 (34) FLORIDA GOLF LICENSE PLATES.—

4122 (a) The Department of Highway Safety and Motor Vehicles  
4123 shall develop a Florida Golf license plate as provided in this  
4124 section. The word "Florida" must appear at the bottom of the  
4125 plate. The Dade Amateur Golf Association, following consultation  
4126 with the Florida Sports Foundation, the PGA TOUR, ~~Enterprise~~  
4127 ~~Florida, Inc.~~, the LPGA, and the PGA of America, may submit a  
4128 revised sample plate for consideration by the department.

4129 (57) FLORIDA NASCAR LICENSE PLATES.—



224226

4130 (a) The department shall develop a Florida NASCAR license  
4131 plate as provided in this section. Florida NASCAR license plates  
4132 must bear the colors and design approved by the department. The  
4133 word "Florida" must appear at the top of the plate, and the term  
4134 "NASCAR" must appear at the bottom of the plate. The National  
4135 Association for Stock Car Auto Racing, following consultation  
4136 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may  
4137 submit a sample plate for consideration by the department.

4138 (b) The license plate annual use fees shall be distributed  
4139 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The  
4140 license plate annual use fees shall be annually allocated as  
4141 follows:

4142 1. Up to 5 percent of the proceeds from the annual use fees  
4143 may be used by the Florida Sports Foundation ~~Enterprise Florida,~~  
4144 ~~Inc.~~, for the administration of the NASCAR license plate  
4145 program.

4146 2. The National Association for Stock Car Auto Racing shall  
4147 receive up to \$60,000 in proceeds from the annual use fees to be  
4148 used to pay startup costs, including costs incurred in  
4149 developing and issuing the plates. Thereafter, 10 percent of the  
4150 proceeds from the annual use fees shall be provided to the  
4151 association for the royalty rights for the use of its marks.

4152 3. The remaining proceeds from the annual use fees shall be  
4153 distributed to the Florida Sports Foundation ~~Enterprise Florida,~~  
4154 ~~Inc.~~ The Florida Sports Foundation ~~Enterprise Florida, Inc.~~,  
4155 will retain 15 percent to support its regional grant program,  
4156 attracting sporting events to Florida; 20 percent to support the  
4157 marketing of motorsports-related tourism in the state; and 50  
4158 percent to be paid to the NASCAR Foundation, a s. 501(c)(3)





224226

4159 charitable organization, to support Florida-based charitable  
4160 organizations.

4161 (c) The Florida Sports Foundation ~~Enterprise Florida, Inc.~~,  
4162 shall provide an annual financial audit in accordance with s.  
4163 215.981 of its financial accounts and records by an independent  
4164 certified public accountant pursuant to the contract established  
4165 by the Department of Commerce as specified in s. 288.1229(5)  
4166 ~~Economic Opportunity~~. The auditor shall submit the audit report  
4167 to the Department of Commerce ~~Economic Opportunity~~ for review  
4168 and approval. If the audit report is approved, the Department of  
4169 Commerce ~~Economic Opportunity~~ shall certify the audit report to  
4170 the Auditor General for review.

4171 (61) FLORIDA TENNIS LICENSE PLATES.—

4172 (b) The department shall distribute the annual use fees to  
4173 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The  
4174 license plate annual use fees shall be annually allocated as  
4175 follows:

4176 1. Up to 5 percent of the proceeds from the annual use fees  
4177 may be used by the Florida Sports Foundation ~~Enterprise Florida,~~  
4178 ~~Inc.~~ to administer the license plate program.

4179 2. The United States Tennis Association Florida Section  
4180 Foundation shall receive the first \$60,000 in proceeds from the  
4181 annual use fees to reimburse it for startup costs,  
4182 administrative costs, and other costs it incurs in the  
4183 development and approval process.

4184 3. Up to 5 percent of the proceeds from the annual use fees  
4185 may be used for promoting and marketing the license plates. The  
4186 remaining proceeds shall be available for grants by the United  
4187 States Tennis Association Florida Section Foundation to



224226

4188 nonprofit organizations to operate youth tennis programs and  
4189 adaptive tennis programs for special populations of all ages,  
4190 and for building, renovating, and maintaining public tennis  
4191 courts.

4192 Section 125. Paragraph (a) of subsection (1) of section  
4193 339.2821, Florida Statutes, is amended to read:

4194 339.2821 Economic development transportation projects.—

4195 (1) (a) The department, in consultation with the Department  
4196 of Commerce ~~Economic Opportunity and Enterprise Florida, Inc.~~,  
4197 may make and approve expenditures and contract with the  
4198 appropriate governmental body for the direct costs of  
4199 transportation projects. The Department of Commerce ~~Economic~~  
4200 ~~Opportunity~~ and the Department of Environmental Protection may  
4201 formally review and comment on recommended transportation  
4202 projects, although the department has final approval authority  
4203 for any project authorized under this section.

4204 Section 126. Paragraph (h) of subsection (2) of section  
4205 377.703, Florida Statutes, is amended to read:

4206 377.703 Additional functions of the Department of  
4207 Agriculture and Consumer Services.—

4208 (2) DUTIES.—The department shall perform the following  
4209 functions, unless as otherwise provided, consistent with the  
4210 development of a state energy policy:

4211 (h) The department shall promote the development and use of  
4212 renewable energy resources, in conformance with chapter 187 and  
4213 s. 377.601, by:

4214 1. Establishing goals and strategies for increasing the use  
4215 of renewable energy in this state.

4216 2. Aiding and promoting the commercialization of renewable



224226

4217 energy resources, in cooperation with the Florida Energy Systems  
4218 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~  
4219 ~~Inc.~~, and any other federal, state, or local governmental agency  
4220 that may seek to promote research, development, and the  
4221 demonstration of renewable energy equipment and technology.

4222 3. Identifying barriers to greater use of renewable energy  
4223 resources in this state, and developing specific recommendations  
4224 for overcoming identified barriers, with findings and  
4225 recommendations to be submitted annually in the report to the  
4226 Governor and Legislature required under paragraph (f).

4227 4. In cooperation with the Department of Environmental  
4228 Protection, the Department of Transportation, the Department of  
4229 Commerce ~~Economic Opportunity, Enterprise Florida, Inc.~~, the  
4230 Florida Energy Systems Consortium, the Florida Solar Energy  
4231 Center, and the Florida Solar Energy Industries Association,  
4232 investigating opportunities, pursuant to the national Energy  
4233 Policy Act of 1992, the Housing and Community Development Act of  
4234 1992, and any subsequent federal legislation, for renewable  
4235 energy resources, electric vehicles, and other renewable energy  
4236 manufacturing, distribution, installation, and financing efforts  
4237 that enhance this state's position as the leader in renewable  
4238 energy research, development, and use.

4239 5. Undertaking other initiatives to advance the development  
4240 and use of renewable energy resources in this state.

4241  
4242 In the exercise of its responsibilities under this paragraph,  
4243 the department shall seek the assistance of the renewable energy  
4244 industry in this state and other interested parties and may  
4245 enter into contracts, retain professional consulting services,



224226

4246 and expend funds appropriated by the Legislature for such  
4247 purposes.

4248 Section 127. Subsection (5) of section 377.804, Florida  
4249 Statutes, is amended to read:

4250 377.804 Renewable Energy and Energy-Efficient Technologies  
4251 Grants Program.—

4252 (5) The department shall solicit the expertise of state  
4253 agencies, ~~Enterprise Florida, Inc.~~, and state universities, and  
4254 may solicit the expertise of other public and private entities  
4255 it deems appropriate, in evaluating project proposals. State  
4256 agencies shall cooperate with the department and provide such  
4257 assistance as requested.

4258 Section 128. Paragraph (a) of subsection (4) of section  
4259 377.809, Florida Statutes, is amended to read:

4260 377.809 Energy Economic Zone Pilot Program.—

4261 (4) (a) Beginning July 1, 2012, all the incentives and  
4262 benefits provided for enterprise zones pursuant to state law  
4263 shall be available to the energy economic zones designated  
4264 pursuant to this section on or before July 1, 2010. In order to  
4265 provide incentives, by March 1, 2012, each local governing body  
4266 that has jurisdiction over an energy economic zone must, by  
4267 local ordinance, establish the boundary of the energy economic  
4268 zone, specify applicable energy-efficiency standards, and  
4269 determine eligibility criteria for the application of state and  
4270 local incentives and benefits in the energy economic zone.  
4271 ~~However, in order to receive benefits provided under s. 288.106,~~  
4272 ~~a business must be a qualified target industry business under s.~~  
4273 ~~288.106 for state purposes.~~ An energy economic zone's boundary  
4274 may be revised by local ordinance. Such incentives and benefits



4275 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,  
4276 ~~288.106~~, and 624.5105 and the public utility discounts provided  
4277 in s. 290.007(8). The exemption provided in s. 212.08(5)(c)  
4278 shall be for renewable energy as defined in s. 377.803. For  
4279 purposes of this section, any applicable requirements for  
4280 employee residency for higher refund or credit thresholds must  
4281 be based on employee residency in the energy economic zone or an  
4282 enterprise zone. A business in an energy economic zone may also  
4283 be eligible for funding under ss. 288.047 and 445.003, and a  
4284 transportation project in an energy economic zone shall be  
4285 provided priority in funding under s. 339.2821. Other projects  
4286 shall be given priority ranking to the extent practicable for  
4287 grants administered under state energy programs.

4288 Section 129. Subsections (1) and (5) of section 380.0657,  
4289 Florida Statutes, are amended to read:

4290 380.0657 Expedited permitting process for economic  
4291 development projects.—

4292 (1) The Department of Environmental Protection and, as  
4293 appropriate, the water management districts created under  
4294 chapter 373 shall adopt programs to expedite the processing of  
4295 wetland resource and environmental resource permits for economic  
4296 development projects that have been identified by a municipality  
4297 or county as meeting the definition of target industry  
4298 businesses under s. 288.005 ~~s. 288.106~~, or any intermodal  
4299 logistics center receiving or sending cargo to or from Florida  
4300 ports, with the exception of those projects requiring approval  
4301 by the Board of Trustees of the Internal Improvement Trust Fund.

4302 (5) Notwithstanding the provisions of this section, permit  
4303 applications for projects to be located in a charter county that



224226

4304 has a population of 1.2 million or more and has entered into a  
4305 delegation agreement with the Department of Environmental  
4306 Protection or the applicable water management district to  
4307 process environmental resource permits, wetland resource  
4308 management permits, or surface water management permits pursuant  
4309 to chapter 373 are eligible for expedited permitting under this  
4310 section only upon designation by resolution of the charter  
4311 county's governing board. Before the governing board decides  
4312 that a project is eligible for expedited permitting, it may  
4313 require the county's economic development agency, or such other  
4314 agency that provides advice to the governing board on economic  
4315 matters, to review and recommend whether the project meets the  
4316 definition of a target industry business as defined in s.  
4317 288.005 ~~s. 288.106~~ and to identify the tangible benefits and  
4318 impacts of the project. The governing board's decision shall be  
4319 made without consideration of the project's geographic location  
4320 within the charter county. If the governing board designates the  
4321 project as a target industry business, the permit application  
4322 for the project shall be approved or denied within the timeframe  
4323 provided in subsection (4).

4324 Section 130. Subsection (5) of section 403.7032, Florida  
4325 Statutes, is amended to read:

4326 403.7032 Recycling.—

4327 (5) The Department of Environmental Protection shall create  
4328 the Recycling Business Assistance Center by December 1, 2010. In  
4329 carrying out its duties under this subsection, the department  
4330 shall consult with state agency personnel appointed to serve as  
4331 economic development liaisons under s. 288.021 ~~and seek~~  
4332 ~~technical assistance from Enterprise Florida, Inc.,~~ to ensure



224226

4333 the Recycling Business Assistance Center is positioned to  
4334 succeed. The purpose of the center shall be to serve as the  
4335 mechanism for coordination among state agencies and the private  
4336 sector in order to coordinate policy and overall strategic  
4337 planning for developing new markets and expanding and enhancing  
4338 existing markets for recyclable materials in this state, other  
4339 states, and foreign countries. The duties of the center must  
4340 include, at a minimum:

4341 (a) Identifying and developing new markets and expanding  
4342 and enhancing existing markets for recyclable materials.

4343 (b) Pursuing expanded end uses for recycled materials.

4344 (c) Targeting materials for concentrated market development  
4345 efforts.

4346 (d) Developing proposals for new incentives for market  
4347 development, particularly focusing on targeted materials.

4348 (e) Providing guidance on issues such as permitting,  
4349 finance options for recycling market development, site location,  
4350 research and development, grant program criteria for recycled  
4351 materials markets, recycling markets education and information,  
4352 and minimum content.

4353 (f) Coordinating the efforts of various governmental  
4354 entities having market development responsibilities in order to  
4355 optimize supply and demand for recyclable materials.

4356 (g) Evaluating source-reduced products as they relate to  
4357 state procurement policy. The evaluation shall include, but is  
4358 not limited to, the environmental and economic impact of source-  
4359 reduced product purchases to the state. For the purposes of this  
4360 paragraph, the term "source-reduced" means any method, process,  
4361 product, or technology that significantly or substantially



224226

4362 reduces the volume or weight of a product while providing, at a  
4363 minimum, equivalent or generally similar performance and service  
4364 to and for the users of such materials.

4365 (h) Providing evaluation of solid waste management grants,  
4366 pursuant to s. 403.7095, to reduce the flow of solid waste to  
4367 disposal facilities and encourage the sustainable recovery of  
4368 materials from Florida's waste stream.

4369 (i) Providing below-market financing for companies that  
4370 manufacture products from recycled materials or convert  
4371 recyclable materials into raw materials for use in manufacturing  
4372 pursuant to the Florida Recycling Loan Program as administered  
4373 by the Florida First Capital Finance Corporation.

4374 (j) Maintaining a continuously updated online directory  
4375 listing the public and private entities that collect, transport,  
4376 broker, process, or remanufacture recyclable materials in the  
4377 state.

4378 (k) Providing information on the availability and benefits  
4379 of using recycled materials to private entities and industries  
4380 in the state.

4381 (l) Distributing any materials prepared in implementing  
4382 this subsection to the public, private entities, industries,  
4383 governmental entities, or other organizations upon request.

4384 (m) Coordinating with the Department of Commerce ~~Economic~~  
4385 ~~Opportunity~~ and its partners to provide job placement and job  
4386 training services to job seekers through the state's workforce  
4387 services programs.

4388 Section 131. Paragraphs (f) through (h) of subsection (3)  
4389 and subsections (16) through (19) of section 403.973, Florida  
4390 Statutes, are redesignated as paragraphs (e) through (g) of





224226

4391 subsection (3) and subsections (15) through (18), respectively,  
4392 and present paragraph (e) of subsection (3), paragraph (b) of  
4393 subsection (14), and present subsections (15) and (17) of that  
4394 section are amended, to read:

4395       403.973 Expedited permitting; amendments to comprehensive  
4396 plans.-

4397       (3)

4398       ~~(e) Projects that are part of the state-of-the-art~~  
4399 ~~biomedical research institution and campus to be established in~~  
4400 ~~this state by the grantee under s. 288.955 are eligible for the~~  
4401 ~~expedited permitting process, if the projects are designated as~~  
4402 ~~part of the institution or campus by the board of county~~  
4403 ~~commissioners of the county in which the institution and campus~~  
4404 ~~are established.~~

4405       (14)

4406       (b) Projects identified in paragraphs (3) (e), (f), and (g)  
4407 ~~(3) (f)-(h) or challenges to state agency action in the expedited~~  
4408 ~~permitting process for establishment of a state-of-the-art~~  
4409 ~~biomedical research institution and campus in this state by the~~  
4410 ~~grantee under s. 288.955 are subject to the same requirements as~~  
4411 ~~challenges brought under paragraph (a), except that,~~  
4412 ~~notwithstanding s. 120.574, summary proceedings must be~~  
4413 ~~conducted within 30 days after a party files the motion for~~  
4414 ~~summary hearing, regardless of whether the parties agree to the~~  
4415 ~~summary proceeding.~~

4416       ~~(15) The Department of Economic Opportunity, working with~~  
4417 ~~the agencies providing cooperative assistance and input~~  
4418 ~~regarding the memoranda of agreement, shall review sites~~  
4419 ~~proposed for the location of facilities that the Department of~~



224226

4420 ~~Economic Opportunity has certified to be eligible for the~~  
4421 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~  
4422 ~~after the request for the review by the Department of Economic~~  
4423 ~~Opportunity, the agencies shall provide to the Department of~~  
4424 ~~Economic Opportunity a statement as to each site's necessary~~  
4425 ~~permits under local, state, and federal law and an~~  
4426 ~~identification of significant permitting issues, which if~~  
4427 ~~unresolved, may result in the denial of an agency permit or~~  
4428 ~~approval or any significant delay caused by the permitting~~  
4429 ~~process.~~

4430       ~~(16)-(17)~~ The Department of Commerce ~~Economic Opportunity~~  
4431 shall be responsible for certifying a business as eligible for  
4432 undergoing expedited review under this section. ~~Enterprise~~  
4433 ~~Florida, Inc.~~, A county or municipal government, or the Rural  
4434 Economic Development Initiative may recommend to the Department  
4435 of Commerce ~~Economic Opportunity~~ that a project meeting the  
4436 minimum job creation threshold undergo expedited review.

4437       Section 132. Paragraph (c) of subsection (1) of section  
4438 443.091, Florida Statutes, is amended to read:

4439       443.091 Benefit eligibility conditions.—

4440       (1) An unemployed individual is eligible to receive  
4441 benefits for any week only if the Department of Commerce  
4442 ~~Economic Opportunity~~ finds that:

4443       (c) To make continued claims for benefits, she or he is  
4444 reporting to the department in accordance with this paragraph  
4445 and department rules. Department rules may not conflict with s.  
4446 443.111(1)(b), which requires that each claimant continue to  
4447 report regardless of any pending appeal relating to her or his  
4448 eligibility or disqualification for benefits.



224226

4449           1. For each week of unemployment claimed, each report must,  
4450 at a minimum, include the name and address of each prospective  
4451 employer contacted, or the date the claimant reported to a one-  
4452 stop career center, pursuant to paragraph (d). For the purposes  
4453 of this subparagraph, the term "address" means a website  
4454 address, a physical address, or an e-mail address.

4455           2. The department shall offer an online assessment aimed at  
4456 identifying an individual's skills, abilities, and career  
4457 aptitude. The skills assessment must be voluntary, and the  
4458 department shall allow a claimant to choose whether to take the  
4459 skills assessment. The online assessment shall be made available  
4460 to any person seeking services from a local workforce  
4461 development board or a one-stop career center.

4462           a. If the claimant chooses to take the online assessment,  
4463 the outcome of the assessment shall be made available to the  
4464 claimant, local workforce development board, and one-stop career  
4465 center. The department, local workforce development board, or  
4466 one-stop career center shall use the assessment to develop a  
4467 plan for referring individuals to training and employment  
4468 opportunities. Aggregate data on assessment outcomes may be made  
4469 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~  
4470 ~~Inc.~~, for use in the development of policies related to  
4471 education and training programs that will ensure that businesses  
4472 in this state have access to a skilled and competent workforce.

4473           b. Individuals shall be informed of and offered services  
4474 through the one-stop delivery system, including career  
4475 counseling, the provision of skill match and job market  
4476 information, and skills upgrade and other training  
4477 opportunities, and shall be encouraged to participate in such



224226

4478 services at no cost to the individuals. The department shall  
4479 coordinate with CareerSource Florida, Inc., the local workforce  
4480 development boards, and the one-stop career centers to identify,  
4481 develop, and use best practices for improving the skills of  
4482 individuals who choose to participate in skills upgrade and  
4483 other training opportunities. The department may contract with  
4484 an entity to create the online assessment in accordance with the  
4485 competitive bidding requirements in s. 287.057. The online  
4486 assessment must work seamlessly with the Reemployment Assistance  
4487 Claims and Benefits Information System.

4488 Section 133. Paragraph (h) of subsection (1) of section  
4489 443.191, Florida Statutes, is amended to read:

4490 443.191 Unemployment Compensation Trust Fund; establishment  
4491 and control.—

4492 (1) There is established, as a separate trust fund apart  
4493 from all other public funds of this state, an Unemployment  
4494 Compensation Trust Fund, which shall be administered by the  
4495 Department of Commerce ~~Economic Opportunity~~ exclusively for the  
4496 purposes of this chapter. The fund must consist of:

4497 (h) All money deposited in this account as a distribution  
4498 pursuant to s. 212.20(6)(d)6.e. ~~s. 212.20(6)(d)6.g.~~

4499  
4500 Except as otherwise provided in s. 443.1313(4), all moneys in  
4501 the fund must be mingled and undivided.

4502 Section 134. Paragraph (d) of subsection (3), paragraph (b)  
4503 of subsection (5), and paragraph (a) of subsection (6) of  
4504 section 445.004, Florida Statutes, are amended to read:

4505 445.004 CareerSource Florida, Inc., and the state board;  
4506 creation; purpose; membership; duties and powers.—



224226

4507 (3)  
4508 (d) The state board must include the Secretary of Commerce  
4509 ~~Economic Opportunity~~ or his or her designee, ~~the vice~~  
4510 ~~chairperson of the board of directors of Enterprise Florida,~~  
4511 ~~Inc.,~~ and one member representing each of the Workforce  
4512 Innovation and Opportunity Act partners, including the Division  
4513 of Career and Adult Education, the Division of Vocational  
4514 Rehabilitation, the Division of Blind Services, the Department  
4515 of Children and Families, and other entities representing  
4516 programs identified in the Workforce Innovation and Opportunity  
4517 Act, as determined necessary.

4518 (5) The state board has all the powers and authority not  
4519 explicitly prohibited by statute which are necessary or  
4520 convenient to carry out and effectuate its purposes as  
4521 determined by statute, Pub. L. No. 113-128, and the Governor, as  
4522 well as its functions, duties, and responsibilities, including,  
4523 but not limited to, the following:

4524 (b) Providing policy direction to ensure that the following  
4525 programs are administered by the department consistent with  
4526 approved plans:

4527 1. Programs authorized under Title I of the Workforce  
4528 Innovation and Opportunity Act, Pub. L. No. 113-128, with the  
4529 exception of programs funded directly by the United States  
4530 Department of Labor under Title I, s. 167.

4531 2. Programs authorized under the Wagner-Peyser Act of 1933,  
4532 as amended, 29 U.S.C. ss. 49 et seq.

4533 3. Activities authorized under Title II of the Trade Act of  
4534 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade  
4535 Adjustment Assistance Program.



224226

4536           4. Activities authorized under 38 U.S.C. chapter 41,  
4537 including job counseling, training, and placement for veterans.  
4538           5. Employment and training activities carried out under  
4539 funds awarded to this state by the United States Department of  
4540 Housing and Urban Development.  
4541           6. Welfare transition services funded by the Temporary  
4542 Assistance for Needy Families Program, created under the  
4543 Personal Responsibility and Work Opportunity Reconciliation Act  
4544 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,  
4545 of the Social Security Act, as amended.  
4546           7. The Florida Bonding Program, provided under Pub. L. No.  
4547 97-300, s. 164(a)(1).  
4548           8. The Food Assistance Employment and Training Program,  
4549 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.  
4550 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;  
4551 the Hunger Prevention Act, Pub. L. No. 100-435; and the  
4552 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.  
4553           9. The Quick-Response Training Program, provided under ss.  
4554 288.046-288.047. ~~Matching funds and in-kind contributions that~~  
4555 ~~are provided by clients of the Quick-Response Training Program~~  
4556 ~~count toward the requirements of s. 288.904, pertaining to the~~  
4557 ~~return on investment from activities of Enterprise Florida, Inc.~~  
4558           10. The Work Opportunity Tax Credit, provided under the Tax  
4559 and Trade Relief Extension Act of 1998, Pub. L. No. 105-277, and  
4560 the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.  
4561           11. Offender placement services, provided under ss.  
4562 944.707-944.708.  
4563           (6) The state board shall achieve the purposes of this  
4564 section by:



224226

4565 (a) Creating a state employment, education, and training  
4566 policy that ensures workforce related programs are responsive to  
4567 present and future business and industry needs ~~and complement~~  
4568 ~~the initiatives of Enterprise Florida, Inc.~~

4569 Section 135. Subsection (5) of section 445.045, Florida  
4570 Statutes, is amended to read:

4571 445.045 Development of an Internet-based system for  
4572 information technology industry promotion and workforce  
4573 recruitment.—

4574 (5) In furtherance of the requirements of this section that  
4575 the website promote and market the information technology  
4576 industry by communicating information on the scope of the  
4577 industry in this state, CareerSource Florida, Inc., shall  
4578 ~~coordinate its efforts with the high technology industry~~  
4579 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~  
4580 ~~Through links or actual content, the website developed under~~  
4581 ~~this section shall serve as a forum for distributing the~~  
4582 ~~marketing campaign developed by Enterprise Florida, Inc., under~~  
4583 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~  
4584 solicit input from the not-for-profit corporation created to  
4585 advocate on behalf of the information technology industry as an  
4586 outgrowth of the Information Service Technology Development Task  
4587 Force created under chapter 99-354, Laws of Florida.

4588 Section 136. Subsections (2) and (5) of section 446.44,  
4589 Florida Statutes, are amended to read:

4590 446.44 Duties of Rural Workforce Services Program.—It shall  
4591 be the direct responsibility of the Rural Workforce Services  
4592 Program to promote and deliver employment and workforce services  
4593 and resources to the rural undeveloped and underdeveloped



224226

4594 counties of the state in an effort to:

4595 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~  
4596 ~~pollution-free industry to the rural counties.~~

4597 (4)~~(5)~~ Develop rural workforce programs that will be  
4598 evaluated, planned, and implemented through communications and  
4599 planning with appropriate:

4600 (a) Departments of state and federal governments.

4601 ~~(b) Units of Enterprise Florida, Inc.~~

4602 (b)~~(c)~~ Agencies and organizations of the public and private  
4603 sectors at the state, regional, and local levels.

4604 Section 137. Subsection (5) of section 477.0135, Florida  
4605 Statutes, is amended to read:

4606 477.0135 Exemptions.—

4607 (5) A license is not required of any individual providing  
4608 makeup, special effects, or cosmetology services to an actor,  
4609 stunt person, musician, extra, or other talent during a  
4610 theatrical, film, or other entertainment production ~~recognized~~  
4611 ~~by the Office of Film and Entertainment as a qualified~~  
4612 ~~production as defined in s. 288.1254(1)~~. Such services are not  
4613 required to be performed in a licensed salon. Individuals exempt  
4614 under this subsection may not provide such services to the  
4615 general public.

4616 Section 138. Subsection (1) of section 570.81, Florida  
4617 Statutes, is amended to read:

4618 570.81 Agricultural Economic Development Project Review  
4619 Committee; powers and duties.—

4620 (1) There is created an Agricultural Economic Development  
4621 Project Review Committee consisting of five members appointed by  
4622 the commissioner. The members shall be appointed based upon the





224226

4623 recommendations submitted by each entity represented on the  
4624 committee and shall include:

- 4625 (a) The commissioner or the commissioner's designee.
- 4626 (b) One representative from the Farm Credit Service.
- 4627 (c) One representative from the Department of Commerce  
4628 ~~Enterprise Florida, Inc.~~

4629 (d) One representative from the Florida Farm Bureau  
4630 Federation.

4631 (e) One agricultural economist from the Institute of Food  
4632 and Agricultural Sciences or from Florida Agricultural and  
4633 Mechanical University.

4634 Section 139. Subsection (2) of section 570.85, Florida  
4635 Statutes, is amended to read:

4636 570.85 Agritourism.—

4637 (2) The Department of Agriculture and Consumer Services may  
4638 provide marketing advice, technical expertise, promotional  
4639 support, and product development related to agritourism to  
4640 assist the following in their agritourism initiatives: Florida  
4641 Tourism Industry Marketing Corporation, ~~Enterprise Florida,~~  
4642 ~~Inc.~~,<sup>†</sup> convention and visitor bureaus,<sup>†</sup> tourist development  
4643 councils,<sup>†</sup> economic development organizations,<sup>†</sup> and local  
4644 governments. In carrying out this responsibility, the department  
4645 shall focus its agritourism efforts on rural and urban  
4646 communities.

4647 Section 140. Section 625.3255, Florida Statutes, is amended  
4648 to read:

4649 625.3255 Capital participation instrument.—An insurer may  
4650 invest in any capital participation instrument or evidence of  
4651 indebtedness issued by the Department of Commerce ~~Enterprise~~



224226

4652 ~~Florida, Inc.~~, pursuant to the Florida Small and Minority  
4653 Business Assistance Act.

4654 Section 141. Paragraph (b) of subsection (4) of section  
4655 657.042, Florida Statutes, is amended to read:

4656 657.042 Investment powers and limitations.—A credit union  
4657 may invest its funds subject to the following definitions,  
4658 restrictions, and limitations:

4659 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF  
4660 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of  
4661 the credit union may be invested in any of the following:

4662 (b) Any capital participation instrument or evidence of  
4663 indebtedness issued by the Department of Commerce Enterprise  
4664 ~~Florida, Inc.~~, pursuant to the Florida Small and Minority  
4665 Business Assistance Act.

4666 Section 142. Paragraph (f) of subsection (4) of section  
4667 658.67, Florida Statutes, is amended to read:

4668 658.67 Investment powers and limitations.—A bank may invest  
4669 its funds, and a trust company may invest its corporate funds,  
4670 subject to the following definitions, restrictions, and  
4671 limitations:

4672 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR  
4673 LESS OF CAPITAL ACCOUNTS.—

4674 (f) Up to 10 percent of the capital accounts of a bank or  
4675 trust company may be invested in any capital participation  
4676 instrument or evidence of indebtedness issued by the Department  
4677 of Commerce Enterprise ~~Florida, Inc.~~, pursuant to the Florida  
4678 Small and Minority Business Assistance Act.

4679 Section 143. Paragraph (e) of subsection (2) of section  
4680 1004.015, Florida Statutes, is amended to read:



224226

4681 1004.015 Florida Talent Development Council.—

4682 (2) Members of the council shall include:

4683 ~~(c) The president of Enterprise Florida, Inc.~~

4684 Section 144. Paragraph (d) of subsection (5) of section  
4685 1004.65, Florida Statutes, is amended to read:

4686 1004.65 Florida College System institutions; governance,  
4687 mission, and responsibilities.—

4688 (5) The primary mission and responsibility of Florida  
4689 College System institutions is responding to community needs for  
4690 postsecondary academic education and career degree education.  
4691 This mission and responsibility includes being responsible for:

4692 (d) Promoting economic development for the state within  
4693 each Florida College System institution district through the  
4694 provision of special programs, including, but not limited to,  
4695 the:

4696 1. ~~Enterprise Florida-related programs.~~

4697 ~~2.~~ Technology transfer centers.

4698 ~~2.3.~~ Economic development centers.

4699 ~~3.4.~~ Workforce literacy programs.

4700 Section 145. Paragraph (b) of subsection (10) of section  
4701 1004.78, Florida Statutes, is amended to read:

4702 1004.78 Technology transfer centers at Florida College  
4703 System institutions.—

4704 (10) The State Board of Education may award grants to  
4705 Florida College System institutions, or consortia of public and  
4706 private colleges and universities and other public and private  
4707 entities, for the purpose of supporting the objectives of this  
4708 section. Grants awarded pursuant to this subsection shall be in  
4709 accordance with rules of the State Board of Education. Such



224226

4710 rules shall include the following provisions:

4711 (b) Grants to centers funded with state revenues  
4712 appropriated specifically for technology transfer activities  
4713 shall be reviewed and approved by the State Board of Education  
4714 using proposal solicitation, evaluation, and selection  
4715 procedures established by the state board in consultation with  
4716 the Department of Commerce ~~Enterprise Florida, Inc.~~ Such  
4717 procedures may include designation of specific areas or  
4718 applications of technology as priorities for the receipt of  
4719 funding.

4720 Section 146. Subsection (4) of section 1011.76, Florida  
4721 Statutes, is amended to read:

4722 1011.76 Small School District Stabilization Program.—

4723 (4) The Department of Education may award the school  
4724 district a stabilization grant intended to protect the district  
4725 from continued financial reductions. The amount of the grant  
4726 will be determined by the Department of Education and may be  
4727 equivalent to the amount of the decline in revenues projected  
4728 for the next fiscal year. In addition, the Department of  
4729 ~~Commerce Economic Opportunity~~ may implement a rural economic  
4730 development initiative to identify the economic factors that are  
4731 negatively impacting the community to develop ~~and may consult~~  
4732 ~~with Enterprise Florida, Inc., in developing~~ a plan to assist  
4733 the county with its economic transition. The grant will be  
4734 available to the school district for a period of up to 5 years  
4735 to the extent that funding is provided for such purpose in the  
4736 General Appropriations Act.

4737 Section 147. (1) The Division of Law Revision is directed  
4738 to prepare a reviser's bill for the 2024 Regular Session of the



224226

4739 Legislature to change the terms "Department of Economic  
4740 Opportunity" and "Secretary of Economic Opportunity" to  
4741 "Department of Commerce" and "Secretary of Commerce,"  
4742 respectively, wherever the terms appear in the Florida Statutes  
4743 and to make such further changes as are necessary to conform the  
4744 Florida Statutes to the organizational changes effected by this  
4745 act.

4746 (2) It is the intent of the Legislature that, until the  
4747 reviser's bill prepared pursuant to subsection (1) becomes a  
4748 law, the terms "Department of Economic Opportunity" and  
4749 "Secretary of Economic Opportunity" shall be interpreted to mean  
4750 "Department of Commerce" and "Secretary of Commerce,"  
4751 respectively, wherever the terms appear in the Florida Statutes.

4752 Section 148. This act shall take effect July 1, 2023.

4753  
4754 ===== T I T L E A M E N D M E N T =====

4755 And the title is amended as follows:

4756 Delete everything before the enacting clause  
4757 and insert:

4758 A bill to be entitled

4759 An act relating to economic programs; providing for a  
4760 type two transfer of the duties and functions of  
4761 Enterprise Florida, Inc., to the Department of  
4762 Commerce; providing legislative intent; providing for  
4763 a transition period; requiring the department and  
4764 Enterprise Florida, Inc., to coordinate the  
4765 development and implementation of a transition plan;  
4766 providing requirements for the transition plan;  
4767 specifying that certain binding contracts remain



4768 binding; requiring the transfer of specified funds;  
4769 requiring the department to submit specified  
4770 amendments and information to the Federal Government  
4771 and seek specified waivers; requiring the Division of  
4772 Law Revision to provide assistance to specified  
4773 committees for certain purposes; prohibiting certain  
4774 actions from being taken relating to specified  
4775 programs and corporations; specifying that certain  
4776 certifications are rescinded; specifying that existing  
4777 contracts or agreements authorized under or by such  
4778 programs or corporations continue in full force and  
4779 effect; providing appropriations; amending ss. 11.45,  
4780 14.32, 15.18, 15.182, and 20.435, F.S.; conforming  
4781 provisions to changes made by the act; amending s.  
4782 20.60, F.S.; renaming the Department of Economic  
4783 Opportunity as the Department of Commerce; designating  
4784 the head of the department as the Secretary of  
4785 Commerce; requiring the secretary to serve as the  
4786 Governor's chief negotiator for certain purposes;  
4787 renaming the Division of Strategic Business  
4788 Development as the Division of Economic Development;  
4789 revising the duties and purposes of the department;  
4790 revising the duties of the Division of Workforce  
4791 Services; conforming provisions to changes made by the  
4792 act; repealing s. 20.601, F.S., relating to review of  
4793 the Department of Economic Opportunity; amending s.  
4794 159.803, F.S.; requiring the department to develop  
4795 certain protocols and measures; conforming provisions  
4796 to changes made by the act; amending ss. 189.033,



4797 196.012, 212.08, 212.098, 212.20, 212.205, 213.053,  
4798 218.64, 220.02, 220.13, and 220.16, F.S.; conforming  
4799 provisions to changes made by the act; repealing s.  
4800 220.1899, F.S., relating to an entertainment industry  
4801 tax credit; amending s. 220.191, F.S.; defining the  
4802 term "average private sector wage in the area";  
4803 conforming provisions to changes made by the act;  
4804 repealing s. 220.194, F.S., relating to corporate  
4805 income tax credits for spaceflight projects; amending  
4806 ss. 220.196, 272.11, 287.0947, and 287.137, F.S.;  
4807 conforming provisions to changes made by the act;  
4808 amending s. 288.0001, F.S.; revising required analyses  
4809 provided by the Office of Economic and Demographic  
4810 Research and Office of Program Policy Analysis and  
4811 Government Accountability; conforming provisions to  
4812 changes made by the act; amending ss. 288.001 and  
4813 288.005, F.S.; conforming provisions to changes made  
4814 by the act; amending s. 288.012, F.S.; requiring the  
4815 department to establish and contract with a direct-  
4816 support organization for a specified purpose;  
4817 providing requirements and authorizations relating to  
4818 the direct-support organization; requiring the  
4819 Secretary of Commerce to appoint board members for the  
4820 direct-support organization; providing requirements  
4821 for senior managers and members of the board;  
4822 subjecting the direct-support organization to public  
4823 records and meetings requirements; providing  
4824 requirements for the contract between the department  
4825 and the direct-support organization; requiring the



4826 department to make a specified annual determination  
4827 relating to the direct-support organization; requiring  
4828 the department to submit a proposed operating budget  
4829 for the direct-support organization to the Governor  
4830 and the Legislature; providing for a future repeal;  
4831 conforming provisions to changes made by the act;  
4832 amending s. 288.017, F.S.; providing authority to the  
4833 Florida Tourism Industry Marketing Corporation, rather  
4834 than Enterprise Florida, Inc., to establish and  
4835 administer a cooperative advertising matching grants  
4836 program; conforming provisions to changes made by the  
4837 act; amending ss. 288.018, 288.047, 288.061, 288.0655,  
4838 288.0656, 288.0658, 288.075, and 288.076, F.S.;  
4839 conforming provisions to changes made by the act;  
4840 amending s. 288.095, F.S.; requiring the department to  
4841 issue quarterly reports relating to the status of  
4842 certain payments and escrow activity to specified  
4843 entities; requiring the department to create a  
4844 separate account for specified transferred funds;  
4845 requiring the department to transfer payments to the  
4846 General Revenue Fund; conforming provisions to changes  
4847 made by the act; amending s. 288.101, F.S.; revising  
4848 authorizations relating to the Florida Job Growth  
4849 Grant Fund; conforming provisions to changes made by  
4850 the act; repealing ss. 288.1045 and 288.106, F.S.,  
4851 relating to the qualified defense contractor and space  
4852 flight business tax refund program and a tax refund  
4853 program for qualified target industry businesses,  
4854 respectively; amending 288.107, F.S.; revising





4855 requirements relating to brownfield redevelopment  
4856 bonus refunds; authorizing the department to adopt  
4857 rules; conforming provisions to changes made by the  
4858 act; amending s. 288.108, F.S.; conforming provisions  
4859 to changes made by the act; repealing ss. 288.1081,  
4860 288.1082, 288.1088, and 288.1089, F.S., relating to  
4861 the Economic Gardening Business Loan Pilot Program,  
4862 the Economic Gardening Technical Assistance Pilot  
4863 Program, the Quick Action Closing Fund, and the  
4864 Innovation Incentive Program, respectively; amending  
4865 ss. 288.111, 288.11621, and 288.11631, F.S.;  
4866 conforming provisions to changes made by the act;  
4867 repealing ss. 288.1168, 288.1169, and 288.1171, F.S.,  
4868 relating to the professional golf hall of fame  
4869 facility, the International Game Fish Association  
4870 World Center facility, and motorsports entertainment  
4871 complexes, respectively; amending s. 288.122, F.S.;  
4872 conforming a provision to changes made by the act;  
4873 amending s. 288.1226, F.S.; relocating provisions  
4874 relating to a specified 4-year marketing plan and an  
4875 annual report; conforming provisions to changes made  
4876 by the act; amending s. 288.12265, F.S.; transferring  
4877 responsibility for administering and operating welcome  
4878 centers from Enterprise Florida, Inc., to the Florida  
4879 Tourism Industry Marketing Corporation; reviving,  
4880 readopting, and amending s. 288.1229, F.S., relating  
4881 to promotion and development of sports-related  
4882 industries and amateur athletics; requiring the  
4883 department to establish the Florida Sports Foundation



4884 direct-support organization; providing requirements  
4885 for the foundation, including development of the  
4886 Florida Senior Games; providing and revising  
4887 requirements for the Florida Senior Games and the  
4888 Sunshine State Games, respectively; conforming  
4889 provisions to changes made by the act; amending s.  
4890 288.125, F.S.; conforming a provision to changes made  
4891 by the act; repealing ss. 288.1251, 288.1252,  
4892 288.1253, and 288.1254, F.S., relating to the  
4893 promotion and development of the entertainment  
4894 industry by the Office of Film and Entertainment, the  
4895 Florida Film and Entertainment Advisory Council,  
4896 certain travel and entertainment expenses, and an  
4897 entertainment industry financial incentive program,  
4898 respectively; amending ss. 288.1258, 288.7015,  
4899 288.706, 288.773, 288.776, 288.7771, 288.816, and  
4900 288.826, F.S.; conforming provisions to changes made  
4901 by the act; repealing ss. 288.901, 288.9015, 288.903,  
4902 288.904, 288.905, and 288.906, F.S., relating to  
4903 Enterprise Florida, Inc., powers of board of directors  
4904 of Enterprise Florida, Inc., duties of Enterprise  
4905 Florida, Inc., funding for Enterprise Florida, Inc.,  
4906 the president and employees of Enterprise Florida,  
4907 Inc., and the annual report and audits of Enterprise  
4908 Florida, Inc., and its divisions, respectively;  
4909 renumbering and amending s. 288.907, F.S.; revising  
4910 requirements for annual incentives reports; conforming  
4911 provisions to changes made by the act; repealing s.  
4912 288.911, F.S., relating to the creation and



224226

4913 implementation of a marketing and image campaign;  
4914 renumbering and amending s. 288.912, F.S.; conforming  
4915 provisions to changes made by the act; repealing ss.  
4916 288.92, 288.923, 288.95155, and 288.9519, F.S.,  
4917 relating to the divisions of Enterprise Florida, Inc.,  
4918 the Division of Tourism Marketing, the Florida Small  
4919 Business Technology Growth Program, and a not-for-  
4920 profit corporation intended to promote the  
4921 competitiveness and profitability of high-technology  
4922 business and industry, respectively; renumbering and  
4923 amending s. 288.9520, F.S.; specifying that the  
4924 department is the custodian of certain public records;  
4925 conforming provisions to changes made by the act;  
4926 repealing s. 288.955, F.S., relating to Scripps  
4927 Florida Funding Corporation; amending s. 288.9603,  
4928 F.S.; conforming a provision to changes made by the  
4929 act; amending s. 288.9604, F.S.; removing the future  
4930 repeal of the Florida Development Finance Corporation;  
4931 amending ss. 288.9605, 288.9614, 288.9624, 288.9625,  
4932 288.96255, 288.980, and 288.987, F.S.; conforming  
4933 provisions to changes made by the act; repealing ss.  
4934 288.991, 288.9912, 288.9913, 288.9914, 288.9915,  
4935 288.9916, 288.9917, 288.9918, 288.9919, 288.9920,  
4936 288.9921, and 288.9922, F.S., relating to the New  
4937 Markets Development Program Act; amending s. 288.9932,  
4938 F.S.; deleting the definition of the term "domiciled  
4939 in this state"; repealing s. 288.9934, F.S., relating  
4940 to the Microfinance Loan Program; amending s.  
4941 288.9935, F.S.; conforming provisions to changes made



224226

4942 by the act; repealing ss. 288.9936 and 288.9937, F.S.,  
4943 relating to the annual report of the Microfinance Loan  
4944 Program and the evaluation of certain programs,  
4945 respectively; amending ss. 288.9961, 290.0056,  
4946 290.0065, 290.00677, 290.053, 295.22, 320.08058,  
4947 339.2821, 377.703, 377.804, 377.809, 380.0657,  
4948 403.7032, 403.973, 443.091, 443.191, 445.004, 445.045,  
4949 446.44, 477.0135, 570.81, 570.85, 625.3255, 657.042,  
4950 658.67, 1004.015, 1004.65, 1004.78, and 1011.76, F.S.;  
4951 conforming provisions to changes made by the act;  
4952 directing the Division of Law Revision to prepare a  
4953 reviser's bill for a specified purpose; providing  
4954 legislative intent; providing an effective date.