

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Esposito offered the following:

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5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (i) of subsection (3) of section
 7 11.45, Florida Statutes, is amended to read:

8 11.45 Definitions; duties; authorities; reports; rules.—

9 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The

10 Auditor General may, pursuant to his or her own authority, or at
 11 the direction of the Legislative Auditing Committee, conduct
 12 audits or other engagements as determined appropriate by the
 13 Auditor General of:

14 ~~(i) Enterprise Florida, Inc., including any of its boards,~~
 15 ~~advisory committees, or similar groups created by Enterprise~~
 16 ~~Florida, Inc., and programs. The audit report may not reveal the~~

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17 ~~identity of any person who has anonymously made a donation to~~
18 ~~Enterprise Florida, Inc., pursuant to this paragraph. The~~
19 ~~identity of a donor or prospective donor to Enterprise Florida,~~
20 ~~Inc., who desires to remain anonymous and all information~~
21 ~~identifying such donor or prospective donor are confidential and~~
22 ~~exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I~~
23 ~~of the State Constitution. Such anonymity shall be maintained in~~
24 ~~the auditor's report.~~

25 Section 2. Paragraph (a) of subsection (3) of section
26 14.32, Florida Statutes, is amended to read:

27 14.32 Office of Chief Inspector General.—

28 (3) Related to public-private partnerships, the Chief
29 Inspector General:

30 (a) Shall advise public-private partnerships, ~~including~~
31 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and
32 improvement of internal control measures necessary to ensure
33 fiscal accountability.

34 Section 3. Section 15.18, Florida Statutes, is amended to
35 read:

36 15.18 International and cultural relations.—The Divisions
37 of Arts and Culture, Historical Resources, and Library and
38 Information Services of the Department of State promote programs
39 having substantial cultural, artistic, and indirect economic
40 significance that emphasize American creativity. The Secretary
41 of State, as the head administrator of these divisions, shall

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42 hereafter be known as "Florida's Chief Arts and Culture
43 Officer." As this officer, the Secretary of State is encouraged
44 to initiate and develop relationships between the state and
45 foreign cultural officers, their representatives, and other
46 foreign governmental officials in order to promote Florida as
47 the center of American creativity. The Secretary of State shall
48 coordinate international activities pursuant to this section
49 with the Department of Commerce ~~Enterprise Florida, Inc.~~, and
50 any other organization the secretary deems appropriate. For the
51 accomplishment of this purpose, the Secretary of State shall
52 have the power and authority to:

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

55 (2) Plan and carry out activities designed to cause
56 improved cultural and governmental programs and exchanges with
57 foreign countries.

58 (3) Plan and implement cultural and social activities for
59 visiting foreign heads of state, diplomats, dignitaries, and
60 exchange groups.

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

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

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67 (6) Provide, arrange, and make expenditures for the
68 achievement of any or all of the purposes specified in this
69 section.

70 Section 4. Subsection (2) of section 15.182, Florida
71 Statutes, is amended to read:

72 15.182 International travel by state-funded musical,
73 cultural, or artistic organizations; notification to the
74 Department of State.—

75 (2) The Department of State, in conjunction with the
76 Department of Commerce ~~Economic Opportunity and Enterprise~~
77 ~~Florida, Inc.~~, shall act as an intermediary between performing
78 musical, cultural, and artistic organizations and Florida
79 businesses to encourage and coordinate joint undertakings. Such
80 coordination may include, but is not limited to, encouraging
81 business and industry to sponsor cultural events, assistance
82 with travel of such organizations, and coordinating travel
83 schedules of cultural performance groups and international trade
84 missions.

85 Section 5. Paragraph (a) of subsection (7) of section
86 20.435, Florida Statutes, is amended to read:

87 20.435 Department of Health; trust funds.—The following
88 trust funds shall be administered by the Department of Health:

89 (7) Biomedical Research Trust Fund.

90 (a) Funds to be credited to the trust fund shall consist
91 of funds appropriated by the Legislature. Funds shall be used

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92 for the purposes of the James and Esther King Biomedical
93 Research Program, the Casey DeSantis Cancer Research Program,
94 and the William G. "Bill" Bankhead, Jr., and David Coley Cancer
95 Research Program as specified in ss. 215.5602, ~~288.955~~, 381.915,
96 and 381.922. The trust fund is exempt from the service charges
97 imposed by s. 215.20.

98 Section 6. Section 20.60, Florida Statutes, is amended to
99 read::

100 20.60 Department of Commerce ~~Economic Opportunity~~;
101 creation; powers and duties.—

102 (1) There is created the Department of Commerce ~~Economic~~
103 ~~Opportunity~~.

104 (2) The head of the department is the Secretary of
105 Commerce ~~Economic Opportunity~~, who shall be appointed by the
106 Governor, subject to confirmation by the Senate. The secretary
107 shall serve at the pleasure of and report to the Governor and
108 shall serve as the Governor's chief negotiator for business
109 recruitment and expansion and economic development. The
110 secretary may appoint deputy and assistant secretaries as
111 necessary to aid the secretary in fulfilling his or her
112 statutory obligations.

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

115 1. The Division of Economic ~~Strategic Business~~
116 Development.

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- 117 2. The Division of Community Development.
118 3. The Division of Workforce Services.
119 4. The Division of Finance and Administration.
120 5. The Division of Information Technology.
121 6. The Office of the Secretary.
122 7. The Office of Economic Accountability and Transparency,
123 which shall:
124 a. Oversee the department's critical objectives as
125 determined by the secretary and make sure that the department's
126 key objectives are clearly communicated to the public.
127 b. Organize department resources, expertise, data, and
128 research to focus on and solve the complex economic challenges
129 facing the state.
130 c. Provide leadership for the department's priority issues
131 that require integration of policy, management, and critical
132 objectives from multiple programs and organizations internal and
133 external to the department; and organize and manage external
134 communication on such priority issues.
135 d. Promote and facilitate key department initiatives to
136 address priority economic issues and explore data and identify
137 opportunities for innovative approaches to address such economic
138 issues.
139 e. Promote strategic planning for the department.
140 (4) The purpose of the department is to assist the
141 Governor in working with the Legislature, state agencies,

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142 business leaders, and economic development professionals to
143 formulate and implement coherent and consistent policies and
144 strategies designed to promote economic opportunities for all
145 Floridians. The department is the Governor's chief agency for
146 business recruitment and expansion and economic development. To
147 accomplish such purposes, the department shall:

148 (a) Facilitate the direct involvement of the Governor and
149 the Lieutenant Governor in economic development and workforce
150 development projects designed to create, expand, and retain
151 businesses in this state, to recruit business from around the
152 world, to promote the state as a pro-business location for new
153 investment, and to facilitate other job-creating efforts.

154 (b) Recruit new businesses to this state and promote the
155 expansion of existing businesses by expediting permitting and
156 location decisions, worker placement and training, and incentive
157 awards.

158 (c) Promote viable, sustainable communities by providing
159 technical assistance and guidance on growth and development
160 issues, grants, and other assistance to local communities.

161 (d) Ensure that the state's goals and policies relating to
162 economic development, workforce development, community planning
163 and development, and affordable housing are fully integrated
164 with appropriate implementation strategies.

165 (e) Manage the activities of public-private partnerships
166 and state agencies in order to avoid duplication and promote

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167 coordinated and consistent implementation of programs in areas
168 including, but not limited to, tourism; international trade and
169 investment; business recruitment, creation, retention, and
170 expansion; minority and small business development; rural
171 community development; and the development and promotion of
172 professional and amateur sporting events.

173 (f) Coordinate with state agencies on the processing of
174 state development approvals or permits to minimize the
175 duplication of information provided by the applicant and the
176 time before approval or disapproval.

177 (g) Encourage and oversee the coordination of
178 international trade development efforts of public institutions,
179 business associations, economic development councils, and
180 private industry. Contract with the direct-support organization
181 created under s. 288.012 to assist with coordination, provide
182 services through State of Florida international offices, and
183 assist in developing and carrying out the 5-year statewide
184 strategic plan as it relates to foreign investment,
185 international partnerships, and other international business and
186 trade development.

187 (h) Support Florida's defense, space, and aerospace
188 industries.

189 (i) Promote opportunities for minority-owned businesses.

190 (j) Assist, promote, and enhance economic opportunities
191 for this state's minority-owned businesses and rural and urban

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192 communities.

193 (5) The divisions within the department have specific
194 responsibilities to achieve the duties, responsibilities, and
195 goals of the department. Specifically:

196 (a) The Division of Economic ~~Strategic Business~~
197 Development shall:

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

200 2. Administer certain tax refund, tax credit, and grant
201 programs created in law. Notwithstanding any other provision of
202 law, the department may expend interest earned from the
203 investment of program funds deposited in the Grants and
204 Donations Trust Fund to contract for the administration of those
205 programs, or portions of the programs, assigned to the
206 department by law, by the appropriations process, or by the
207 Governor. Such expenditures shall be subject to review under
208 chapter 216.

209 3. Develop measurement protocols for the state incentive
210 programs and for the contracted entities which will be used to
211 determine their performance and competitive value to the state.
212 Performance measures, benchmarks, and sanctions must be
213 developed in consultation with the legislative appropriations
214 committees and the appropriate substantive committees, and are
215 subject to the review and approval process provided in s.
216 216.177. The approved performance measures, standards, and

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217 sanctions shall be included and made a part of the strategic
218 plan for contracts entered into for delivery of programs
219 authorized by this section.

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

222 a. Strategies for the promotion of business formation,
223 expansion, recruitment, and retention through aggressive
224 marketing, attraction of venture capital and finance
225 development, domestic trade, international development, and
226 export assistance, which lead to more and better jobs and higher
227 wages for all geographic regions, disadvantaged communities, and
228 populations of the state, including rural areas, minority
229 businesses, and urban core areas.

230 b. The development of realistic policies and programs to
231 further the economic diversity of the state, its regions, and
232 their associated industrial clusters.

233 c. Specific provisions for the stimulation of economic
234 development and job creation in rural areas and midsize cities
235 and counties of the state, including strategies for rural
236 marketing and the development of infrastructure in rural areas.

237 d. Provisions for the promotion of the successful long-
238 term economic development of the state with increased emphasis
239 in market research and information.

240 e. Plans for the generation of foreign investment in the
241 state which create jobs paying above-average wages and which

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242 result in reverse investment in the state, including programs
243 that establish viable overseas markets, assist in meeting the
244 financing requirements of export-ready firms, broaden
245 opportunities for international joint venture relationships, use
246 the resources of academic and other institutions, coordinate
247 trade assistance and facilitation services, and facilitate
248 availability of and access to education and training programs
249 that assure requisite skills and competencies necessary to
250 compete successfully in the global marketplace.

251 f. The identification of business sectors that are of
252 current or future importance to the state's economy and to the
253 state's global business image, and development of specific
254 strategies to promote the development of such sectors.

255 g. Strategies for talent development necessary in the
256 state to encourage economic development growth, taking into
257 account factors such as the state's talent supply chain,
258 education and training opportunities, and available workforce.

259 h. Strategies and plans to support this state's defense,
260 space, and aerospace industries and the emerging complementary
261 business activities and industries that support the development
262 and growth of defense, space, and aerospace in this state.

263 5. Update the strategic plan every 5 years.

264 6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
265 Inc.; direct-support organizations of the department; local
266 governments; the general public; local and regional economic

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267 development organizations; other local, state, and federal
268 economic, international, and workforce development entities; the
269 business community; and educational institutions to assist with
270 the strategic plan.

271 7. Coordinate with the Florida Tourism Industry Marketing
272 Corporation for the development of the 4-year marketing plan
273 pursuant to s. 288.1226(13).

274 8. Administer the entities or programs created pursuant to
275 ss. 288.9622-288.9624.

276 9. Provide the Governor, the President of the Senate, and
277 the Speaker of the House of Representatives a detailed
278 incentives report quantifying the economic benefits for all of
279 the economic development incentive programs offered by the state
280 as required by s. 288.0065.

281 (b) The Division of Community Development shall:

282 1. Assist local governments and their communities in
283 finding creative planning solutions to help them foster vibrant,
284 healthy communities, while protecting the functions of important
285 state resources and facilities.

286 2. Administer state and federal grant programs as provided
287 by law to provide community development and project planning
288 activities to maintain viable communities, revitalize existing
289 communities, and expand economic development and employment
290 opportunities, including:

291 a. The Community Services Block Grant Program.

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- 292 b. The Community Development Block Grant Program in
293 chapter 290.
- 294 c. The Low-Income Home Energy Assistance Program in
295 chapter 409.
- 296 d. The Weatherization Assistance Program in chapter 409.
- 297 e. The Neighborhood Stabilization Program.
- 298 f. The local comprehensive planning process and the
299 development of regional impact process.
- 300 g. The Front Porch Florida Initiative through the Office
301 of Urban Opportunity, which is created within the division. The
302 purpose of the office is to administer the Front Porch Florida
303 initiative, a comprehensive, community-based urban core
304 redevelopment program that enables urban core residents to craft
305 solutions to the unique challenges of each designated community.
- 306 3. Assist in developing the 5-year statewide strategic
307 plan required by this section.
- 308 (c) The Division of Workforce Services shall:
- 309 1. Prepare and submit a unified budget request for
310 workforce development in accordance with chapter 216 for, and in
311 conjunction with, the state board as defined in s. 445.002.
- 312 2. Ensure that the state appropriately administers federal
313 and state workforce funding by administering plans and policies
314 of the state board as defined in s. 445.002. The operating
315 budget and midyear amendments thereto must be part of such
316 contract.

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

322 b. Unless otherwise provided by agreement with the state
323 board as defined in s. 445.002, administrative and personnel
324 policies of the Department of Commerce ~~Economic Opportunity~~
325 apply.

326 3. Implement the state's reemployment assistance program.
327 The Department of Commerce ~~Economic Opportunity~~ shall ensure
328 that the state appropriately administers the reemployment
329 assistance program pursuant to state and federal law.

330 4. Assist in developing the 5-year statewide strategic
331 plan required by this section, including identifying education
332 and training programs to ensure that the state has the skilled
333 and competent workforce necessary to attract and grow business
334 in this state and allow them to compete successfully in domestic
335 and global markets.

336 (6)(a) The Department of Commerce ~~Economic Opportunity~~ is
337 the administrative agency designated for receipt of federal
338 workforce development grants and other federal funds. The
339 department shall administer the duties and responsibilities
340 assigned by the Governor under each federal grant assigned to
341 the department. The department shall expend each revenue source

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342 as provided by federal and state law and as provided in plans
343 developed by and agreements with the state board as defined in
344 s. 445.002. The department may serve as the contract
345 administrator for contracts entered into by the state board
346 under s. 445.004(5).

347 (b) The Department of Commerce ~~Economic Opportunity~~ shall
348 serve as the designated agency for purposes of each federal
349 workforce development grant assigned to it for administration.
350 The department shall carry out the duties assigned to it by the
351 Governor, under the terms and conditions of each grant. The
352 department shall have the level of authority and autonomy
353 necessary to be the designated recipient of each federal grant
354 assigned to it and shall disburse such grants pursuant to the
355 plans and policies of the state board as defined in s. 445.002.
356 The secretary may, upon delegation from the Governor and
357 pursuant to agreement with the state board, sign contracts,
358 grants, and other instruments as necessary to execute functions
359 assigned to the department. Notwithstanding other provisions of
360 law, the department shall administer other programs funded by
361 federal or state appropriations, as determined by the
362 Legislature in the General Appropriations Act or other law.

363 (7) The department may provide or contract for training
364 for employees of administrative entities and case managers of
365 any contracted providers to ensure they have the necessary

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366 competencies and skills to provide adequate administrative
367 oversight and delivery of the full array of client services.

368 (8) The Reemployment Assistance Appeals Commission,
369 authorized by s. 443.012, is not subject to control,
370 supervision, or direction by the department in the performance
371 of its powers and duties but shall receive any and all support
372 and assistance from the department which is required for the
373 performance of its duties.

374 (9) The secretary shall:

375 (a) Manage all activities and responsibilities of the
376 department.

377 (b) Serve as the manager for the state with respect to
378 contracts with the Florida Tourism Industry Marketing
379 Corporation ~~Enterprise Florida, Inc.~~, and all other applicable
380 direct-support organizations. To accomplish the provisions of
381 this section and applicable provisions of chapter 288, and
382 notwithstanding the provisions of part I of chapter 287, the
383 secretary shall enter into specific contracts with the Florida
384 Tourism Industry Marketing Corporation ~~Enterprise Florida, Inc.~~,
385 and all other applicable ~~appropriate~~ direct-support
386 organizations. Such contracts may be for multiyear terms and
387 must include specific performance measures for each year. For
388 purposes of this section, ~~the Florida Tourism Industry Marketing~~
389 ~~Corporation~~ and the Institute for Commercialization of Florida
390 Technology ~~is are~~ not an appropriate direct-support organization

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391 ~~organizations.~~

392 (c) Serve as a member of the board of directors of the
393 Florida Development Finance Corporation. The secretary may
394 designate an employee of the department to serve in this
395 capacity.

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

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

403 (b) The department shall collect and maintain data on the
404 development and utilization of international trade development
405 programs for inclusion in the report.

406 (c) ~~(b)~~ The report must incorporate annual reports of other
407 programs, including:

408 ~~1. Information provided by the Department of Revenue under~~
409 ~~s. 290.014.~~

410 ~~2. Information provided by enterprise zone development~~
411 ~~agencies under s. 290.0056 and an analysis of the activities and~~
412 ~~accomplishments of each enterprise zone.~~

413 ~~3. The Economic Gardening Business Loan Pilot Program~~
414 ~~established under s. 288.1081 and the Economic Gardening~~
415 ~~Technical Assistance Pilot Program established under s.~~

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416 ~~288.1082.~~

417 ~~3.4.~~ A detailed report of the performance of the Black
418 Business Loan Program and a cumulative summary of quarterly
419 report data required under s. 288.714.

420 ~~4.5.~~ The Rural Economic Development Initiative established
421 under s. 288.0656.

422 ~~5.6.~~ The Florida Unique Abilities Partner Program.

423 ~~6.7.~~ A detailed report of the performance of the Florida
424 Development Finance Corporation and a summary of the
425 corporation's report required under s. 288.9610.

426 (11) The department shall establish annual performance
427 standards for ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
428 Inc.; the Florida Tourism Industry Marketing Corporation; Space
429 Florida; ~~and~~ the Florida Development Finance Corporation; and
430 any direct-support organization of the department and report
431 annually on how these performance measures are being met in the
432 annual report required under subsection (10).

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

436 (13) The department shall administer the role of state
437 government under part I of chapter 421, relating to public
438 housing; chapter 422, relating to housing cooperation law; and
439 chapter 423, tax exemption of housing authorities. The

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440 department is the agency of state government responsible for the
441 state's role in housing and urban development.

442 Section 7. Section 20.601, Florida Statutes, is repealed.

443 Section 8. (1) All duties, functions, records, pending
444 issues, existing contracts, administrative authority,
445 administrative rules, and unexpended balances of appropriations,
446 allocations, and other public funds relating to the programs in
447 Enterprise Florida, Inc., are transferred by a type two transfer
448 to the Department of Commerce, as created by this act.

449 (2) (a) The Florida Sports Foundation, incorporated under
450 chapter 617, Florida Statutes, which was previously merged into
451 and transferred to Enterprise Florida, Inc., may enter into an
452 agreement with the Department of Commerce, as created by this
453 act, to continue any existing program, activity, duty, or
454 function necessary for the operation of that foundation.

455 (b) Any funds held in trust which were donated to or
456 earned by the Florida Sports Foundation may be used by that
457 foundation for the original purposes for which the funds were
458 received.

459 (3) It is the intent of the Legislature that the changes
460 made by this act be accomplished with minimal disruption of
461 services provided to the public and with minimal disruption to
462 employees of any organization. To that end, the Legislature
463 directs all applicable units of state government to contribute
464 to the successful implementation of this act, and the

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465 Legislature believes that a transition period between the
466 effective date of this act and December 1, 2023, is appropriate
467 and warranted.

468 (4)(a) The Department of Commerce, as created by this act,
469 and Enterprise Florida, Inc., shall each coordinate the
470 development and implementation of a transition plan that
471 supports the implementation of this act within 30 days of this
472 act taking effect. The department shall coordinate the
473 submission of any budget amendments, in accordance with chapter
474 216, Florida Statutes, which may be necessary to implement this
475 act.

476 (b) The Legislature directs that notwithstanding the
477 changes made by this act, Enterprise Florida, Inc., may continue
478 with such powers, duties, functions, records, offices,
479 personnel, property, pending issues, and existing contracts as
480 provided in Florida Statutes 2022 until December 1, 2023, except
481 that the board of directors shall stand repealed on October 1,
482 2023. The president of Enterprise Florida, Inc., shall continue
483 the operations of the direct-support organization until full
484 implementation of the transition plan or December 1, 2023,
485 whichever comes first. The transition plan shall provide for
486 transfer of powers, duties, functions, records, offices,
487 personnel, property, pending issues, and existing contracts,
488 related to international business development and trade to the
489 direct-support organization created under s. 288.012, Florida

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490 Statutes.

491 Section 9. The Legislature recognizes that there is a need
492 to conform the Florida Statutes to the policy decisions
493 reflected in this act and that there is a need to resolve
494 apparent conflicts between any other legislation that has been
495 or may be enacted during the 2023 Regular Session of the
496 Legislature and the transfer of duties made by this act.
497 Therefore, in the interim between this act becoming law and the
498 2024 Regular Session of the Legislature or an earlier special
499 session addressing this issue, the Division of Law Revision
500 shall provide the relevant substantive committees of the Senate
501 and the House of Representatives with assistance, upon request,
502 to enable such committees to prepare draft legislation to
503 conform the Florida Statutes and any legislation enacted during
504 2023 to the provisions of this act.

505 Section 10. For programs established pursuant to ss.
506 220.1899, 220.194, 288.1045, 288.106, 288.1081, 288.1082,
507 288.1088, 288.1089, 288.1162, 288.11621, 288.11631, 288.1169,
508 288.1171, 288.95155, 288.9916, 288.9934, 288.9935, and 339.2821,
509 Florida Statutes, no new or additional applications or
510 certifications shall be approved, no new letters of
511 certification may be issued, no new contracts or agreements may
512 be executed, and no new awards may be made. All certifications
513 are rescinded except for those certified applicants or projects
514 that continue to meet the criteria in effect before July 1,

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515 2023. Any existing contracts or agreements authorized under any
516 of these programs shall continue in full force and effect in
517 accordance with the statutory requirements in effect when the
518 contract or agreement was executed or last modified. However, no
519 further modifications, extensions, or waivers may be made or
520 granted relating to such contracts or agreements except
521 computations by the Department of Revenue of the income
522 generated by or arising out of the qualifying project.

523 Section 11. Subsection (11) of section 159.803, Florida
524 Statutes, is amended to read:

525 159.803 Definitions.—As used in this part, the term:

526 (11) "Florida First Business project" means any project
527 which is certified by the Department of Commerce ~~Economic~~
528 ~~Opportunity~~ as eligible to receive an allocation from the
529 Florida First Business allocation pool established pursuant to
530 s. 159.8083. The Department of Commerce ~~Economic Opportunity~~ may
531 certify those projects proposed by a business which qualify as a
532 target industry business as defined in s. 288.005 meeting the
533 ~~criteria set forth in s. 288.106(4)(b) or any project providing~~
534 ~~a substantial economic benefit to this state. The department~~
535 shall develop measurement protocols and performance measures to
536 determine what competitive value a project by a target industry
537 business will bring to the state pursuant to s. 20.60(5)(a)3.

538 Section 12. Section 189.033, Florida Statutes, is amended
539 to read:

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540 189.033 Independent special district services in
541 disproportionately affected county; rate reduction for providers
542 providing economic benefits.—If the governing body of an
543 independent special district that provides water, wastewater,
544 and sanitation services in a disproportionately affected county,
545 as defined in s. 288.8012 ~~s. 288.106(8)~~, determines that a new
546 user or the expansion of an existing user of one or more of its
547 utility systems will provide a significant benefit to the
548 community in terms of increased job opportunities, economies of
549 scale, or economic development in the area, the governing body
550 may authorize a reduction of its rates, fees, or charges for
551 that user for a specified period of time. A governing body that
552 exercises this power must do so by resolution that states the
553 anticipated economic benefit justifying the reduction as well as
554 the period of time that the reduction will remain in place.

555 Section 13. Subsections (11) through (19) of section
556 196.012, Florida Statutes, are renumbered as subsections (12)
557 through (20), respectively, paragraph (a) of present subsection
558 (14), paragraph (a) of present subsection (15), and present
559 subsection (16) of that section are amended, and a new
560 subsection (11) is added to that section, to read:

561 196.012 Definitions.—For the purpose of this chapter, the
562 following terms are defined as follows, except where the context
563 clearly indicates otherwise:

564 (11) "Target industry business" has the same meaning as in

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565 s. 288.005.

566 ~~(15)-(14)~~ "New business" means:

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

572 a. manufactures, processes, compounds, fabricates, or
573 produces for sale items of tangible personal property at a fixed
574 location and which comprises an industrial or manufacturing
575 plant; or

576 b. Is a target industry business as defined in subsection
577 (11) ~~s. 288.106(2)(g)~~;

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

584 3. An office space in this state owned and used by a
585 business or organization newly domiciled in this state; provided
586 such office space houses 50 or more full-time employees of such
587 business or organization; provided that such business or
588 organization office first begins operation on a site clearly
589 separate from any other commercial or industrial operation owned

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590 by the same business or organization.

591 ~~(16)~~~~(15)~~ "Expansion of an existing business" means:

592 (a)1. A business or organization establishing 10 or more
593 new jobs to employ 10 or more full-time employees in this state,
594 paying an average wage for such new jobs that is above the
595 average wage in the area, which principally engages in any of
596 the operations referred to in subparagraph (15) (a)1. ~~(14)(a)1.~~;
597 or

598 2. A business or organization establishing 25 or more new
599 jobs to employ 25 or more full-time employees in this state, the
600 sales factor of which, as defined by s. 220.15(5), for the
601 facility with respect to which it requests an economic
602 development ad valorem tax exemption is less than 0.50 for each
603 year the exemption is claimed; provided that such business
604 increases operations on a site located within the same county,
605 municipality, or both colocated with a commercial or industrial
606 operation owned by the same business or organization under
607 common control with the same business or organization, resulting
608 in a net increase in employment of not less than 10 percent or
609 an increase in productive output or sales of not less than 10
610 percent.

611 ~~(17)~~~~(16)~~ "Permanent resident" means a person who has
612 established a permanent residence as defined in subsection (18)
613 ~~(17)~~.

614 Section 14. Subsection (2) of section 196.101, Florida

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615 Statutes, is amended to read:

616 196.101 Exemption for totally and permanently disabled
617 persons.—

618 (2) Any real estate used and owned as a homestead by a
619 paraplegic, hemiplegic, or other totally and permanently
620 disabled person, as defined in s. 196.012(12) ~~s. 196.012(11)~~,
621 who must use a wheelchair for mobility or who is legally blind,
622 is exempt from taxation.

623 Section 15. Subsection (2) of section 196.121, Florida
624 Statutes, is amended to read:

625 196.121 Homestead exemptions; forms.—

626 (2) The forms shall require the taxpayer to furnish
627 certain information to the property appraiser for the purpose of
628 determining that the taxpayer is a permanent resident as defined
629 in s. 196.012(17) ~~s. 196.012(16)~~. Such information may include,
630 but need not be limited to, the factors enumerated in s.
631 196.015.

632 Section 16. Subsections (6) and (11) of section 196.1995,
633 Florida Statutes, are amended to read:

634 196.1995 Economic development ad valorem tax exemption.—

635 (6) With respect to a new business as defined in s.
636 196.012(15)(c) ~~by s. 196.012(14)(e)~~, the municipality annexing
637 the property on which the business is situated may grant an
638 economic development ad valorem tax exemption under this section
639 to that business for a period that will expire upon the

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640 expiration of the exemption granted by the county. If the county
641 renews the exemption under subsection (7), the municipality may
642 also extend its exemption. A municipal economic development ad
643 valorem tax exemption granted under this subsection may not
644 extend beyond the duration of the county exemption.

645 (11) An ordinance granting an exemption under this section
646 shall be adopted in the same manner as any other ordinance of
647 the county or municipality and shall include the following:

648 (a) The name and address of the new business or expansion
649 of an existing business to which the exemption is granted;

650 (b) The total amount of revenue available to the county or
651 municipality from ad valorem tax sources for the current fiscal
652 year, the total amount of revenue lost to the county or
653 municipality for the current fiscal year by virtue of economic
654 development ad valorem tax exemptions currently in effect, and
655 the estimated revenue loss to the county or municipality for the
656 current fiscal year attributable to the exemption of the
657 business named in the ordinance;

658 (c) The period of time for which the exemption will remain
659 in effect and the expiration date of the exemption, which may be
660 any period of time up to 10 years, or up to 20 years for a data
661 center; and

662 (d) A finding that the business named in the ordinance
663 meets the requirements of s. 196.012(15) or (16) ~~s. 196.012(14)~~
664 ~~or (15)~~.

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665 Section 17. Paragraph (e) of subsection (1) of section
666 197.3181, Florida Statutes, is amended to read:

667 197.3181 Refund of taxes for residential improvements
668 rendered uninhabitable by Hurricane Ian or Hurricane Nicole.—

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

670 (e) "Residential improvement" means a residential dwelling
671 or house on real estate used and owned as a homestead as defined
672 in s. 196.012(14) ~~s. 196.012(13)~~ or used as nonhomestead
673 residential property as defined in s. 193.1554(1). A residential
674 improvement does not include a structure that is not essential
675 to the use and occupancy of the residential dwelling or house,
676 including, but not limited to, a detached utility building,
677 detached carport, detached garage, bulkhead, fence, or swimming
678 pool, and does not include land.

679 Section 18. Paragraph (f) of subsection (1) of section
680 197.319, Florida Statutes, is amended to read:

681 197.319 Refund of taxes for residential improvements
682 rendered uninhabitable by a catastrophic event.—

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

684 (f) "Residential improvement" means real estate used and
685 owned as a homestead as defined in s. 196.012(14) ~~s. 196.012(13)~~
686 or nonhomestead residential property as defined in s.
687 193.1554(1). A residential improvement does not include a
688 structure that is not essential to the use and occupancy of the
689 residential dwelling or house, including, but not limited to, a

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690 detached utility building, detached carport, detached garage,
691 bulkhead, fence, or swimming pool, and does not include land.

692 Section 19. Paragraphs (r) through (u) of subsection (5)
693 of section 212.08, Florida Statutes, are redesignated as
694 paragraphs (q) through (t), respectively, and paragraphs (j) and
695 (q) of subsection (5) are amended, to read:

696 212.08 Sales, rental, use, consumption, distribution, and
697 storage tax; specified exemptions.—The sale at retail, the
698 rental, the use, the consumption, the distribution, and the
699 storage to be used or consumed in this state of the following
700 are hereby specifically exempt from the tax imposed by this
701 chapter.

702 (5) EXEMPTIONS; ACCOUNT OF USE.—

703 (j) Machinery and equipment used in semiconductor,
704 defense, or space technology production.—

705 1.a. Industrial machinery and equipment used in
706 semiconductor technology facilities certified under subparagraph
707 5. to manufacture, process, compound, or produce semiconductor
708 technology products for sale or for use by these facilities are
709 exempt from the tax imposed by this chapter. For purposes of
710 this paragraph, industrial machinery and equipment includes
711 molds, dies, machine tooling, other appurtenances or accessories
712 to machinery and equipment, testing equipment, test beds,
713 computers, and software, whether purchased or self-fabricated,
714 and, if self-fabricated, includes materials and labor for

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715 design, fabrication, and assembly.

716 b. Industrial machinery and equipment used in defense or
717 space technology facilities certified under subparagraph 5. to
718 design, manufacture, assemble, process, compound, or produce
719 defense technology products or space technology products for
720 sale or for use by these facilities are exempt from the tax
721 imposed by this chapter.

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

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

729 4. For items purchased tax-exempt pursuant to this
730 paragraph, possession of a written certification from the
731 purchaser, certifying the purchaser's entitlement to the
732 exemption, relieves the seller of the responsibility of
733 collecting the tax on the sale of such items, and the department
734 shall look solely to the purchaser for recovery of the tax if it
735 determines that the purchaser was not entitled to the exemption.

736 5.a. To be eligible to receive the exemption provided by
737 subparagraph 1. or subparagraph 2., a qualifying business entity
738 shall initially apply to the Department of Commerce ~~Enterprise~~
739 ~~Florida, Inc.~~ The original certification is valid for a period

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740 of 2 years. In lieu of submitting a new application, the
741 original certification may be renewed biennially by submitting
742 to the Department of Commerce ~~Economic Opportunity~~ a statement,
743 certified under oath, that there has not been a material change
744 in the conditions or circumstances entitling the business entity
745 to the original certification. The initial application and the
746 certification renewal statement shall be developed by the
747 Department of Commerce ~~Economic Opportunity~~.

748 b. The Division of Economic ~~Strategic Business~~ Development
749 of the Department of Commerce ~~Economic Opportunity~~ shall review
750 each submitted initial application and determine whether or not
751 the application is complete within 5 working days. Once
752 complete, the division shall, within 10 working days, evaluate
753 the application and recommend approval or disapproval to the
754 Department of Commerce ~~Economic Opportunity~~.

755 c. Upon receipt of the initial application and
756 recommendation from the division or upon receipt of a
757 certification renewal statement, the Department of Commerce
758 ~~Economic Opportunity~~ shall certify within 5 working days those
759 applicants who are found to meet the requirements of this
760 section and notify the applicant of the original certification
761 or certification renewal. If the Department of Commerce ~~Economic~~
762 ~~Opportunity~~ finds that the applicant does not meet the
763 requirements, it shall notify the applicant ~~and Enterprise~~
764 ~~Florida, Inc.,~~ within 10 working days that the application for

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765 certification has been denied and the reasons for denial. The
766 Department of Commerce ~~Economic Opportunity~~ has final approval
767 authority for certification under this section.

768 d. The initial application and certification renewal
769 statement must indicate, for program evaluation purposes only,
770 the average number of full-time equivalent employees at the
771 facility over the preceding calendar year, the average wage and
772 benefits paid to those employees over the preceding calendar
773 year, the total investment made in real and tangible personal
774 property over the preceding calendar year, and the total value
775 of tax-exempt purchases and taxes exempted during the previous
776 year. The department shall assist the Department of Commerce
777 ~~Economic Opportunity~~ in evaluating and verifying information
778 provided in the application for exemption.

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

782 6. A business certified to receive this exemption may
783 elect to designate one or more state universities or community
784 colleges as recipients of up to 100 percent of the amount of the
785 exemption. To receive these funds, the institution must agree to
786 match the funds with equivalent cash, programs, services, or
787 other in-kind support on a one-to-one basis for research and
788 development projects requested by the certified business. The
789 rights to any patents, royalties, or real or intellectual

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790 property must be vested in the business unless otherwise agreed
791 to by the business and the university or community college.

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

793 a. "Semiconductor technology products" means raw
794 semiconductor wafers or semiconductor thin films that are
795 transformed into semiconductor memory or logic wafers, including
796 wafers containing mixed memory and logic circuits; related
797 assembly and test operations; active-matrix flat panel displays;
798 semiconductor chips; semiconductor lasers; optoelectronic
799 elements; and related semiconductor technology products as
800 determined by the Department of Commerce ~~Economic Opportunity~~.

801 b. "Clean rooms" means manufacturing facilities enclosed
802 in a manner that meets the clean manufacturing requirements
803 necessary for high-technology semiconductor-manufacturing
804 environments.

805 c. "Defense technology products" means products that have
806 a military application, including, but not limited to, weapons,
807 weapons systems, guidance systems, surveillance systems,
808 communications or information systems, munitions, aircraft,
809 vessels, or boats, or components thereof, which are intended for
810 military use and manufactured in performance of a contract with
811 the United States Department of Defense or the military branch
812 of a recognized foreign government or a subcontract thereunder
813 which relates to matters of national defense.

814 d. "Space technology products" means products that are

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815 specifically designed or manufactured for application in space
816 activities, including, but not limited to, space launch
817 vehicles, space flight vehicles, missiles, satellites or
818 research payloads, avionics, and associated control systems and
819 processing systems and components of any of the foregoing. The
820 term does not include products that are designed or manufactured
821 for general commercial aviation or other uses even though those
822 products may also serve an incidental use in space applications.

823 ~~(q) Entertainment industry tax credit; authorization;~~
824 ~~eligibility for credits. The credits against the state sales tax~~
825 ~~authorized pursuant to s. 288.1254 shall be deducted from any~~
826 ~~sales and use tax remitted by the dealer to the department by~~
827 ~~electronic funds transfer and may only be deducted on a sales~~
828 ~~and use tax return initiated through electronic data~~
829 ~~interchange. The dealer shall separately state the credit on the~~
830 ~~electronic return. The net amount of tax due and payable must be~~
831 ~~remitted by electronic funds transfer. If the credit for the~~
832 ~~qualified expenditures is larger than the amount owed on the~~
833 ~~sales and use tax return that is eligible for the credit, the~~
834 ~~unused amount of the credit may be carried forward to a~~
835 ~~succeeding reporting period as provided in s. 288.1254(4)(e). A~~
836 ~~dealer may only obtain a credit using the method described in~~
837 ~~this subparagraph. A dealer is not authorized to obtain a credit~~
838 ~~by applying for a refund.~~

839 Section 20. Paragraph (a) of subsection (1) of section

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840 212.098, Florida Statutes, is amended to read:

841 212.098 Rural Job Tax Credit Program.—

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

843 (a) "Eligible business" means any sole proprietorship,
844 firm, partnership, or corporation that is located in a qualified
845 county and is predominantly engaged in, or is headquarters for a
846 business predominantly engaged in, activities usually provided
847 for consideration by firms classified within the following
848 standard industrial classifications: SIC 01-SIC 09 (agriculture,
849 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422
850 (public warehousing and storage); SIC 70 (hotels and other
851 lodging places); SIC 7391 (research and development); SIC 781
852 (motion picture production and allied services); SIC 7992
853 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~
854 ~~targeted industry eligible for the qualified target industry~~
855 ~~business tax refund under s. 288.106.~~ A call center or similar
856 customer service operation that services a multistate market or
857 an international market is also an eligible business. In
858 addition, the Department of Commerce ~~Economic Opportunity~~ may,
859 as part of its final budget request submitted pursuant to s.
860 216.023, recommend additions to or deletions from the list of
861 standard industrial classifications used to determine an
862 eligible business, and the Legislature may implement such
863 recommendations. Excluded from eligible receipts are receipts
864 from retail sales, except such receipts for hotels and other

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865 lodging places classified in SIC 70, public golf courses in SIC
866 7992, and amusement parks in SIC 7996. For purposes of this
867 paragraph, the term "predominantly" means that more than 50
868 percent of the business's gross receipts from all sources is
869 generated by those activities usually provided for consideration
870 by firms in the specified standard industrial classification.
871 The determination of whether the business is located in a
872 qualified county and the tier ranking of that county must be
873 based on the date of application for the credit under this
874 section. Commonly owned and controlled entities are to be
875 considered a single business entity.

876 Section 21. Paragraph (d) of subsection (6) of section
877 212.20, Florida Statutes, is amended to read:

878 212.20 Funds collected, disposition; additional powers of
879 department; operational expense; refund of taxes adjudicated
880 unconstitutionally collected.—

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

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

886 1. In any fiscal year, the greater of \$500 million, minus
887 an amount equal to 4.6 percent of the proceeds of the taxes
888 collected pursuant to chapter 201, or 5.2 percent of all other
889 taxes and fees imposed pursuant to this chapter or remitted

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890 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
891 monthly installments into the General Revenue Fund.

892 2. After the distribution under subparagraph 1., 8.9744
893 percent of the amount remitted by a sales tax dealer located
894 within a participating county pursuant to s. 218.61 shall be
895 transferred into the Local Government Half-cent Sales Tax
896 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
897 transferred shall be reduced by 0.1 percent, and the department
898 shall distribute this amount to the Public Employees Relations
899 Commission Trust Fund less \$5,000 each month, which shall be
900 added to the amount calculated in subparagraph 3. and
901 distributed accordingly.

902 3. After the distribution under subparagraphs 1. and 2.,
903 0.0966 percent shall be transferred to the Local Government
904 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
905 to s. 218.65.

906 4. After the distributions under subparagraphs 1., 2., and
907 3., 2.0810 percent of the available proceeds shall be
908 transferred monthly to the Revenue Sharing Trust Fund for
909 Counties pursuant to s. 218.215.

910 5. After the distributions under subparagraphs 1., 2., and
911 3., 1.3653 percent of the available proceeds shall be
912 transferred monthly to the Revenue Sharing Trust Fund for
913 Municipalities pursuant to s. 218.215. If the total revenue to
914 be distributed pursuant to this subparagraph is at least as

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915 | great as the amount due from the Revenue Sharing Trust Fund for
916 | Municipalities and the former Municipal Financial Assistance
917 | Trust Fund in state fiscal year 1999-2000, no municipality shall
918 | receive less than the amount due from the Revenue Sharing Trust
919 | Fund for Municipalities and the former Municipal Financial
920 | Assistance Trust Fund in state fiscal year 1999-2000. If the
921 | total proceeds to be distributed are less than the amount
922 | received in combination from the Revenue Sharing Trust Fund for
923 | Municipalities and the former Municipal Financial Assistance
924 | Trust Fund in state fiscal year 1999-2000, each municipality
925 | shall receive an amount proportionate to the amount it was due
926 | in state fiscal year 1999-2000.

927 | 6. Of the remaining proceeds:

928 | a. In each fiscal year, the sum of \$29,915,500 shall be
929 | divided into as many equal parts as there are counties in the
930 | state, and one part shall be distributed to each county. The
931 | distribution among the several counties must begin each fiscal
932 | year on or before January 5th and continue monthly for a total
933 | of 4 months. If a local or special law required that any moneys
934 | accruing to a county in fiscal year 1999-2000 under the then-
935 | existing provisions of s. 550.135 be paid directly to the
936 | district school board, special district, or a municipal
937 | government, such payment must continue until the local or
938 | special law is amended or repealed. The state covenants with
939 | holders of bonds or other instruments of indebtedness issued by

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940 local governments, special districts, or district school boards
941 before July 1, 2000, that it is not the intent of this
942 subparagraph to adversely affect the rights of those holders or
943 relieve local governments, special districts, or district school
944 boards of the duty to meet their obligations as a result of
945 previous pledges or assignments or trusts entered into which
946 obligated funds received from the distribution to county
947 governments under then-existing s. 550.135. This distribution
948 specifically is in lieu of funds distributed under s. 550.135
949 before July 1, 2000.

950 b. The department shall distribute \$166,667 monthly to
951 each applicant certified as a facility for a new or retained
952 professional sports franchise pursuant to s. 288.1162. Up to
953 \$41,667 shall be distributed monthly by the department to each
954 certified applicant as defined in s. 288.11621 for a facility
955 for a spring training franchise. However, not more than \$416,670
956 may be distributed monthly in the aggregate to all certified
957 applicants for facilities for spring training franchises.
958 Distributions begin 60 days after such certification and
959 continue for not more than 30 years, except as otherwise
960 provided in s. 288.11621. A certified applicant identified in
961 this sub-subparagraph may not receive more in distributions than
962 expended by the applicant for the public purposes provided in s.
963 288.1162(5) or s. 288.11621(3).

964 ~~e. Beginning 30 days after notice by the Department of~~

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965 ~~Economic Opportunity to the Department of Revenue that an~~
966 ~~applicant has been certified as the professional golf hall of~~
967 ~~fame pursuant to s. 288.1168 and is open to the public, \$166,667~~
968 ~~shall be distributed monthly, for up to 300 months, to the~~
969 ~~applicant.~~

970 ~~d. Beginning 30 days after notice by the Department of~~
971 ~~Economic Opportunity to the Department of Revenue that the~~
972 ~~applicant has been certified as the International Game Fish~~
973 ~~Association World Center facility pursuant to s. 288.1169, and~~
974 ~~the facility is open to the public, \$83,333 shall be distributed~~
975 ~~monthly, for up to 168 months, to the applicant. This~~
976 ~~distribution is subject to reduction pursuant to s. 288.1169.~~

977 ~~c.e.~~ The department shall distribute up to \$83,333 monthly
978 to each certified applicant as defined in s. 288.11631 for a
979 facility used by a single spring training franchise, or up to
980 \$166,667 monthly to each certified applicant as defined in s.
981 288.11631 for a facility used by more than one spring training
982 franchise. Monthly distributions begin 60 days after such
983 certification or July 1, 2016, whichever is later, and continue
984 for not more than 20 years to each certified applicant as
985 defined in s. 288.11631 for a facility used by a single spring
986 training franchise or not more than 25 years to each certified
987 applicant as defined in s. 288.11631 for a facility used by more
988 than one spring training franchise. A certified applicant
989 identified in this sub-subparagraph may not receive more in

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990 distributions than expended by the applicant for the public
991 purposes provided in s. 288.11631(3).

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

994 ~~e.g.~~(I) On or before July 25, 2021, August 25, 2021, and
995 September 25, 2021, the department shall distribute \$324,533,334
996 in each of those months to the Unemployment Compensation Trust
997 Fund, less an adjustment for refunds issued from the General
998 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the
999 distribution. The adjustments made by the department to the
1000 total distributions shall be equal to the total refunds made
1001 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be
1002 subtracted from any single distribution exceeds the
1003 distribution, the department may not make that distribution and
1004 must subtract the remaining balance from the next distribution.

1005 (II) Beginning July 2022, and on or before the 25th day of
1006 each month, the department shall distribute \$90 million monthly
1007 to the Unemployment Compensation Trust Fund.

1008 (III) If the ending balance of the Unemployment
1009 Compensation Trust Fund exceeds \$4,071,519,600 on the last day
1010 of any month, as determined from United States Department of the
1011 Treasury data, the Office of Economic and Demographic Research
1012 shall certify to the department that the ending balance of the
1013 trust fund exceeds such amount.

1014 (IV) This sub-subparagraph is repealed, and the department

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1015 shall end monthly distributions under sub-sub-subparagraph (II),
1016 on the date the department receives certification under sub-sub-
1017 subparagraph (III).

1018 7. All other proceeds must remain in the General Revenue
1019 Fund.

1020 Section 22. Paragraph (aa) of subsection (8) of section
1021 213.053, Florida Statutes, is amended to read:

1022 213.053 Confidentiality and information sharing.—

1023 (8) Notwithstanding any other provision of this section,
1024 the department may provide:

1025 (aa) Information relating to tax credits taken under
1026 former s. 220.194 to Space Florida.

1027
1028 Disclosure of information under this subsection shall be
1029 pursuant to a written agreement between the executive director
1030 and the agency. Such agencies, governmental or nongovernmental,
1031 shall be bound by the same requirements of confidentiality as
1032 the Department of Revenue. Breach of confidentiality is a
1033 misdemeanor of the first degree, punishable as provided by s.
1034 775.082 or s. 775.083.

1035 Section 23. Subsection (3) of section 218.64, Florida
1036 Statutes, is amended to read:

1037 218.64 Local government half-cent sales tax; uses;
1038 limitations.—

1039 (3) Subject to ordinances enacted by the majority of the

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1040 members of the county governing authority and by the majority of
1041 the members of the governing authorities of municipalities
1042 representing at least 50 percent of the municipal population of
1043 such county, counties may use up to \$3 million annually of the
1044 local government half-cent sales tax allocated to that county
1045 for any of the following purposes:

1046 (a) Funding a certified applicant as a facility for a new
1047 or retained professional sports franchise under s. 288.1162 or a
1048 certified applicant as defined in s. 288.11621 for a facility
1049 for a spring training franchise. It is the Legislature's intent
1050 that the provisions of s. 288.1162, including, but not limited
1051 to, the evaluation process by the Department of Commerce
1052 ~~Economic Opportunity~~ except for the limitation on the number of
1053 certified applicants or facilities as provided in that section
1054 and the restrictions set forth in s. 288.1162(8), shall apply to
1055 an applicant's facility to be funded by local government as
1056 provided in this subsection.

1057 (b) Funding a certified applicant as a "motorsport
1058 entertainment complex," as provided for in former s. 288.1171.
1059 Funding for each franchise or motorsport complex shall begin 60
1060 days after certification and shall continue for not more than 30
1061 years.

1062 Section 24. Subsection (8) of section 220.02, Florida
1063 Statutes, is amended to read:

1064 220.02 Legislative intent.—

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1065 (8) It is the intent of the Legislature that credits
1066 against either the corporate income tax or the franchise tax be
1067 applied in the following order: those enumerated in s. 631.828,
1068 those enumerated in s. 220.191, those enumerated in s. 220.181,
1069 those enumerated in s. 220.183, those enumerated in s. 220.182,
1070 those enumerated in s. 220.1895, those enumerated in s. 220.195,
1071 those enumerated in s. 220.184, those enumerated in s. 220.186,
1072 those enumerated in s. 220.1845, those enumerated in s. 220.19,
1073 those enumerated in s. 220.185, those enumerated in s. 220.1875,
1074 those enumerated in s. 220.1876, those enumerated in s.
1075 220.1877, those enumerated in s. 220.193, those enumerated in
1076 former s. 288.9916, those enumerated in former s. 220.1899,
1077 those enumerated in former s. 220.194, those enumerated in s.
1078 220.196, those enumerated in s. 220.198, and those enumerated in
1079 s. 220.1915.

1080 Section 25. Paragraph (a) of subsection (1) of section
1081 220.13, Florida Statutes, is amended to read:

1082 220.13 "Adjusted federal income" defined.—

1083 (1) The term "adjusted federal income" means an amount
1084 equal to the taxpayer's taxable income as defined in subsection
1085 (2), or such taxable income of more than one taxpayer as
1086 provided in s. 220.131, for the taxable year, adjusted as
1087 follows:

1088 (a) Additions.—There shall be added to such taxable
1089 income:

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1090 1.a. The amount of any tax upon or measured by income,
1091 excluding taxes based on gross receipts or revenues, paid or
1092 accrued as a liability to the District of Columbia or any state
1093 of the United States which is deductible from gross income in
1094 the computation of taxable income for the taxable year.

1095 b. Notwithstanding sub-subparagraph a., if a credit taken
1096 under s. 220.1875, s. 220.1876, or s. 220.1877 is added to
1097 taxable income in a previous taxable year under subparagraph 11.
1098 and is taken as a deduction for federal tax purposes in the
1099 current taxable year, the amount of the deduction allowed shall
1100 not be added to taxable income in the current year. The
1101 exception in this sub-subparagraph is intended to ensure that
1102 the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is
1103 added in the applicable taxable year and does not result in a
1104 duplicate addition in a subsequent year.

1105 2. The amount of interest which is excluded from taxable
1106 income under s. 103(a) of the Internal Revenue Code or any other
1107 federal law, less the associated expenses disallowed in the
1108 computation of taxable income under s. 265 of the Internal
1109 Revenue Code or any other law, excluding 60 percent of any
1110 amounts included in alternative minimum taxable income, as
1111 defined in s. 55(b)(2) of the Internal Revenue Code, if the
1112 taxpayer pays tax under s. 220.11(3).

1113 3. In the case of a regulated investment company or real
1114 estate investment trust, an amount equal to the excess of the

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1115 net long-term capital gain for the taxable year over the amount
1116 of the capital gain dividends attributable to the taxable year.

1117 4. That portion of the wages or salaries paid or incurred
1118 for the taxable year which is equal to the amount of the credit
1119 allowable for the taxable year under s. 220.181. This
1120 subparagraph shall expire on the date specified in s. 290.016
1121 for the expiration of the Florida Enterprise Zone Act.

1122 5. That portion of the ad valorem school taxes paid or
1123 incurred for the taxable year which is equal to the amount of
1124 the credit allowable for the taxable year under s. 220.182. This
1125 subparagraph shall expire on the date specified in s. 290.016
1126 for the expiration of the Florida Enterprise Zone Act.

1127 6. The amount taken as a credit under s. 220.195 which is
1128 deductible from gross income in the computation of taxable
1129 income for the taxable year.

1130 7. That portion of assessments to fund a guaranty
1131 association incurred for the taxable year which is equal to the
1132 amount of the credit allowable for the taxable year.

1133 8. In the case of a nonprofit corporation which holds a
1134 pari-mutuel permit and which is exempt from federal income tax
1135 as a farmers' cooperative, an amount equal to the excess of the
1136 gross income attributable to the pari-mutuel operations over the
1137 attributable expenses for the taxable year.

1138 9. The amount taken as a credit for the taxable year under
1139 s. 220.1895.

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1140 10. Up to nine percent of the eligible basis of any
1141 designated project which is equal to the credit allowable for
1142 the taxable year under s. 220.185.

1143 11. Any amount taken as a credit for the taxable year under
1144 s. 220.1875, s. 220.1876, or s. 220.1877. The addition in this
1145 subparagraph is intended to ensure that the same amount is not
1146 allowed for the tax purposes of this state as both a deduction
1147 from income and a credit against the tax. This addition is not
1148 intended to result in adding the same expense back to income
1149 more than once.

1150 12. The amount taken as a credit for the taxable year
1151 under s. 220.193.

1152 ~~13. Any portion of a qualified investment, as defined in~~
1153 ~~s. 288.9913, which is claimed as a deduction by the taxpayer and~~
1154 ~~taken as a credit against income tax pursuant to s. 288.9916.~~

1155 ~~14. The costs to acquire a tax credit pursuant to s.~~
1156 ~~288.1254(5) that are deducted from or otherwise reduce federal~~
1157 ~~taxable income for the taxable year.~~

1158 ~~15. The amount taken as a credit for the taxable year~~
1159 ~~pursuant to s. 220.194.~~

1160 13.16. The amount taken as a credit for the taxable year
1161 under s. 220.196. The addition in this subparagraph is intended
1162 to ensure that the same amount is not allowed for the tax
1163 purposes of this state as both a deduction from income and a
1164 credit against the tax. The addition is not intended to result

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1165 in adding the same expense back to income more than once.

1166 ~~14.17.~~ The amount taken as a credit for the taxable year
1167 pursuant to s. 220.198.

1168 ~~15.18.~~ The amount taken as a credit for the taxable year
1169 pursuant to s. 220.1915.

1170 Section 26. Subsection (5) of section 220.16, Florida
1171 Statutes, is amended to read:

1172 220.16 Allocation of nonbusiness income.—Nonbusiness
1173 income shall be allocated as follows:

1174 ~~(5) The amount of payments received in exchange for~~
1175 ~~transferring a net operating loss authorized by s. 220.194 is~~
1176 ~~allocable to the state.~~

1177 Section 27. Section 220.1899, Florida Statutes, is
1178 repealed.

1179 Section 28. Paragraphs (a) through (g) of subsection (1)
1180 of section 220.191, Florida Statutes, are redesignated as
1181 paragraphs (b) through (h), respectively, present paragraph (g)
1182 of subsection (1), paragraph (a) of subsection (3), and
1183 subsections (5) and (6) of that section are amended, and a new
1184 paragraph (a) is added to subsection (1) of that section, to
1185 read:

1186 220.191 Capital investment tax credit.—

1187 (1) DEFINITIONS.—For purposes of this section:

1188 (a) "Average private sector wage in the area" means the
1189 statewide private sector average wage or the average of all

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1190 private sector wages and salaries in the county or in the
1191 standard metropolitan area in which the business is located.

1192 ~~(h)-(g)~~ "Qualifying project" means a facility in this state
1193 meeting one or more of the following criteria:

1194 1. A new or expanding facility in this state which creates
1195 at least 100 new jobs in this state and is in one of the high-
1196 impact sectors ~~identified by Enterprise Florida, Inc., and~~
1197 certified by the Department of Economic Opportunity pursuant to
1198 former s. 288.108(6), including, but not limited to, aviation,
1199 aerospace, automotive, and silicon technology industries.

1200 However, between July 1, 2011, and June 30, 2014, the
1201 requirement that a facility be in a high-impact sector is waived
1202 for any otherwise eligible business from another state which
1203 locates all or a portion of its business to a Disproportionally
1204 Affected County. For purposes of this section, the term
1205 "Disproportionally Affected County" means Bay County, Escambia
1206 County, Franklin County, Gulf County, Okaloosa County, Santa
1207 Rosa County, Walton County, or Wakulla County.

1208 2. A new or expanded facility in this state which is
1209 engaged in a target industry designated pursuant to the
1210 procedure specified in s. 288.005(6) ~~s. 288.106(2)~~ and which is
1211 induced by this credit to create or retain at least 1,000 jobs
1212 in this state, provided that at least 100 of those jobs are new,
1213 pay an annual average wage of at least 130 percent of the
1214 average private sector wage in the area ~~as defined in s.~~

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1215 ~~288.106(2)~~, and make a cumulative capital investment of at least
1216 \$100 million. Jobs may be considered retained only if there is
1217 significant evidence that the loss of jobs is imminent.

1218 Notwithstanding subsection (2), annual credits against the tax
1219 imposed by this chapter may not exceed 50 percent of the
1220 increased annual corporate income tax liability or the premium
1221 tax liability generated by or arising out of a project
1222 qualifying under this subparagraph. A facility that qualifies
1223 under this subparagraph for an annual credit against the tax
1224 imposed by this chapter may take the tax credit for a period not
1225 to exceed 5 years.

1226 3. A new or expanded headquarters facility in this state
1227 which locates in an enterprise zone and brownfield area and is
1228 induced by this credit to create at least 1,500 jobs which on
1229 average pay at least 200 percent of the statewide average annual
1230 private sector wage, as published by the Department of Economic
1231 Opportunity, and which new or expanded headquarters facility
1232 makes a cumulative capital investment in this state of at least
1233 \$250 million.

1234 (3)(a) Notwithstanding subsection (2), an annual credit
1235 against the tax imposed by this chapter shall be granted to a
1236 qualifying business which establishes a qualifying project
1237 pursuant to subparagraph (1)(h)3. ~~(1)(g)3.~~, in an amount equal
1238 to the lesser of \$15 million or 5 percent of the eligible
1239 capital costs made in connection with a qualifying project, for

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1240 a period not to exceed 20 years beginning with the commencement
1241 of operations of the project. The tax credit shall be granted
1242 against the corporate income tax liability of the qualifying
1243 business and as further provided in paragraph (c). The total tax
1244 credit provided pursuant to this subsection shall be equal to no
1245 more than 100 percent of the eligible capital costs of the
1246 qualifying project.

1247 (5) Applications shall be reviewed and certified pursuant
1248 to s. 288.061. The Department of Commerce ~~Economic Opportunity,~~
1249 ~~upon a recommendation by Enterprise Florida, Inc.,~~ shall first
1250 certify a business as eligible to receive tax credits pursuant
1251 to this section prior to the commencement of operations of a
1252 qualifying project, and such certification shall be transmitted
1253 to the Department of Revenue. Upon receipt of the certification,
1254 the Department of Revenue shall enter into a written agreement
1255 with the qualifying business specifying, at a minimum, the
1256 method by which income generated by or arising out of the
1257 qualifying project will be determined.

1258 (6) The Department of Commerce ~~Economic Opportunity, in~~
1259 ~~consultation with Enterprise Florida, Inc.,~~ is authorized to
1260 develop the necessary guidelines and application materials for
1261 the certification process described in subsection (5).

1262 Section 29. Section 220.194, Florida Statutes, is
1263 repealed.

1264 Section 30. Subsection (1) and paragraph (a) of subsection

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1265 (2) of section 220.196, Florida Statutes, are amended to read:
1266 220.196 Research and development tax credit.—

1267 (1) DEFINITIONS.—As used in this section, the term:

1268 (a) "Base amount" means the average of the business
1269 enterprise's qualified research expenses in this state allowed
1270 under 26 U.S.C. s. 41 for the 4 taxable years preceding the
1271 taxable year for which the credit is determined. The qualified
1272 research expenses taken into account in computing the base
1273 amount shall be determined on a basis consistent with the
1274 determination of qualified research expenses for the taxable
1275 year.

1276 (b) "Business enterprise" means any corporation as defined
1277 in s. 220.03 which meets the definition of a target industry
1278 business as defined in s. 288.005 ~~s. 288.106~~.

1279 (c) "Qualified research expenses" means research expenses
1280 qualifying for the credit under 26 U.S.C. s. 41 for in-house
1281 research expenses incurred in this state or contract research
1282 expenses incurred in this state. The term does not include
1283 research conducted outside this state or research expenses that
1284 do not qualify for a credit under 26 U.S.C. s. 41.

1285 (2) TAX CREDIT.—

1286 (a) As provided in this section, a business enterprise is
1287 eligible for a credit against the tax imposed by this chapter if
1288 it:

1289 1. Has qualified research expenses in this state in the

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1290 taxable year exceeding the base amount;

1291 2. Claims and is allowed a research credit for such
1292 qualified research expenses under 26 U.S.C. s. 41 for the same
1293 taxable year as subparagraph 1.; and

1294 3. Is a ~~qualified~~ target industry business as defined in
1295 s. 288.005(6) ~~s. 288.106(2)(n)~~. Only ~~qualified~~ target industry
1296 businesses in the manufacturing, life sciences, information
1297 technology, aviation and aerospace, homeland security and
1298 defense, cloud information technology, marine sciences,
1299 materials science, and nanotechnology industries may qualify for
1300 a tax credit under this section. A business applying for a
1301 credit pursuant to this section shall include a letter from the
1302 Department of Commerce ~~Economic Opportunity~~ certifying whether
1303 the business meets the requirements of this subparagraph with
1304 its application for credit. The Department Commerce of ~~Economic~~
1305 ~~Opportunity~~ shall provide such a letter upon receiving a
1306 request.

1307 Section 31. Section 272.11, Florida Statutes, is amended
1308 to read:

1309 272.11 Capitol information center.—The Florida Tourism
1310 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, shall
1311 establish, maintain, and operate a Capitol information center
1312 somewhere within the area of the Capitol Center and employ
1313 personnel or enter into contracts to maintain same.

1314 Section 32. Paragraph (f) of subsection (1) of section

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1315 287.0947, Florida Statutes, is amended to read:

1316 287.0947 Florida Advisory Council on Small and Minority
1317 Business Development; creation; membership; duties.-

1318 (1) The Secretary of Management Services may create the
1319 Florida Advisory Council on Small and Minority Business
1320 Development with the purpose of advising and assisting the
1321 secretary in carrying out the secretary's duties with respect to
1322 minority businesses and economic and business development. It is
1323 the intent of the Legislature that the membership of such
1324 council include practitioners, laypersons, financiers, and
1325 others with business development experience who can provide
1326 invaluable insight and expertise for this state in the
1327 diversification of its markets and networking of business
1328 opportunities. The council shall initially consist of 19
1329 persons, each of whom is or has been actively engaged in small
1330 and minority business development, either in private industry,
1331 in governmental service, or as a scholar of recognized
1332 achievement in the study of such matters. Initially, the council
1333 shall consist of members representing all regions of the state
1334 and shall include at least one member from each group identified
1335 within the definition of "minority person" in s. 288.703(4),
1336 considering also gender and nationality subgroups, and shall
1337 consist of the following:

1338 (f) The Secretary of Commerce or his or her designee ~~A~~
1339 ~~member from the board of directors of Enterprise Florida, Inc.~~

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1340
1341 A candidate for appointment may be considered if eligible to be
1342 certified as an owner of a minority business enterprise, or if
1343 otherwise qualified under the criteria above. Vacancies may be
1344 filled by appointment of the secretary, in the manner of the
1345 original appointment.

1346 Section 33. Paragraph (e) of subsection (1) of section
1347 287.137, Florida Statutes, is amended to read:

1348 287.137 Antitrust violations; denial or revocation of the
1349 right to transact business with public entities; denial of
1350 economic benefits.—

1351 (1) As used in this section, the term:

1352 (e) "Economic incentives" means state grants, cash grants,
1353 tax exemptions, tax refunds, tax credits, state funds, and other
1354 state incentives under chapter 288 or administered by the
1355 Department of Commerce ~~Enterprise Florida, Inc.~~

1356 Section 34. Subsections (2) and (4) of section 288.0001,
1357 Florida Statutes, are amended to read:

1358 288.0001 Economic Development Programs Evaluation.—The
1359 Office of Economic and Demographic Research and the Office of
1360 Program Policy Analysis and Government Accountability (OPPAGA)
1361 shall develop and present to the Governor, the President of the
1362 Senate, the Speaker of the House of Representatives, and the
1363 chairs of the legislative appropriations committees the Economic
1364 Development Programs Evaluation.

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1365 (2) The Office of Economic and Demographic Research and
1366 OPPAGA shall provide a detailed analysis of economic development
1367 programs as provided in the following schedule:

1368 (a) By January 1, 2014, and every 3 years thereafter, an
1369 analysis of the following:

1370 1. The capital investment tax credit established under s.
1371 220.191.

1372 ~~2. The qualified target industry tax refund established~~
1373 ~~under s. 288.106.~~

1374 ~~2.3.~~ The brownfield redevelopment bonus refund established
1375 under s. 288.107.

1376 ~~3.4.~~ High-impact business performance grants established
1377 under s. 288.108.

1378 ~~5. The Quick Action Closing Fund established under s.~~
1379 ~~288.1088.~~

1380 ~~6. The Innovation Incentive Program established under s.~~
1381 ~~288.1089.~~

1382 ~~7. Enterprise Zone Program incentives established under~~
1383 ~~ss. 212.08(5) and (15), 212.096, 220.181, and 220.182.~~

1384 ~~8. The New Markets Development Program established under~~
1385 ~~ss. 288.991-288.9922.~~

1386 (b) By January 1, 2015, and every 3 years thereafter, an
1387 analysis of ~~the following:~~

1388 ~~1. The entertainment industry financial incentive program~~
1389 ~~established under s. 288.1254.~~

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1390 ~~1.2.~~ The entertainment industry sales tax exemption
1391 program established under s. 288.1258.

1392 ~~2.3.~~ VISIT Florida and its programs established or funded
1393 under ss. 288.122, 288.1226, 288.12265, and 288.124.

1394 ~~4.~~ ~~The Florida Sports Foundation and related programs~~
1395 ~~established under ss. 288.1162, 288.11621, 288.1166, 288.1167,~~
1396 ~~288.1168, 288.1169, and 288.1171.~~

1397 (c) By January 1, 2016, and every 3 years thereafter, an
1398 analysis of the following:

1399 ~~1.~~ ~~The qualified defense contractor and space flight~~
1400 ~~business tax refund program established under s. 288.1045.~~

1401 ~~1.2.~~ The tax exemption for semiconductor, defense, or
1402 space technology sales established under s. 212.08(5)(j).

1403 ~~2.3.~~ The Military Base Protection Program established
1404 under s. 288.980.

1405 ~~3.4.~~ The Quick Response Training Program established under
1406 s. 288.047.

1407 ~~4.5.~~ The Incumbent Worker Training Program established
1408 under s. 445.003.

1409 ~~5.6.~~ International trade and business development programs
1410 established or funded under s. 288.826.

1411 (d) By January 1, 2019, and every 3 years thereafter, an
1412 analysis of the grant and entrepreneur initiative programs
1413 established under s. 295.22(3)(d) and (e).

1414 (4) Pursuant to the schedule established in subsection

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1415 (2), OPPAGA shall evaluate each program over the previous 3
1416 years for its effectiveness and value to the taxpayers of this
1417 state and include recommendations on each program for
1418 consideration by the Legislature. The analysis may include
1419 relevant economic development reports or analyses prepared by
1420 the department of ~~Economic Opportunity, Enterprise Florida,~~
1421 ~~Inc.~~, or local or regional economic development organizations, ~~and~~
1422 interviews with the parties involved, ~~and~~ or any other relevant
1423 data.

1424 Section 35. Paragraph (b) of subsection (4) of section
1425 288.001, Florida Statutes, is amended to read:

1426 288.001 The Florida Small Business Development Center
1427 Network.—

1428 (4) STATEWIDE ADVISORY BOARD.—

1429 (b) The statewide advisory board shall consist of 19
1430 members from across the state. At least 12 members must be
1431 representatives of the private sector who are knowledgeable of
1432 the needs and challenges of small businesses. The members must
1433 represent various segments and industries of the economy in this
1434 state and must bring knowledge and skills to the statewide
1435 advisory board which would enhance the board's collective
1436 knowledge of small business assistance needs and challenges.
1437 Minority and gender representation must be considered when
1438 making appointments to the board. The board must include the
1439 following members:

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- 1440 1. Three members appointed from the private sector by the
1441 President of the Senate.
- 1442 2. Three members appointed from the private sector by the
1443 Speaker of the House of Representatives.
- 1444 3. Three members appointed from the private sector by the
1445 Governor.
- 1446 4. Three members appointed from the private sector by the
1447 network's statewide director.
- 1448 5. One member appointed by the host institution.
- 1449 6. The Secretary of Commerce ~~The President of Enterprise~~
1450 ~~Florida, Inc.,~~ or his or her designee.
- 1451 7. The Chief Financial Officer or his or her designee.
- 1452 8. The President of the Florida Chamber of Commerce or his
1453 or her designee.
- 1454 9. The Small Business Development Center Project Officer
1455 from the U.S. Small Business Administration at the South Florida
1456 District Office or his or her designee.
- 1457 10. The executive director of the National Federation of
1458 Independent Businesses, Florida, or his or her designee.
- 1459 11. The executive director of the Florida United Business
1460 Association or his or her designee.
- 1461 Section 36. Subsections (1) and (2) of section 288.005,
1462 Florida Statutes, are renumbered as subsections (2) and (1),
1463 respectively, and subsection (6) is added to that section to
1464 read:

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1465 288.005 Definitions.—As used in this chapter, the term:

1466 (6) "Target industry business" means a corporate
1467 headquarters business or any business that is engaged in one of
1468 the target industries identified pursuant to the following
1469 criteria developed by the department:

1470 (a) Future growth.—The industry forecast indicates strong
1471 expectation for future growth in employment and output,
1472 according to the most recent available data. Special
1473 consideration shall be given to businesses that export goods to,
1474 or provide services in, international markets and businesses
1475 that replace domestic and international imports of goods or
1476 services.

1477 (b) Stability.—The industry is not subject to periodic
1478 layoffs, whether due to seasonality or sensitivity to volatile
1479 economic variables such as weather. The industry is also
1480 relatively resistant to recession, so that the demand for
1481 products of this industry is not typically subject to decline
1482 during an economic downturn.

1483 (c) High wage.—The industry pays relatively high wages
1484 compared to statewide or area averages.

1485 (d) Market and resource independent.—The industry business
1486 location is not dependent on markets or resources in the state
1487 as indicated by industry analysis, except for businesses in the
1488 renewable energy industry.

1489 (e) Industrial base diversification and strengthening.—The

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1490 industry contributes toward expanding or diversifying the
1491 state's or area's economic base, as indicated by analysis of
1492 employment and output shares compared to national and regional
1493 trends. Special consideration shall be given to industries that
1494 strengthen regional economies by adding value to basic products
1495 or building regional industrial clusters as indicated by
1496 industry analysis. Special consideration shall also be given to
1497 the development of strong industrial clusters that include
1498 defense and homeland security businesses.

1499 (f) Positive economic impact.—The industry has strong
1500 positive economic impacts on or benefits to the state or
1501 regional economies. Special consideration shall be given to
1502 industries that facilitate the development of the state as a hub
1503 for domestic and global trade and logistics.

1504
1505 The term does not include any business engaged in retail
1506 industry activities; any electrical utility company as defined
1507 in s. 366.02(4); any phosphate or other solid minerals
1508 severance, mining, or processing operation; any oil or gas
1509 exploration or production operation; or any business subject to
1510 regulation by the Division of Hotels and Restaurants of the
1511 Department of Business and Professional Regulation. Any business
1512 classified under NAICS code 5611, related to office
1513 administrative services, or NAICS code 5614, related to business
1514 support services, may be considered a target industry business

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1515 only after the local governing body and the Department of
1516 Economic Opportunity determine that within the community in
1517 which the business may locate, conditions exist that affect the
1518 fiscal and economic viability of the local community or area,
1519 including, but not limited to, low per capita income, high
1520 unemployment, high underemployment, and a lack of year-round
1521 stable employment opportunities, and such conditions may be
1522 improved by the business locating in such community. By January
1523 1 of every 3rd year, beginning January 1, 2011, the department,
1524 in consultation with economic development organizations, the
1525 State University System, local governments, employee and
1526 employer organizations, market analysts, and economists, shall
1527 review and, as appropriate, revise the list of target industries
1528 and submit the list to the Governor, the President of the
1529 Senate, and the Speaker of the House of Representatives.

1530 Section 37. Section 288.012, Florida Statutes, are amended
1531 to read:

1532 288.012 State of Florida international offices; direct-
1533 support organization.—The Legislature finds that the expansion
1534 of international trade and tourism is vital to the overall
1535 health and growth of the economy of this state. This expansion
1536 is hampered by the lack of technical and business assistance,
1537 financial assistance, and information services for businesses in
1538 this state. The Legislature finds that these businesses could be
1539 assisted by providing these services at State of Florida

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1540 international offices. The Legislature further finds that the
1541 accessibility and provision of services at these offices can be
1542 enhanced through cooperative agreements or strategic alliances
1543 between private businesses and state, local, and international
1544 governmental entities.

1545 (1) The department is authorized to:

1546 (a) Establish and operate offices in other countries for
1547 the purpose of promoting trade and economic development
1548 opportunities of the state, and promoting the gathering of trade
1549 data information and research on trade opportunities in specific
1550 countries.

1551 (b) Enter into agreements with governmental and private
1552 sector entities to establish and operate offices in other
1553 countries which contain provisions that may conflict with the
1554 general laws of the state pertaining to the purchase of office
1555 space, employment of personnel, and contracts for services. When
1556 agreements pursuant to this section are made which set
1557 compensation in another country's currency, such agreements
1558 shall be subject to the requirements of s. 215.425, but the
1559 purchase of another country's currency by the department to meet
1560 such obligations shall be subject only to s. 216.311.

1561 (2) Each international office shall have in place an
1562 operational plan approved by the participating boards or other
1563 governing authority, a copy of which shall be provided to the

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1564 department. These operating plans shall be reviewed and updated
1565 each fiscal year and shall include, at a minimum, the following:

1566 (a) Specific policies and procedures encompassing the
1567 entire scope of the operation and management of each office.

1568 (b) A comprehensive, commercial strategic plan identifying
1569 marketing opportunities and industry sector priorities for the
1570 country in which an international office is located.

1571 (c) Provisions for access to information for Florida
1572 businesses related to trade leads and inquiries.

1573 (d) Identification of new and emerging market
1574 opportunities for Florida businesses. This information shall be
1575 provided either free of charge or on a fee basis with fees set
1576 only to recover the costs of providing the information.

1577 (e) Provision of access for Florida businesses to
1578 international trade assistance services provided by state and
1579 local entities, seaport and airport information, and other
1580 services identified by the department.

1581 (f) Qualitative and quantitative performance measures for
1582 each office, including, but not limited to, the number of
1583 businesses assisted, the number of trade leads and inquiries
1584 generated, the number of international buyers and importers
1585 contacted, and the amount and type of marketing conducted.

1586 (3) Each international office shall annually submit to the
1587 department ~~Enterprise Florida, Inc.~~, a complete and detailed
1588 report on its activities and accomplishments during the previous

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1589 ~~fiscal year. for inclusion in the annual report required under~~
1590 ~~s. 288.906. In the format and by the annual date prescribed by~~
1591 ~~Enterprise Florida, Inc.,~~ The report must set forth information
1592 on:

1593 (a) The number of Florida companies assisted.

1594 (b) The number of inquiries received about investment
1595 opportunities in this state.

1596 (c) The number of trade leads generated.

1597 (d) The number of investment projects announced.

1598 (e) The estimated U.S. dollar value of sales
1599 confirmations.

1600 (f) The number of representation agreements.

1601 (g) The number of company consultations.

1602 (h) Barriers or other issues affecting the effective
1603 operation of the office.

1604 (i) Changes in office operations which are planned for the
1605 current fiscal year.

1606 (j) Marketing activities conducted.

1607 (k) Strategic alliances formed with organizations in the
1608 country in which the office is located.

1609 (l) Activities conducted with Florida's other
1610 international offices.

1611 (m) Any other information that the office believes would
1612 contribute to an understanding of its activities.

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1613 (4) The Department of Commerce ~~Economic Opportunity~~, in
1614 connection with the establishment, operation, and management of
1615 any of its offices located in another country, is exempt from
1616 the provisions of ss. 255.21, 255.25, and 255.254 relating to
1617 leasing of buildings; ss. 283.33 and 283.35 relating to bids for
1618 printing; ss. 287.001-287.20 relating to purchasing and motor
1619 vehicles; and ss. 282.003-282.00515 and 282.702-282.7101
1620 relating to communications, and from all statutory provisions
1621 relating to state employment.

1622 (a) The department may exercise such exemptions only upon
1623 prior approval of the Governor.

1624 (b) If approval for an exemption under this section is
1625 granted as an integral part of a plan of operation for a
1626 specified international office, such action shall constitute
1627 continuing authority for the department to exercise the
1628 exemption, but only in the context and upon the terms originally
1629 granted. Any modification of the approved plan of operation with
1630 respect to an exemption contained therein must be resubmitted to
1631 the Governor for his or her approval. An approval granted to
1632 exercise an exemption in any other context shall be restricted
1633 to the specific instance for which the exemption is to be
1634 exercised.

1635 (c) As used in this subsection, the term "plan of
1636 operation" means the plan developed pursuant to subsection (2).

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1637 (d) Upon final action by the Governor with respect to a
1638 request to exercise the exemption authorized in this subsection,
1639 the department shall report such action, along with the original
1640 request and any modifications thereto, to the President of the
1641 Senate and the Speaker of the House of Representatives within 30
1642 days.

1643 (5) Where feasible and appropriate, international offices
1644 established and operated under this section may provide one-stop
1645 access to the economic development, trade, and tourism
1646 information, services, and programs of the state. Where feasible
1647 and appropriate, such offices may also be collocated with other
1648 international offices of the state.

1649 ~~(6) The department is authorized to make and to enter into~~
1650 ~~contracts with Enterprise Florida, Inc., to carry out the~~
1651 ~~provisions of this section. The authority, duties, and~~
1652 ~~exemptions provided in this section apply to Enterprise Florida,~~
1653 ~~Inc., to the same degree and subject to the same conditions as~~
1654 ~~applied to the department. To the greatest extent possible, such~~
1655 ~~contracts shall include provisions for cooperative agreements or~~
1656 ~~strategic alliances between private businesses and state,~~
1657 ~~international, and local governmental entities to operate~~
1658 ~~international offices.~~

1659 (a) The department shall establish a direct-support
1660 organization, organized as a nonprofit under chapter 617 and
1661 recognized under s. 501(c)(3) of the Internal Revenue Code, that

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1662 is authorized to make and to enter into contracts with the
1663 department, to carry out the provisions of this section, assist
1664 with the coordination of international trade development
1665 efforts, and assist in development and planning related to
1666 foreign investment, international partnerships, and other
1667 international business and trade development. The organization
1668 is exempt from paying fees under s. 617.0122.

1669 (b) The department must approve the articles of
1670 incorporation and bylaws of the direct-support organization,
1671 which shall include the formation of a board of directors and
1672 the development of an implementation plan that supports the
1673 goals of this section in coordination with the department, which
1674 must be completed within 30 days of formation of Florida
1675 International Trade, Inc. Such direct-support organization shall
1676 be designated Florida International Trade, Inc.

1677 (c) Florida International Trade, Inc., is a direct-support
1678 organization of the department that may contract with the
1679 department to provide assistance, funding, and promotional
1680 support for international offices, trade and promotion,
1681 development and planning related to foreign investment,
1682 international partnerships, and other international business and
1683 trade development in conjunction with the department.

1684 (d) The following provisions shall govern the creation,
1685 use, powers, and duties of Florida International Trade, Inc.:

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1686 1. The department shall enter into a contract, memorandum
1687 or letter of agreement with Florida International Trade, Inc.,
1688 which shall specify the approval of the department, the powers
1689 and duties of Florida International Trade, Inc., and rules with
1690 which the direct-support organization must comply.

1691 2. The department may authorize, without charge,
1692 appropriate use of property, facilities, and personnel of the
1693 department by Florida International Trade, Inc. The use shall be
1694 for the approved purposes of Florida International Trade, Inc.

1695 3. The department shall prescribe by agreement conditions
1696 with which Florida International Trade, Inc., must comply in
1697 order to use property, facilities, or personnel of the
1698 department. Such conditions shall provide for budget and audit
1699 review and oversight by the department.

1700 4. The department may not authorize the use of property,
1701 facilities, or personnel of department by Florida International
1702 Trade, Inc., that does not provide equal employment
1703 opportunities to all persons regardless of race, color,
1704 religion, sex, age, or national origin.

1705 (7) Florida International Trade, Inc., may conduct
1706 programs and activities; raise funds; request and receive
1707 grants, gifts, and bequests of money; acquire, receive, hold,
1708 invest, and administer, in its own name, securities, funds,
1709 objects of value, or other property, real or personal; and make
1710 expenditures to or for the direct or indirect benefit of Florida

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1711 International Trade, Inc., if such furthers the duties and
1712 mission of Florida International Trade, Inc., and is in the best
1713 interests of this state.

1714 (8) Florida International Trade, Inc., shall provide for
1715 an annual financial audit in accordance with s. 215.981.

1716 (9) All moneys received by Florida International Trade,
1717 Inc., shall be deposited into an account of the direct-support
1718 organization and shall be used by the organization in a manner
1719 consistent with the goals of Florida International Trade, Inc.,
1720 or a designated program.

1721 (10) The identity of a donor or prospective donor who
1722 desires to remain anonymous and all information identifying such
1723 donor or prospective donor are confidential and exempt from the
1724 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
1725 Constitution.

1726 (11) The department may terminate its agreement with
1727 Florida International Trade, Inc., at any time if the department
1728 determines that the direct-support organization no longer meets
1729 the objectives of this section.

1730 (12) Upon termination of Florida International Trade,
1731 Inc., the assets of Florida International Trade, Inc., shall be
1732 distributed pursuant to its articles of incorporation or bylaws
1733 or, if not provided for, to the department.

1734 (13) The Legislature determines it is in the public
1735 interest and reflects the state's public policy that Florida

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1736 International Trade, Inc., operate in the most open and
1737 accessible manner consistent with its public purposes. As such,
1738 its divisions, boards, and advisory councils, or similar
1739 entities created or managed by Florida International Trade,
1740 Inc., are subject to the provisions of chapter 119 relating to
1741 public records and those provisions of chapter 286 relating to
1742 public meetings and records.

1743 (14) The president, senior managers, and members of the
1744 board of directors of Florida International Trade, Inc., are
1745 subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135;
1746 and 112.3143(2). For purposes of applying ss. 112.313(1)-(8),
1747 (10), (12), and (15); 112.3135; and 112.3143(2) to activities of
1748 the president, senior managers, and members of the board of
1749 directors, those persons shall be considered public officers or
1750 employees and the corporation shall be considered their agency.
1751 The exemption set forth in s. 112.313(12) for advisory boards
1752 applies to the members of Florida International Trade, Inc.,
1753 board of directors. Further, each member of the board of
1754 directors who is not otherwise required to file financial
1755 disclosures pursuant to s. 8, Art. II of the State Constitution
1756 or s. 112.3144, shall file disclosure of financial interests
1757 pursuant to s. 112.3145.

1758 (15) Florida International Trade, Inc., shall act as the
1759 international trade and travel mission organization for the

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1760 state, utilizing private sector and public sector expertise in
1761 collaboration with the department to:

1762 (a) Increase private investment in Florida by persons
1763 outside of the United States that:

1764 1. Advance international trade opportunities;

1765 2. Market the state as a probusiness location for new
1766 investment;

1767 3. Promote Florida's space and aerospace industries, and
1768 emerging complementary industries;

1769 4. Promote opportunities for minority-owned businesses in
1770 Florida;

1771 5. Assist and market tourist destinations, venues, and
1772 events, and professional and amateur sport teams and sporting
1773 events in Florida; and

1774 6. Assist, promote, and enhance economic opportunities in
1775 this state's rural and urban communities.

1776 (16) Florida International Trade, Inc., shall enter into a
1777 performance-based contract with the department, pursuant to s.
1778 20.60, which includes annual measurements of the performance of
1779 Florida International Trade, Inc.

1780 (17) The board of directors of Florida International
1781 Trade, Inc., shall consist of the Governor or his or her
1782 designee, who shall serve as chair and a voting member, and 12
1783 members appointed as follows:

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1784 (a) Four members appointed by the Governor; such members
1785 shall be subject to Senate confirmation.

1786 (b) Four members appointed by the President of the Senate.

1787 (c) Four members appointed by the Speaker of the House of
1788 Representatives.

1789 (d) Appointed members must represent and reflect the
1790 state's interest in international trade and development efforts,
1791 and have experience or knowledge that will assist in development
1792 and planning related to foreign investment, international
1793 partnerships, and other international business and trade
1794 development. All appointments must be made by December 1, 2023.
1795 Members shall serve for a term of 4 years. However, if members
1796 of the Legislature are appointed to the task force, those
1797 members shall serve until the expiration of their legislative
1798 term and may be reappointed once. A vacancy shall be filled for
1799 the remainder of the unexpired term in the same manner as the
1800 initial appointment. All members of the board are eligible for
1801 reappointment. A member who serves in the Legislature may
1802 participate in all activities but may only vote on matters that
1803 are advisory.

1804 (e) The Secretary of Commerce, or his or her designee,
1805 shall serve as the ex officio, nonvoting executive director of
1806 the board.

1807 (f) The board of directors shall meet at least quarterly
1808 and at other times upon the call of the chair; May use any

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1809 method of telecommunications to conduct, or establish a quorum
1810 at, its meetings or the meetings of a subcommittee or other
1811 subdivision if the public is given proper notice of the
1812 telecommunications meeting and provided reasonable access to
1813 observe and, if appropriate, to participate.

1814 (g) A majority of the total current membership of the
1815 board of directors constitutes a quorum of the board.

1816 (h) Members of the board of directors, and the board's
1817 subcommittees or other subdivisions shall serve without
1818 compensation; however, the members may be reimbursed for
1819 reasonable, necessary, and actual travel expenses pursuant to s.
1820 112.061.

1821 (18) The department must determine and annually certify
1822 that the direct-support organization is complying with the terms
1823 of the contract and is doing so consistent with the goals and
1824 purposes of the organization and in the best interests of the
1825 state. The organization is required to annually submit to the
1826 department its federal Internal Revenue Service Application for
1827 Recognition of Exemption form (Form 1023) and federal Internal
1828 Revenue Service Return of Organization Exempt from Income Tax
1829 form (Form 990); an annual budget for approval by the
1830 department; and an annual financial audit in accordance with s.
1831 215.981.

1832 (19) The fiscal year of the direct-support organization
1833 begins on July 1 of each year and ends on June 30 of the

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1834 following year. By August 15 of each fiscal year, the department
1835 shall submit a proposed operating budget for the direct-support
1836 organization, including amounts to be expended on international
1837 offices, trade missions, events, other operating capital outlay,
1838 salaries and benefits for each employee, and contributions and
1839 expenditures, to the Governor, the President of the Senate, and
1840 the Speaker of the House of Representatives.

1841 (20) This subsection is repealed October 1, 2028, unless
1842 reviewed and saved from repeal by the Legislature.

1843 Section 38. Section 288.017, Florida Statutes, is amended
1844 to read:

1845 288.017 Cooperative advertising matching grants program.—

1846 (1) The Florida Tourism Industry Marketing Corporation
1847 ~~Enterprise Florida, Inc.,~~ is authorized to establish a
1848 cooperative advertising matching grants program and, pursuant
1849 thereto, to make expenditures and enter into contracts with
1850 local governments and nonprofit corporations for the purpose of
1851 publicizing the tourism advantages of the state. The department,
1852 based on recommendations from the corporation ~~Enterprise~~
1853 ~~Florida, Inc.,~~ shall have final approval of grants awarded
1854 through this program. ~~Enterprise Florida, Inc., may contract~~
1855 ~~with its direct-support organization to administer the program.~~

1856 (2) The total annual allocation of funds for this grant
1857 program may not exceed \$40,000. Each grant awarded under the
1858 program shall be limited to no more than \$2,500 and shall be

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1859 | matched by nonstate dollars. All grants shall be restricted to
1860 | local governments and nonprofit corporations serving and located
1861 | in municipalities having a population of 50,000 persons or less
1862 | or in counties with an unincorporated area having a population
1863 | of 200,000 persons or less.

1864 | (3) The Florida Tourism Marketing Corporation ~~Enterprise~~
1865 | ~~Florida, Inc.,~~ shall conduct an annual competitive selection
1866 | process for the award of grants under the program. In
1867 | determining its recommendations for the grant awards, the
1868 | corporation ~~commission~~ shall consider the demonstrated need of
1869 | the applicant for advertising assistance, the feasibility and
1870 | projected benefit of the applicant's proposal, the amount of
1871 | nonstate funds that will be leveraged, and such other criteria
1872 | as the department ~~commission~~ deems appropriate. In evaluating
1873 | grant applications, the department shall consider
1874 | recommendations from the corporation ~~Enterprise Florida, Inc.~~
1875 | The department, however, has final approval authority for any
1876 | grant under this section.

1877 | Section 39. Subsection (4) of section 288.018, Florida
1878 | Statutes, is amended to read:

1879 | 288.018 Regional Rural Development Grants Program.—

1880 | (4) The department may expend up to \$750,000 each fiscal
1881 | year from funds appropriated to the Rural Community Development
1882 | Revolving Loan Fund for the purposes outlined in this section.
1883 | ~~The department may contract with Enterprise Florida, Inc., for~~

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1884 ~~the administration of the purposes specified in this section.~~
1885 ~~Funds released to Enterprise Florida, Inc., for this purpose~~
1886 ~~shall be released quarterly and shall be calculated based on the~~
1887 ~~applications in process.~~

1888 Section 40. Subsections (1), (9), and (10) of section
1889 288.047, Florida Statutes, are amended, to read:

1890 288.047 Quick-response training for economic development.—

1891 (1) The Quick-Response Training Program is created to meet
1892 the workforce-skill needs of existing, new, and expanding
1893 industries. The program shall be administered by CareerSource
1894 Florida, Inc., in conjunction with ~~Enterprise Florida, Inc., and~~
1895 the Department of Education. CareerSource Florida, Inc., shall
1896 adopt guidelines for the administration of this program, shall
1897 provide technical services, and shall identify businesses that
1898 seek services through the program. ~~CareerSource Florida, Inc.,~~
1899 ~~may contract with Enterprise Florida, Inc., or administer this~~
1900 ~~program directly, if it is determined that such an arrangement~~
1901 ~~maximizes the amount of the Quick Response grant going to direct~~
1902 ~~services.~~

1903 ~~(9) Notwithstanding any other provision of law, eligible~~
1904 ~~matching contributions received under this section from the~~
1905 ~~Quick-Response Training Program may be counted toward the~~
1906 ~~private sector support of Enterprise Florida, Inc., under s.~~
1907 ~~288.904.~~

1908 ~~(10) CareerSource Florida, Inc., and Enterprise Florida,~~

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1909 ~~Inc., shall coordinate and cooperate in administering this~~
1910 ~~section so that any division of responsibility between the two~~
1911 ~~organizations which relates to marketing or administering the~~
1912 ~~Quick-Response Training Program is not apparent to a business~~
1913 ~~that inquires about or applies for funding under this section. A~~
1914 ~~business shall be provided with a single point of contact for~~
1915 ~~information and assistance.~~

1916 Section 41. Subsections (1) and (4) of section 288.061,
1917 Florida Statutes, are amended to read:

1918 288.061 Economic development incentive application
1919 process.-

1920 (1) Upon receiving a submitted economic development
1921 incentive application, the Division of Economic Strategie
1922 ~~Business~~ Development of the department of ~~Economic Opportunity~~
1923 ~~and designated staff of Enterprise Florida, Inc.,~~ shall review
1924 the application to ensure that the application is complete,
1925 whether and what type of state and local permits may be
1926 necessary for the applicant's project, whether it is possible to
1927 waive such permits, and what state incentives and amounts of
1928 such incentives may be available to the applicant. The
1929 department shall recommend to the Secretary of Commerce Economic
1930 ~~Opportunity~~ to approve or disapprove an applicant business. If
1931 review of the application demonstrates that the application is
1932 incomplete, the secretary shall notify the applicant business
1933 within the first 5 business days after receiving the

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1934 application.

1935 (4) The department shall validate contractor performance
1936 and report such validation in the annual incentives report
1937 required under s. 288.0065 ~~s. 288.907~~.

1938 Section 42. Subsection (5) of section 288.0655, Florida
1939 Statutes, is renumbered as subsection (4), and paragraph (e) of
1940 subsection (2) and subsection (3) and present subsection (4) of
1941 that section are amended, to read:

1942 288.0655 Rural Infrastructure Fund.—

1943 (2)

1944 (e) To enable local governments to access the resources
1945 available pursuant to s. 403.973(17) ~~s. 403.973(18)~~, the
1946 department may award grants for surveys, feasibility studies,
1947 and other activities related to the identification and
1948 preclearance review of land which is suitable for preclearance
1949 review. Authorized grants under this paragraph may not exceed
1950 \$75,000 each, except in the case of a project in a rural area of
1951 opportunity, in which case the grant may not exceed \$300,000.
1952 Any funds awarded under this paragraph must be matched at a
1953 level of 50 percent with local funds, except that any funds
1954 awarded for a project in a rural area of opportunity must be
1955 matched at a level of 33 percent with local funds. If an
1956 application for funding is for a catalyst site, as defined in s.
1957 288.0656, the requirement for local match may be waived pursuant
1958 to the process in s. 288.06561. In evaluating applications under

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1959 | this paragraph, the department shall consider the extent to
1960 | which the application seeks to minimize administrative and
1961 | consultant expenses.

1962 | (3) The department, in consultation with ~~Enterprise~~
1963 | ~~Florida, Inc.,~~ the Florida Tourism Industry Marketing
1964 | Corporation, the Department of Environmental Protection, and the
1965 | Florida Fish and Wildlife Conservation Commission, as
1966 | appropriate, shall review and certify applications pursuant to
1967 | s. 288.061. The review shall include an evaluation of the
1968 | economic benefit of the projects and their long-term viability.
1969 | The department shall have final approval for any grant under
1970 | this section.

1971 | ~~(4) By September 1, 2021, the department shall, in~~
1972 | ~~consultation with the organizations listed in subsection (3),~~
1973 | ~~and other organizations, reevaluate existing guidelines and~~
1974 | ~~criteria governing submission of applications for funding,~~
1975 | ~~review and evaluation of such applications, and approval of~~
1976 | ~~funding under this section. The department shall consider~~
1977 | ~~factors including, but not limited to, the project's potential~~
1978 | ~~for enhanced job creation or increased capital investment, the~~
1979 | ~~demonstration and level of local public and private commitment,~~
1980 | ~~whether the project is located in a community development~~
1981 | ~~corporation service area, or in an urban high-crime area as~~
1982 | ~~designated under s. 212.097, the unemployment rate of the county~~
1983 | ~~in which the project would be located, and the poverty rate of~~

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1984 ~~the community.~~

1985 Section 43. Paragraph (a) of subsection (6) and paragraphs
1986 (a) and (c) of subsection (7) of section 288.0656, Florida
1987 Statutes, are amended to read:

1988 288.0656 Rural Economic Development Initiative.—

1989 (6)(a) By August 1 of each year, the head of each of the
1990 following agencies and organizations shall designate a deputy
1991 secretary or higher-level staff person from within the agency or
1992 organization to serve as the REDI representative for the agency
1993 or organization:

- 1994 1. The Department of Transportation.
- 1995 2. The Department of Environmental Protection.
- 1996 3. The Department of Agriculture and Consumer Services.
- 1997 4. The Department of State.
- 1998 5. The Department of Health.
- 1999 6. The Department of Children and Families.
- 2000 7. The Department of Corrections.
- 2001 8. The Department of Education.
- 2002 9. The Department of Juvenile Justice.
- 2003 10. The Fish and Wildlife Conservation Commission.
- 2004 11. Each water management district.
- 2005 ~~12. Enterprise Florida, Inc.~~
- 2006 12.13. CareerSource Florida, Inc.
- 2007 13.14. VISIT Florida.
- 2008 14.15. The Florida Regional Planning Council Association.

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2009 | ~~15.16.~~ The Agency for Health Care Administration.

2010 | ~~16.17.~~ The Institute of Food and Agricultural Sciences
2011 | (IFAS).

2012 |
2013 | An alternate for each designee shall also be chosen, and the
2014 | names of the designees and alternates shall be sent to the
2015 | Secretary of Commerce ~~Economic Opportunity~~.

2016 | (7)

2017 | (a) REDI may recommend to the Governor up to three rural
2018 | areas of opportunity. The Governor may by executive order
2019 | designate up to three rural areas of opportunity which will
2020 | establish these areas as priority assignments for REDI as well
2021 | as to allow the Governor, acting through REDI, to waive
2022 | criteria, requirements, or similar provisions of any economic
2023 | development incentive. Such incentives shall include, but are
2024 | not limited to, ~~the Qualified Target Industry Tax Refund Program~~
2025 | ~~under s. 288.106,~~ the Quick Response Training Program under s.
2026 | 288.047, the Quick Response Training Program for participants in
2027 | the welfare transition program under s. 288.047(8),
2028 | ~~transportation projects under s. 339.2821,~~ the brownfield
2029 | redevelopment bonus refund under s. 288.107, and the rural job
2030 | tax credit program under ss. 212.098 and 220.1895.

2031 | (c) Each rural area of opportunity may designate catalyst
2032 | projects, provided that each catalyst project is specifically
2033 | recommended by REDI, ~~identified as a catalyst project by~~

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2034 ~~Enterprise Florida, Inc.~~, and confirmed as a catalyst project by
2035 the department. All state agencies and departments shall use all
2036 available tools and resources to the extent permissible by law
2037 to promote the creation and development of each catalyst project
2038 and the development of catalyst sites.

2039 Section 44. Section 288.0658, Florida Statutes, is amended
2040 to read:

2041 288.0658 Nature-based recreation; promotion and other
2042 assistance by Fish and Wildlife Conservation Commission.—The
2043 Florida Fish and Wildlife Conservation Commission is directed to
2044 assist ~~Enterprise Florida, Inc.~~; the Florida Tourism Industry
2045 Marketing Corporation, doing business as VISIT Florida;
2046 convention and visitor bureaus, ~~and~~ tourist development councils, ~~and~~
2047 economic development organizations, ~~and~~ and local governments
2048 through the provision of marketing advice, technical expertise,
2049 promotional support, and product development related to nature-
2050 based recreation and sustainable use of natural resources. In
2051 carrying out this responsibility, the Florida Fish and Wildlife
2052 Conservation Commission shall focus its efforts on fostering
2053 nature-based recreation in rural communities and regions
2054 encompassing rural communities. As used in this section, the
2055 term "nature-based recreation" means leisure activities related
2056 to the state's lands, waters, and fish and wildlife resources,
2057 including, but not limited to, wildlife viewing, fishing,
2058 hiking, canoeing, kayaking, camping, hunting, backpacking, and

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2059 nature photography.

2060 Section 45. Subsection (6) of section 288.075, Florida
2061 Statutes, is amended to read:

2062 288.075 Confidentiality of records.—

2063 (6) ECONOMIC INCENTIVE PROGRAMS.—

2064 (a) The following information held by an economic
2065 development agency pursuant to the administration of an economic
2066 incentive program for qualified businesses is confidential and
2067 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2068 Constitution for a period not to exceed the duration of the
2069 incentive agreement, including an agreement authorizing a tax
2070 refund or tax credit, or upon termination of the incentive
2071 agreement:

2072 1. The percentage of the business's sales occurring
2073 outside this state and, ~~for businesses applying under s.~~
2074 ~~288.1045, the percentage of the business's gross receipts~~
2075 ~~derived from Department of Defense contracts during the 5 years~~
2076 ~~immediately preceding the date the business's application is~~
2077 ~~submitted.~~

2078 2. An individual employee's personal identifying
2079 information that is held as evidence of the achievement or
2080 nonachievement of the wage requirements of the tax refund, tax
2081 credit, or incentive agreement programs or of the job creation
2082 requirements of such programs.

2083 3. The amount of:

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- 2084 a. Taxes on sales, use, and other transactions paid
2085 pursuant to chapter 212;
- 2086 b. Corporate income taxes paid pursuant to chapter 220;
- 2087 c. Intangible personal property taxes paid pursuant to
2088 chapter 199;
- 2089 d. Insurance premium taxes paid pursuant to chapter 624;
- 2090 e. Excise taxes paid on documents pursuant to chapter 201;
- 2091 f. Ad valorem taxes paid, as defined in s. 220.03(1); or
- 2092 g. State communications services taxes paid pursuant to
2093 chapter 202.

2094

2095 However, an economic development agency may disclose in the
2096 annual incentives report required under s. 288.0065 ~~s. 288.907~~
2097 the aggregate amount of each tax identified in this subparagraph
2098 and paid by all businesses participating in each economic
2099 incentive program.

2100 (b)~~1~~. The following information held by an economic
2101 development agency relating to a specific business participating
2102 in an economic incentive program is no longer confidential or
2103 exempt 180 days after a final project order for an economic
2104 incentive agreement is issued, until a date specified in the
2105 final project order, or if the information is otherwise
2106 disclosed, whichever occurs first:

2107 ~~1.a.~~ The name of the qualified business.

2108 ~~2.b.~~ The total number of jobs the business committed to

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2109 create or retain.

2110 ~~3.e.~~ The total number of jobs created or retained by the
2111 business.

2112 ~~4.d.~~ Notwithstanding s. 213.053(2), the amount of tax
2113 refunds, tax credits, or incentives awarded to, claimed by, or,
2114 if applicable, refunded to the state by the business.

2115 ~~5.e.~~ The anticipated total annual wages of employees the
2116 business committed to hire or retain.

2117 ~~2. For a business applying for certification under s.~~
2118 ~~288.1045 which is based on obtaining a new Department of Defense~~
2119 ~~contract, the total number of jobs expected and the amount of~~
2120 ~~tax refunds claimed may not be released until the new Department~~
2121 ~~of Defense contract is awarded.~~

2122 Section 46. Paragraphs (a), (c), and (e) of subsection
2123 (1), paragraph (e) of subsection (3), and subsections (6), (7),
2124 and (8) of section 288.076 are amended to read:

2125 288.076 Return on investment reporting for economic
2126 development programs.-

2127 (1) As used in this section, the term:

2128 (a) "Jobs" means full-time equivalent positions,
2129 including, but not limited to, positions obtained from a
2130 temporary employment agency or employee leasing company or
2131 through a union agreement or coemployment under a professional
2132 employer organization agreement, that result directly from a
2133 project in this state. The term does not include temporary

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2134 construction jobs involved with the construction of facilities
2135 for the project or any jobs previously included in any
2136 application for tax refunds ~~has the same meaning as provided in~~
2137 ~~s. 288.106(2)(i).~~

2138 (c) "Project" means the creation of a new business or
2139 expansion of an existing business ~~has the same meaning as~~
2140 ~~provided in s. 288.106(2)(m).~~

2141 (e) "State investment" means any state grants, tax
2142 exemptions, tax refunds, tax credits, or other state incentives
2143 provided to a business under a program administered by the
2144 department, including the capital investment tax credit under s.
2145 220.191.

2146 (3) Within 48 hours after expiration of the period of
2147 confidentiality for project information deemed confidential and
2148 exempt pursuant to s. 288.075, the department shall publish the
2149 following information pertaining to each project:

2150 (e) *Project performance goals.*—

2151 1. The incremental direct jobs attributable to the
2152 project, identifying the number of jobs generated and the number
2153 of jobs retained.

2154 2. The number of jobs generated and the number of jobs
2155 retained by the project, and ~~for projects commencing after~~
2156 ~~October 1, 2013,~~ the average annual wage of persons holding such
2157 jobs.

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2158 3. The incremental direct capital investment in the state
2159 generated by the project.

2160 (6) Annually, the department shall publish information
2161 relating to the progress of Quick Action Closing Fund projects,
2162 awarded under former s. 288.1088, until all contracts are
2163 complete or terminated ~~including the average number of days~~
2164 ~~between the date the department receives a completed application~~
2165 ~~and the date on which the application is approved.~~

2166 (7)(a) Within 48 hours after expiration of the period of
2167 confidentiality provided under s. 288.075, the department shall
2168 publish the contract or agreement described in s. 288.061,
2169 redacted to protect the participant business from disclosure of
2170 information that remains confidential or exempt by law.

2171 ~~(b) Within 48 hours after submitting any report of~~
2172 ~~findings and recommendations made pursuant to s. 288.106(7)(d)~~
2173 ~~concerning a business's failure to complete a tax refund~~
2174 ~~agreement pursuant to the tax refund program for qualified~~
2175 ~~target industry businesses, the department shall publish such~~
2176 ~~report.~~

2177 ~~(8) For projects completed before October 1, 2013, the~~
2178 ~~department shall compile and, by October 1, 2014, shall publish~~
2179 ~~the information described in subsections (3), (4), and (5), to~~
2180 ~~the extent such information is available and applicable.~~

2181 Section 47. Section 288.095, Florida Statutes, is amended
2182 to read:

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2183 288.095 Economic Development Trust Fund.—

2184 (1) The Economic Development Trust Fund is created within
2185 the department ~~of Economic Opportunity~~. Moneys deposited into
2186 the fund must be used only to support the authorized activities
2187 and operations of the department.

2188 (2) There is created, within the Economic Development
2189 Trust Fund, the Economic Development Incentives Account. The
2190 Economic Development Incentives Account consists of moneys
2191 appropriated to the account for purposes of the tax incentives
2192 programs formerly authorized under ss. 288.1045 and 288.106, and
2193 local financial support provided under former ss. 288.1045 and
2194 288.106. Moneys in the Economic Development Incentives Account
2195 shall be subject to the provisions of s. 216.301(1)(a).

2196 (3)(a) ~~The department may approve applications for~~
2197 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~
2198 The total state share of tax refund payments may not exceed \$35
2199 million.

2200 (b) The total amount of tax refund claims approved for
2201 payment by the department based on actual project performance
2202 may not exceed the amount appropriated to the Economic
2203 Development Incentives Account for such purposes for the fiscal
2204 year. Claims for tax refunds under former ss. 288.1045 and
2205 288.106 shall be paid in the order the claims are approved by
2206 the department. In the event the Legislature does not
2207 appropriate an amount sufficient to satisfy the tax refunds

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2208 | under former ss. 288.1045 and 288.106 in a fiscal year, the
2209 | department shall pay the tax refunds from the appropriation for
2210 | the following fiscal year. By March 1 of each year, the
2211 | department shall notify the legislative appropriations
2212 | committees of the Senate and House of Representatives of any
2213 | anticipated shortfall in the amount of funds needed to satisfy
2214 | claims for tax refunds from the appropriation for the current
2215 | fiscal year.

2216 | (c) Moneys in the Economic Development Incentives Account
2217 | may be used only to pay tax refunds and make other payments on
2218 | agreements executed prior to July 1, 2023, authorized under
2219 | former s. 288.1045, s. 288.106, or s. 288.107.

2220 | (d) The department may adopt rules necessary to carry out
2221 | ~~the provisions of~~ this subsection, including rules providing for
2222 | the use of moneys in the Economic Development Incentives Account
2223 | and for the administration of the Economic Development
2224 | Incentives Account.

2225 | Section 48. Subsection (2) and paragraph (c) of subsection
2226 | (3) of section 288.101, Florida Statutes, are amended to read:

2227 | 288.101 Florida Job Growth Grant Fund.—

2228 | (2) The department ~~and Enterprise Florida, Inc.,~~ may
2229 | identify projects, solicit proposals, and make funding
2230 | recommendations to the Governor, who is authorized to approve:

2231 | (a) State or local public infrastructure projects to
2232 | promote economic recovery in specific regions of the state,

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2233 economic diversification, ~~or~~ economic enhancement in a targeted
2234 industry.

2235 ~~(b) Infrastructure funding to accelerate the~~
2236 ~~rehabilitation of the Herbert Hoover Dike. The department or the~~
2237 ~~South Florida Water Management District may enter into~~
2238 ~~agreements, as necessary, with the United States Army Corps of~~
2239 ~~Engineers to implement this paragraph.~~

2240 ~~(b)-(e)~~ Workforce training grants to support programs at
2241 state colleges and state technical centers that provide
2242 participants with transferable, sustainable workforce skills
2243 applicable to more than a single employer, and for equipment
2244 associated with these programs. The department shall work with
2245 CareerSource Florida, Inc., to ensure programs are offered to
2246 the public based on criteria established by the state college or
2247 state technical center and do not exclude applicants who are
2248 unemployed or underemployed.

2249 (3) For purposes of this section:

2250 (c) "Targeted industry" means any industry identified in
2251 the most recent list provided to the Governor, the President of
2252 the Senate, and the Speaker of the House of Representatives in
2253 accordance with s. 288.005 ~~s. 288.106(2)(g)~~.

2254 Section 49. Section 288.1045, Florida Statutes, is
2255 repealed.

2256 Section 50. Section 288.106, Florida Statutes, is
2257 repealed.

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2258 Section 51. Paragraphs (d) and (f) of subsection (1),
2259 subsection (2), paragraph (b) of subsection (3), subsection (4),
2260 and paragraph (b) of subsection (5) of section 288.107, Florida
2261 Statutes, are amended to read:

2262 288.107 Brownfield redevelopment bonus refunds.—

2263 (1) DEFINITIONS.—As used in this section:

2264 (d) "Eligible business" means÷

2265 ~~1. A qualified target industry business as defined in s.~~
2266 ~~288.106(2); or~~

2267 ~~2.~~ a business that can demonstrate a fixed capital
2268 investment of at least \$2 million in mixed-use business
2269 activities, including multiunit housing, commercial, retail, and
2270 industrial in brownfield areas eligible for bonus refunds, and
2271 that provides benefits to its employees.

2272 (f) "Project" means the creation of a new business or the
2273 expansion of an existing business ~~as defined in s. 288.106.~~

2274 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.—Bonus refunds
2275 shall be approved by the department as specified in the final
2276 order and allowed from the account as ~~follows:~~

2277 ~~(a) A bonus refund of \$2,500 shall be allowed to any~~
2278 ~~qualified target industry business as defined in s. 288.106 for~~
2279 ~~each new Florida job created in a brownfield area eligible for~~
2280 ~~bonus refunds which is claimed on the qualified target industry~~
2281 ~~business's annual refund claim authorized in s. 288.106(6).~~

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2282 ~~(b)~~ a bonus refund of up to \$2,500 shall be allowed to any
2283 ~~other~~ eligible business as defined in subparagraph (1)(d)2. for
2284 each new Florida job created in a brownfield area eligible for
2285 bonus refunds which is claimed under an annual claim procedure
2286 similar to the annual refund claim authorized in s. 288.106(6).
2287 The amount of the refund shall be equal to 20 percent of the
2288 average annual wage for the jobs created.

2289 (3) CRITERIA.—The minimum criteria for participation in
2290 the brownfield redevelopment bonus refund are:

2291 (b) The completion of a fixed capital investment of at
2292 least \$2 million in mixed-use business activities, including
2293 multiunit housing, commercial, retail, and industrial in
2294 brownfield areas eligible for bonus refunds, by an eligible
2295 business applying for a refund under subsection (2) ~~paragraph~~
2296 ~~(2)(b)~~ which provides benefits to its employees.

2297 (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

2298 (a) To be eligible to receive a bonus refund for new
2299 Florida jobs created in a brownfield area eligible for bonus
2300 refunds, a business must have been certified as an ~~a qualified~~
2301 ~~target industry business under s. 288.106~~ or eligible business
2302 as defined in paragraph (1)(d) and must have indicated on the
2303 ~~qualified target industry business~~ tax refund application form
2304 submitted to the department ~~in accordance with s. 288.106(4) or~~
2305 ~~other similar agreement for other eligible business as defined~~
2306 ~~in paragraph (1)(d)~~ that the project for which the application

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2307 is submitted is or will be located in a brownfield area eligible
2308 for bonus refunds and that the business is applying for
2309 certification as a qualified brownfield business under this
2310 section, and must have signed a ~~qualified target industry~~
2311 ~~business~~ tax refund agreement with the department that indicates
2312 that the business has been certified as a ~~qualified target~~
2313 ~~industry business~~ located in a brownfield area eligible for
2314 bonus refunds and specifies the schedule of brownfield
2315 redevelopment bonus refunds that the business may be eligible to
2316 receive in each fiscal year.

2317 (b) To be considered to receive an eligible brownfield
2318 redevelopment bonus refund payment, the business meeting the
2319 requirements of paragraph (a) must submit a claim once each
2320 fiscal year on a claim form approved by the department which
2321 indicates the location of the brownfield site for which a
2322 rehabilitation agreement with the Department of Environmental
2323 Protection or a local government delegated by the Department of
2324 Environmental Protection has been executed under s. 376.80, the
2325 address of the business facility's brownfield location, the name
2326 of the brownfield in which it is located, the number of jobs
2327 created, and the average wage of the jobs created by the
2328 business within the brownfield ~~as defined in s. 288.106 or other~~
2329 ~~eligible business as defined in paragraph (1) (d) and the~~
2330 ~~administrative rules and policies for that section.~~

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2331 (c) ~~The bonus refunds shall be available on the same~~
2332 ~~schedule as the qualified target industry tax refund payments~~
2333 ~~scheduled in the qualified target industry tax refund agreement~~
2334 ~~authorized in s. 288.106 or other similar agreement for other~~
2335 ~~eligible businesses as defined in paragraph (1)(e).~~

2336 ~~(d)~~ After entering into a tax refund agreement ~~as provided~~
2337 ~~in s. 288.106 or other similar agreement for other eligible~~
2338 ~~businesses as defined in paragraph (1)(e),~~ an eligible business
2339 may receive brownfield redevelopment bonus refunds from the
2340 account:

2341 1. For the following taxes due and paid by that business
2342 beginning with the first taxable year of the business that
2343 begins after entering into the agreement:

2344 a. Corporate income taxes under chapter 220.

2345 b. Insurance premium tax under s. 624.509.

2346 2. Receive refunds from the account for the following
2347 taxes due and paid by that business after entering into the
2348 agreement:

2349 a. Taxes on sales, use, and other transactions under
2350 chapter 212.

2351 b. Intangible personal property taxes under chapter 199.

2352 c. Excise taxes on documents under chapter 201.

2353 d. Ad valorem taxes paid, as defined in s. 220.03(1).

2354 e. State communications services taxes administered under
2355 chapter 202. This provision does not apply to the gross receipts

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2356 tax imposed under chapter 203 and administered under chapter 202
2357 or the local communications services tax authorized under s.
2358 202.19 pursuant to s. 288.106(3)(d).

2359 (e) An eligible business that fraudulently claims a refund
2360 under this section:

2361 1. Is liable for repayment of the amount of the refund to
2362 the account, plus a mandatory penalty in the amount of 200
2363 percent of the tax refund, which shall be deposited into the
2364 General Revenue Fund.

2365 2. Commits a felony of the third degree, punishable as
2366 provided in s. 775.082, s. 775.083, or s. 775.084.

2367 (f) Applications shall be reviewed and certified pursuant
2368 to s. 288.061 before the business has made a decision to locate
2369 or expand a facility in this state. The department shall review
2370 all applications submitted ~~under s. 288.106 or other similar~~
2371 ~~application forms for other eligible businesses as defined in~~
2372 ~~paragraph (1)(d)~~ which indicate that the proposed project will
2373 be located in a brownfield area eligible for bonus refunds and
2374 determine, with the assistance of the Department of
2375 Environmental Protection, that the project location is within a
2376 brownfield area eligible for bonus refunds as provided in this
2377 act.

2378 (g) The department shall approve all claims for a
2379 brownfield redevelopment bonus refund payment that are found to
2380 meet the requirements of this section ~~paragraphs (b) and (d).~~

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2381 (h) The department, with such assistance as may be
2382 required from the Department of Environmental Protection, shall
2383 specify by written final order the amount of the brownfield
2384 redevelopment bonus refund that is authorized for the ~~qualified~~
2385 ~~target-industry~~ business for the fiscal year within 30 days
2386 after the date that the claim for the annual tax refund is
2387 received by the department.

2388 (i) The total amount of the bonus refunds approved by the
2389 department under this section in any fiscal year must not exceed
2390 the total amount appropriated to the Economic Development
2391 Incentives Account for this purpose for the fiscal year. In the
2392 event that the Legislature does not appropriate an amount
2393 sufficient to satisfy projections by the department for
2394 brownfield redevelopment bonus refunds under this section in a
2395 fiscal year, the department shall, not later than July 15 of
2396 such year, determine the proportion of each brownfield
2397 redevelopment bonus refund claim which shall be paid by dividing
2398 the amount appropriated for tax refunds for the fiscal year by
2399 the projected total of brownfield redevelopment bonus refund
2400 claims for the fiscal year. The amount of each claim for a
2401 brownfield redevelopment bonus tax refund shall be multiplied by
2402 the resulting quotient. If, after the payment of all such refund
2403 claims, funds remain in the Economic Development Incentives
2404 Account for brownfield redevelopment tax refunds, the department

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2405 shall recalculate the proportion for each refund claim and
2406 adjust the amount of each claim accordingly.

2407 (j) Upon approval of the brownfield redevelopment bonus
2408 refund, payment shall be made for the amount specified in the
2409 final order. If the final order is appealed, payment may not be
2410 made for a refund to the ~~qualified target industry~~ business
2411 until the conclusion of all appeals of that order.

2412 (5) ADMINISTRATION.—

2413 (b) To facilitate the process of monitoring and auditing
2414 applications made under this program, the department may provide
2415 a list of ~~qualified target industry~~ businesses to the Department
2416 of Revenue, to the Department of Environmental Protection, or to
2417 any local government authority. The department may request the
2418 assistance of those entities with respect to monitoring the
2419 payment of the taxes listed in paragraph (3)(c) s. 288.106(3).

2420 (c) The department may adopt rules, including an
2421 application form, to administer this section.

2422 Section 52. Paragraph (c) of subsection (2) and subsection
2423 (6) of section 288.108, Florida Statutes, are amended to read:

2424 288.108 High-impact business.—

2425 (2) DEFINITIONS.—As used in this section, the term:

2426 (c) "Eligible high-impact business" means a business in
2427 one of the high-impact sectors identified ~~by Enterprise Florida,~~
2428 ~~Inc., and certified~~ by the department as provided in subsection
2429 (5), which is making a cumulative investment in the state of at

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2430 least \$50 million and creating at least 50 new full-time
2431 equivalent jobs in the state or a research and development
2432 facility making a cumulative investment of at least \$25 million
2433 and creating at least 25 new full-time equivalent jobs. Such
2434 investment and employment must be achieved in a period not to
2435 exceed 3 years after the date the business is certified as a
2436 qualified high-impact business.

2437 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT SECTORS.—

2438 (a) The department ~~Enterprise Florida, Inc.~~, shall, by
2439 January 1, of every third year, beginning January 1, 2011,
2440 initiate the process of reviewing and, if appropriate, selecting
2441 a new high-impact sector for designation or recommending the
2442 deactivation of a designated high-impact sector. The process of
2443 reviewing designated high-impact sectors or recommending the
2444 deactivation of a designated high-impact sector shall be in
2445 consultation with ~~the department~~, economic development
2446 organizations, the State University System, local governments,
2447 employee and employer organizations, market analysts, and
2448 economists.

2449 (b) The department has authority, after meeting the
2450 requirements of this subsection ~~recommendation from Enterprise~~
2451 ~~Florida, Inc.~~, to designate a high-impact sector or to
2452 deauthorize a designated high-impact sector.

2453 (c) To begin the process of selecting and designating a
2454 new high-impact sector, the department ~~Enterprise Florida, Inc.~~,

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2455 shall undertake a thorough study of the proposed sector. This
2456 study must consider the definition of the sector, including the
2457 types of facilities which characterize the sector that might
2458 qualify for a high-impact performance grant and whether a
2459 powerful incentive like the high-impact performance grant is
2460 needed to induce major facilities in the sector to locate or
2461 grow in this state; the benefits that major facilities in the
2462 sector have or could have on the state's economy and the
2463 relative significance of those benefits; the needs of the sector
2464 and major sector facilities, including natural, public, and
2465 human resources and benefits and costs with regard to these
2466 resources; the sector's current and future markets; the current
2467 fiscal and potential fiscal impacts of the sector, to both the
2468 state and its communities; any geographic opportunities or
2469 limitations with regard to the sector, including areas of the
2470 state most likely to benefit from the sector and areas unlikely
2471 to benefit from the sector; the state's advantages or
2472 disadvantages with regard to the sector; and the long-term
2473 expectations for the industry on a global level and in the
2474 state. If the department ~~Enterprise Florida, Inc.,~~ finds
2475 favorable conditions for the designation of the sector as a
2476 high-impact sector, it shall include in the study
2477 recommendations for a complete and comprehensive sector
2478 strategy, including appropriate marketing and workforce
2479 strategies for the entire sector and any recommendations ~~that~~

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2480 ~~Enterprise Florida, Inc., may have~~ for statutory or policy
2481 changes needed to improve the state's business climate and to
2482 attract and grow Florida businesses, particularly small
2483 businesses, in the proposed sector. The study shall reflect the
2484 finding of the sector-business network specified in paragraph
2485 (d).

2486 (d) In conjunction with the study required in paragraph
2487 (c), the department ~~Enterprise Florida, Inc.,~~ shall develop and
2488 consult with a network of sector businesses. While this network
2489 may include non-Florida businesses, it must include any
2490 businesses currently within the state. If the number of Florida
2491 businesses in the sector is large, a representative cross-
2492 section of Florida sector businesses may form the core of this
2493 network.

2494 (e) The study and its findings and recommendations and the
2495 recommendations gathered from the sector-business network must
2496 be discussed and considered during at least one meeting per
2497 calendar year of leaders in business, government, education,
2498 workforce development, and economic development called by the
2499 Governor to address the business climate in the state, develop a
2500 common vision for the economic future of the state, and identify
2501 economic development efforts to fulfill that vision.

2502 (f) If after consideration of the completed study required
2503 in paragraph (c) and the input derived from consultation with
2504 the sector-business network in paragraph (d) and the meeting as

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2505 required in paragraph (e), the department ~~board of directors of~~
2506 ~~Enterprise Florida, Inc.,~~ finds that the sector will have
2507 exceptionally large and widespread benefits to the state and its
2508 citizens, relative to any public costs; that the sector is
2509 characterized by the types of facilities that require
2510 exceptionally large investments and provide employment
2511 opportunities to a relatively large number of workers in high-
2512 quality, high-income jobs that might qualify for a high-impact
2513 performance grant; and that given the competition for such
2514 businesses it may be necessary for the state to be able to offer
2515 a large inducement, such as a high-impact performance grant, to
2516 attract such a business to the state or to encourage businesses
2517 to continue to grow in the state, ~~the board of directors of~~
2518 ~~Enterprise Florida, Inc., may recommend that the department~~ may
2519 designate ~~consider the designation of~~ the sector as a high-
2520 impact business sector or may.

2521 ~~(g) Upon receiving a recommendation from the board of~~
2522 ~~directors of Enterprise Florida, Inc., together with the study~~
2523 ~~required in paragraph (c) and a summary of the findings and~~
2524 ~~recommendations of the sector-business network required in~~
2525 ~~paragraph (d), including a list of all meetings of the sector~~
2526 ~~network and participants in those meetings and the findings and~~
2527 ~~recommendations from the meeting as required in paragraph (e),~~
2528 ~~the department shall after a thorough evaluation of the study~~
2529 ~~and accompanying materials report its findings and either concur~~

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2530 ~~in the recommendation of Enterprise Florida, Inc., and designate~~
2531 ~~the sector as a high-impact business sector or notify Enterprise~~
2532 ~~Florida, Inc., that it does not concur and deny the board's~~
2533 ~~request for designation or return the recommendation and study~~
2534 ~~to Enterprise Florida, Inc., for further evaluation. In any~~
2535 case, the department's decision must be in writing and justify
2536 the reasons for the decision.

2537 ~~(g)-(h)~~ If the department designates the sector as a high-
2538 impact sector, it shall, within 30 days, notify the Governor,
2539 the President of the Senate, and the Speaker of the House of
2540 Representatives of its decision and provide a complete report on
2541 its decision, including copies of the material compiled in the
2542 evaluation, studies, and meetings required under this subsection
2543 ~~provided by Enterprise Florida, Inc.,~~ and the department's
2544 evaluation and comment on any statutory or policy changes
2545 recommended by ~~Enterprise Florida, Inc.~~

2546 ~~(h)-(i)~~ For the purposes of this subsection, a high-impact
2547 sector consists of the silicon technology sector ~~that Enterprise~~
2548 ~~Florida, Inc., has~~ found to be focused around the type of high-
2549 impact businesses for which the incentive created in this
2550 subsection is required and will create the kinds of sector and
2551 economy wide benefits that justify the use of state resources to
2552 encourage these investments and require substantial inducements
2553 to compete with the incentive packages offered by other states
2554 and nations.

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2555 Section 53. Section 288.1081, Florida Statutes, is
2556 repealed.

2557 Section 54. Section 288.1082, Florida Statutes, is
2558 repealed.

2559 Section 55. Section 288.1088, Florida Statutes, is
2560 repealed.

2561 Section 56. Section 288.1089, Florida Statutes, is
2562 repealed.

2563 Section 57. Section 288.111, Florida Statutes, is amended
2564 to read:

2565 288.111 Information concerning local manufacturing
2566 development programs.—The department shall develop materials
2567 that identify each local government that establishes a local
2568 manufacturing development program under s. 163.3252. The
2569 materials, which the department may elect to develop and
2570 maintain in electronic format or in any other format deemed by
2571 the department to provide public access, must be updated at
2572 least annually. ~~Enterprise Florida, Inc., shall, and other~~ State
2573 agencies may, distribute the materials to prospective, new,
2574 expanding, and relocating businesses seeking to conduct business
2575 in this state.

2576 Section 58. Section 288.1168, Florida Statutes, is
2577 repealed.

2578 Section 59. Section 288.1169, Florida Statutes, is
2579 repealed.

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2580 Section 60. Section 288.1171, Florida Statutes, is
2581 repealed.

2582 Section 61. Section 288.122, Florida Statutes, is amended
2583 to read:

2584 288.122 Tourism Promotional Trust Fund.—There is created
2585 within the department the Tourism Promotional Trust Fund. Moneys
2586 deposited in the Tourism Promotional Trust Fund shall only be
2587 used to support the authorized activities and operations and the
2588 tourism promotion and marketing activities, services, functions,
2589 and programs administered by the department ~~Enterprise Florida,~~
2590 ~~Ine.~~, through a contract with the direct-support organization
2591 created under s. 288.1226.

2592 Section 62. Subsection (13) of section 288.1226, Florida
2593 Statutes, is renumbered as subsection (15), paragraph (c) of
2594 subsection (2) and subsections (3), (4), (5), (7), and (8) are
2595 amended, and new subsections (13) and (14) are added to that
2596 section, to read:

2597 288.1226 Florida Tourism Industry Marketing Corporation;
2598 use of property; board of directors; duties; audit.—

2599 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
2600 Corporation is a direct-support organization of the department
2601 ~~Enterprise Florida, Inc.~~

2602 (c)1. The corporation is not an agency for the purposes of
2603 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,
2604 relating to leasing of buildings; ss. 283.33 and 283.35,

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2605 relating to bids for printing; s. 215.31; and parts I, II, and
2606 IV-VIII of chapter 112. However, the corporation shall comply
2607 with the per diem and travel expense provisions of s. 112.061.

2608 2. It is not a violation of s. 112.3143(2) or (4) for the
2609 officers or members of the board of directors of the corporation
2610 to:

2611 a. Vote on the 4-year marketing plan required under
2612 subsection (13) s. 288.923 or vote on any individual component
2613 of or amendment to the plan.

2614 b. Participate in the establishment or calculation of
2615 payments related to the private match requirements of subsection
2616 (6). The officer or member must file an annual disclosure
2617 describing the nature of his or her interests or the interests
2618 of his or her principals, including corporate parents and
2619 subsidiaries of his or her principal, in the private match
2620 requirements. This annual disclosure requirement satisfies the
2621 disclosure requirement of s. 112.3143(4). This disclosure must
2622 be placed on the corporation's website or included in the
2623 minutes of each meeting of the corporation's board of directors
2624 at which the private match requirements are discussed or voted
2625 upon.

2626 (3) USE OF PROPERTY.—The department Enterprise Florida,
2627 ~~Inc.:~~

2628 (a) Is authorized to permit the use of property and
2629 facilities of the department Enterprise Florida, Inc., by the

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2630 corporation, subject to the provisions of this section.

2631 (b) Shall prescribe conditions with which the corporation
2632 must comply in order to use property and facilities of the
2633 department ~~Enterprise Florida, Inc.~~ Such conditions shall
2634 provide for budget and audit review and for oversight by the
2635 department ~~Enterprise Florida, Inc.~~

2636 (c) May not permit the use of property and facilities of
2637 the department ~~Enterprise Florida, Inc.~~, if the corporation does
2638 not provide equal employment opportunities to all persons,
2639 regardless of race, color, national origin, sex, age, or
2640 religion.

2641 (4) BOARD OF DIRECTORS.—The board of directors of the
2642 corporation shall be composed of 31 tourism-industry-related
2643 members, appointed by ~~Enterprise Florida, Inc., in conjunction~~
2644 ~~with~~ the department. Board members shall serve without
2645 compensation, but are entitled to receive reimbursement for per
2646 diem and travel expenses pursuant to s. 112.061. Such expenses
2647 must be paid out of funds of the corporation.

2648 (a) The board shall consist of 16 members, appointed in
2649 such a manner as to equitably represent all geographic areas of
2650 the state, with no fewer than two members from any of the
2651 following regions:

2652 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,
2653 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
2654 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

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2655 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
2656 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
2657 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
2658 Taylor, and Union Counties.

2659 3. Region 3, composed of Brevard, Indian River, Lake,
2660 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
2661 Volusia Counties.

2662 4. Region 4, composed of Citrus, Hernando, Hillsborough,
2663 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

2664 5. Region 5, composed of Charlotte, Collier, DeSoto,
2665 Glades, Hardee, Hendry, Highlands, and Lee Counties.

2666 6. Region 6, composed of Broward, Martin, Miami-Dade,
2667 Monroe, and Palm Beach Counties.

2668 (b) The 15 additional tourism-industry-related members
2669 shall include 1 representative from the statewide rental car
2670 industry; 7 representatives from tourist-related statewide
2671 associations, including those that represent hotels,
2672 campgrounds, county destination marketing organizations,
2673 museums, restaurants, retail, and attractions; 3 representatives
2674 from county destination marketing organizations; 1
2675 representative from the cruise industry; 1 representative from
2676 an automobile and travel services membership organization that
2677 has at least 2.8 million members in Florida; 1 representative
2678 from the airline industry; and 1 representative from the space
2679 tourism industry, who will each serve for a term of 2 years.

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2680 (5) POWERS AND DUTIES.—The corporation, in the performance
2681 of its duties:

2682 (a) May make and enter into contracts and assume such
2683 other functions as are necessary to carry out the provisions of
2684 the 4-year marketing plan required by subsection (13) s.
2685 ~~288.923,~~ and the corporation's contract with the department
2686 ~~Enterprise Florida, Inc.,~~ which are not inconsistent with this
2687 or any other provision of law. A proposed contract with a total
2688 cost of \$750,000 or more is subject to the notice and review
2689 procedures of s. 216.177. If the chair and vice chair of the
2690 Legislative Budget Commission, or the President of the Senate
2691 and the Speaker of the House of Representatives, timely advise
2692 the corporation in writing that such proposed contract is
2693 contrary to legislative policy and intent, the corporation may
2694 not execute such proposed contract. The corporation may not
2695 enter into multiple related contracts to avoid the requirements
2696 of this paragraph.

2697 (b) May develop a program to provide incentives and to
2698 attract and recognize those entities which make significant
2699 financial and promotional contributions towards the expanded
2700 tourism promotion activities of the corporation.

2701 (c) May establish a cooperative marketing program with
2702 other public and private entities which allows the use of the
2703 VISIT Florida logo in tourism promotion campaigns which meet the
2704 standards of the department ~~Enterprise Florida, Inc.,~~ for which

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2705 the corporation may charge a reasonable fee.

2706 (d) May sue and be sued and appear and defend in all
2707 actions and proceedings in its corporate name to the same extent
2708 as a natural person.

2709 (e) May adopt, use, and alter a common corporate seal.
2710 However, such seal must always contain the words "corporation
2711 not for profit."

2712 (f) Shall elect or appoint such officers and agents as its
2713 affairs shall require and allow them reasonable compensation.
2714 However, each officer or agent, including the president and
2715 chief executive officer of the corporation, may not receive
2716 public compensation for employment that exceeds the salary and
2717 benefits authorized to be paid to the Governor. Any public
2718 payments of performance bonuses or severance pay to an officer
2719 or agent of the corporation are prohibited unless specifically
2720 authorized by law.

2721 (g) Shall hire and establish salaries and personnel and
2722 employee benefit programs for such permanent and temporary
2723 employees as are necessary to carry out the provisions of the 4-
2724 year marketing plan and the corporation's contract with the
2725 department Enterprise Florida, Inc., which are not inconsistent
2726 with this or any other provision of law. However, an employee
2727 may not receive public compensation for employment that exceeds
2728 the salary and benefits authorized to be paid to the Governor.
2729 Any public payments of performance bonuses or severance pay to

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2730 employees of the corporation are prohibited unless specifically
2731 authorized by law.

2732 (h) May adopt, change, amend, and repeal bylaws, not
2733 inconsistent with law or its articles of incorporation, for the
2734 administration of the provisions of the 4-year marketing plan
2735 and the corporation's contract with the department ~~Enterprise~~
2736 ~~Florida, Inc.~~

2737 (i) May conduct its affairs, carry on its operations, and
2738 have offices and exercise the powers granted by this act in any
2739 state, territory, district, or possession of the United States
2740 or any foreign country. Where feasible, appropriate, and
2741 recommended by the 4-year marketing plan developed by the
2742 corporation in consultation with the department ~~Division of~~
2743 ~~Tourism Promotion of Enterprise Florida, Inc.~~, the corporation
2744 may collocate the programs of foreign tourism offices in
2745 cooperation with any foreign office operated by any agency of
2746 this state.

2747 (j) May appear on its own behalf before boards,
2748 commissions, departments, or other agencies of municipal,
2749 county, state, or federal government.

2750 (k) May request or accept any grant, payment, or gift, of
2751 funds or property made by this state or by the United States or
2752 any department or agency thereof or by any individual, firm,
2753 corporation, municipality, county, or organization for any or
2754 all of the purposes of the 4-year marketing plan and the

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2755 corporation's contract with the department ~~Enterprise Florida,~~
2756 ~~Inc.,~~ that are not inconsistent with this or any other provision
2757 of law. Such funds shall be deposited in a bank account
2758 established by the corporation's board of directors. The
2759 corporation may expend such funds in accordance with the terms
2760 and conditions of any such grant, payment, or gift, in the
2761 pursuit of its administration or in support of the programs it
2762 administers. The corporation shall separately account for the
2763 public funds and the private funds deposited into the
2764 corporation's bank account.

2765 (l) Shall establish a plan for participation in the
2766 corporation which will provide additional funding for the
2767 administration and duties of the corporation.

2768 (m) ~~In the performance of its duties, may~~ May undertake,
2769 or contract for, marketing projects and advertising research
2770 projects.

2771 (n) In addition to any indemnification available under
2772 chapter 617, the corporation may indemnify, and purchase and
2773 maintain insurance on behalf of, directors, officers, and
2774 employees of the corporation against any personal liability or
2775 accountability by reason of actions taken while acting within
2776 the scope of their authority.

2777 (o) Shall not create or establish any other entity,
2778 corporation, or direct-support organization.

2779 (p) Shall not expend funds, public or private, that

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2780 directly benefit only one company, corporation, or business
2781 entity.

2782 (7) ANNUAL AUDIT.—The corporation shall provide for an
2783 annual financial audit in accordance with s. 215.981. The annual
2784 audit report shall be submitted to the Auditor General; the
2785 Office of Program Policy Analysis and Government Accountability;
2786 ~~Enterprise Florida, Inc.;~~ and the department for review. The
2787 Office of Program Policy Analysis and Government Accountability;
2788 ~~Enterprise Florida, Inc.;~~ the department; and the Auditor
2789 General have the authority to require and receive from the
2790 corporation or from its independent auditor any detail or
2791 supplemental data relative to the operation of the corporation.
2792 The department shall annually certify whether the corporation is
2793 operating in a manner and achieving the objectives that are
2794 consistent with the policies and goals of the department
2795 ~~Enterprise Florida, Inc.,~~ and its long-range marketing plan. The
2796 identity of a donor or prospective donor to the corporation who
2797 desires to remain anonymous and all information identifying such
2798 donor or prospective donor are confidential and exempt from the
2799 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
2800 Constitution. Such anonymity shall be maintained in the
2801 auditor's report.

2802 (8) REPORT.—The corporation shall provide to the
2803 department a quarterly report that ~~to Enterprise Florida, Inc.,~~
2804 ~~which shall:~~

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2805 (a) Measures ~~Measure~~ the current vitality of the visitor
2806 industry of this state as compared to the vitality of such
2807 industry for the year to date and for comparable quarters of
2808 past years. Indicators of vitality shall be determined by the
2809 department ~~Enterprise Florida, Inc.~~, and shall include, but not
2810 be limited to, estimated visitor count and party size, length of
2811 stay, average expenditure per party, and visitor origin and
2812 destination.

2813 (b) Provides ~~Provide~~ detailed, unaudited financial
2814 statements of sources and uses of public and private funds.

2815 (c) Measures ~~Measure~~ progress towards annual goals and
2816 objectives set forth in the 4-year marketing plan.

2817 (d) Reviews ~~Review~~ all pertinent research findings.

2818 (e) Provides ~~Provide~~ other measures of accountability as
2819 requested by the department ~~Enterprise Florida, Inc.~~

2820
2821 The corporation must take all steps necessary to provide all
2822 data that is used to develop the report, including source data,
2823 to the Office of Economic and Demographic Research.

2824 (13) FOUR-YEAR MARKETING PLAN.-

2825 (a) The corporation shall, in collaboration with the
2826 department, develop a 4-year marketing plan. At a minimum, the
2827 marketing plan shall discuss the following:

2828 1. Continuation of overall tourism growth in this state.

2829 2. Expansion to new or under-represented tourist markets.

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2830 3. Maintenance of traditional and loyal tourist markets.

2831 4. Coordination of efforts with county destination
2832 marketing organizations, other local government marketing
2833 groups, privately owned attractions and destinations, and other
2834 private sector partners to create a seamless, four-season
2835 advertising campaign for the state and its regions.

2836 5. Development of innovative techniques or promotions to
2837 build repeat visitation by targeted segments of the tourist
2838 population.

2839 6. Consideration of innovative sources of state funding
2840 for tourism marketing.

2841 7. Promotion of nature-based tourism and heritage tourism.

2842 8. Development of a component to address emergency
2843 response to natural and manmade disasters from a marketing
2844 standpoint.

2845 (b) The plan shall be annual in construction and ongoing
2846 in nature. Any annual revisions of the plan shall carry forward
2847 the concepts of the remaining 3-year portion of the plan and
2848 consider a continuum portion to preserve the 4-year timeframe of
2849 the plan. The plan also shall include recommendations for
2850 specific performance standards and measurable outcomes for the
2851 corporation. The department shall base the actual performance
2852 metrics on these recommendations.

2853 (c) The 4-year marketing plan shall be annually reviewed
2854 and approved by the board of directors of the corporation.

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2855 (14) ANNUAL REPORT.-The corporation shall draft and submit
2856 to the department an annual report. The annual report shall set
2857 forth for the corporation:

2858 (a) Operations and accomplishments during the fiscal year,
2859 including the economic benefit of the state's investment and
2860 effectiveness of the marketing plan.

2861 (b) The 4-year marketing plan, including recommendations
2862 on methods for implementing and funding the plan.

2863 (c) The assets and liabilities of the corporation at the
2864 end of its most recent fiscal year.

2865 (d) A copy of the annual financial and compliance audit
2866 conducted under s. 288.1226(7).

2867 Section 63. Section 288.12265, Florida Statutes, is
2868 amended to read:

2869 288.12265 Welcome centers.-

2870 (1) Responsibility for the welcome centers is assigned to
2871 ~~Enterprise Florida, Inc., which shall contract with the Florida~~
2872 ~~Tourism Industry Marketing Corporation to employ all welcome~~
2873 ~~center staff.~~

2874 (2) The Florida Tourism Industry Marketing Corporation
2875 ~~Enterprise Florida, Inc.,~~ shall administer and operate the
2876 welcome centers and, pursuant to a contract with the Department
2877 of Transportation, ~~Enterprise Florida, Inc.,~~ shall be
2878 responsible for routine repair, replacement, or improvement and
2879 the day-to-day management of interior areas occupied by the

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2880 welcome centers. All other repairs, replacements, or
2881 improvements to the welcome centers shall be the responsibility
2882 of the Department of Transportation. ~~Enterprise Florida, Inc.,~~
2883 ~~may contract with the Florida Tourism Industry Marketing~~
2884 ~~Corporation for the management and operation of the welcome~~
2885 ~~centers.~~

2886 Section 64. Section 288.125, Florida Statutes, is
2887 repealed.

2888 Section 65. Section 288.1251, Florida Statutes, is
2889 repealed.

2890 Section 66. Section 288.1252, Florida Statutes, is
2891 repealed.

2892 Section 67. Section 288.1253, Florida Statutes, is
2893 repealed.

2894 Section 68. Section 288.1254, Florida Statutes, is
2895 repealed.

2896 Section 69. Section 288.1258, Florida Statutes, is amended
2897 to read:

2898 288.1258 Entertainment industry qualified production
2899 companies; application procedure; categories; duties of the
2900 Department of Revenue; records and reports.—

2901 (1) PRODUCTION COMPANIES AUTHORIZED TO APPLY.—

2902 (a) Any production company engaged in this state in the
2903 production of motion pictures, made-for-TV motion pictures,
2904 television series, commercial advertising, music videos, or

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2905 sound recordings may submit an application to the Department of
2906 Revenue to be approved by the department ~~Office of Film and~~
2907 ~~Entertainment~~ as a qualified production company for the purpose
2908 of receiving a sales and use tax certificate of exemption from
2909 the Department of Revenue.

2910 (b) For the purposes of this section, "qualified
2911 production company" means any production company that has
2912 submitted a properly completed application to the Department of
2913 Revenue and that is subsequently qualified by the department
2914 ~~Office of Film and Entertainment~~.

2915 (2) APPLICATION PROCEDURE.—

2916 (a) The Department of Revenue will review all submitted
2917 applications for the required information. Within 10 working
2918 days after the receipt of a properly completed application, the
2919 Department of Revenue will forward the completed application to
2920 the department ~~Office of Film and Entertainment~~ for approval.

2921 (b)1. The department ~~Office of Film and Entertainment~~
2922 shall establish a process by which an entertainment industry
2923 production company may be approved by the department ~~office~~ as a
2924 qualified production company and may receive a certificate of
2925 exemption from the Department of Revenue for the sales and use
2926 tax exemptions under ss. 212.031, 212.06, and 212.08.

2927 2. Upon determination by the department ~~Office of Film and~~
2928 ~~Entertainment~~ that a production company meets the established
2929 approval criteria and qualifies for exemption, the department

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2930 ~~Office of Film and Entertainment~~ shall return the approved
2931 application or application renewal or extension to the
2932 Department of Revenue, which shall issue a certificate of
2933 exemption.

2934 3. The department ~~Office of Film and Entertainment~~ shall
2935 deny an application or application for renewal or extension from
2936 a production company if it determines that the production
2937 company does not meet the established approval criteria.

2938 (c) The department ~~Office of Film and Entertainment~~ shall
2939 develop, with the cooperation of the Department of Revenue and
2940 local government entertainment industry promotion agencies, a
2941 standardized application form for use in approving qualified
2942 production companies.

2943 1. The application form shall include, but not be limited
2944 to, production-related information on employment, proposed
2945 budgets, planned purchases of items exempted from sales and use
2946 taxes under ss. 212.031, 212.06, and 212.08, a signed
2947 affirmation from the applicant that any items purchased for
2948 which the applicant is seeking a tax exemption are intended for
2949 use exclusively as an integral part of entertainment industry
2950 preproduction, production, or postproduction activities engaged
2951 in primarily in this state, and a signed affirmation from the
2952 department ~~Office of Film and Entertainment~~ that the information
2953 on the application form has been verified and is correct. In
2954 lieu of information on projected employment, proposed budgets,

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2955 or planned purchases of exempted items, a production company
2956 seeking a 1-year certificate of exemption may submit summary
2957 historical data on employment, production budgets, and purchases
2958 of exempted items related to production activities in this
2959 state. Any information gathered from production companies for
2960 the purposes of this section shall be considered confidential
2961 taxpayer information and shall be disclosed only as provided in
2962 s. 213.053.

2963 2. The application form may be distributed to applicants
2964 by the department ~~Office of Film and Entertainment~~ or local film
2965 commissions.

2966 (d) All applications, renewals, and extensions for
2967 designation as a qualified production company shall be processed
2968 by the department ~~Office of Film and Entertainment~~.

2969 (e) In the event that the Department of Revenue determines
2970 that a production company no longer qualifies for a certificate
2971 of exemption, or has used a certificate of exemption for
2972 purposes other than those authorized by this section and chapter
2973 212, the Department of Revenue shall revoke the certificate of
2974 exemption of that production company, and any sales or use taxes
2975 exempted on items purchased or leased by the production company
2976 during the time such company did not qualify for a certificate
2977 of exemption or improperly used a certificate of exemption shall
2978 become immediately due to the Department of Revenue, along with
2979 interest and penalty as provided by s. 212.12. In addition to

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2980 the other penalties imposed by law, any person who knowingly and
2981 willfully falsifies an application, or uses a certificate of
2982 exemption for purposes other than those authorized by this
2983 section and chapter 212, commits a felony of the third degree,
2984 punishable as provided in ss. 775.082, 775.083, and 775.084.

2985 (3) CATEGORIES.—

2986 (a)1. A production company may be qualified for
2987 designation as a qualified production company for a period of 1
2988 year if the company has operated a business in Florida at a
2989 permanent address for a period of 12 consecutive months. Such a
2990 qualified production company shall receive a single 1-year
2991 certificate of exemption from the Department of Revenue for the
2992 sales and use tax exemptions under ss. 212.031, 212.06, and
2993 212.08, which certificate shall expire 1 year after issuance or
2994 upon the cessation of business operations in the state, at which
2995 time the certificate shall be surrendered to the Department of
2996 Revenue.

2997 2. The department ~~Office of Film and Entertainment~~ shall
2998 develop a method by which a qualified production company may
2999 annually renew a 1-year certificate of exemption for a period of
3000 up to 5 years without requiring the production company to
3001 resubmit a new application during that 5-year period.

3002 3. Any qualified production company may submit a new
3003 application for a 1-year certificate of exemption upon the
3004 expiration of that company's certificate of exemption.

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3005 (b)1. A production company may be qualified for
3006 designation as a qualified production company for a period of 90
3007 days. Such production company shall receive a single 90-day
3008 certificate of exemption from the Department of Revenue for the
3009 sales and use tax exemptions under ss. 212.031, 212.06, and
3010 212.08, which certificate shall expire 90 days after issuance,
3011 with extensions contingent upon approval of the department
3012 ~~Office of Film and Entertainment~~. The certificate shall be
3013 surrendered to the Department of Revenue upon its expiration.

3014 2. Any production company may submit a new application for
3015 a 90-day certificate of exemption upon the expiration of that
3016 company's certificate of exemption.

3017 (4) DUTIES OF THE DEPARTMENT OF REVENUE.—

3018 (a) The Department of Revenue shall review the initial
3019 application and notify the applicant of any omissions and
3020 request additional information if needed. An application shall
3021 be complete upon receipt of all requested information. The
3022 Department of Revenue shall forward all complete applications to
3023 the department ~~Office of Film and Entertainment~~ within 10
3024 working days.

3025 (b) The Department of Revenue shall issue a numbered
3026 certificate of exemption to a qualified production company
3027 within 5 working days of the receipt of an approved application,
3028 application renewal, or application extension from the
3029 department ~~Office of Film and Entertainment~~.

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3030 (c) The Department of Revenue may promulgate such rules
3031 and shall prescribe and publish such forms as may be necessary
3032 to effectuate the purposes of this section or any of the sales
3033 tax exemptions which are reasonably related to the provisions of
3034 this section.

3035 (d) The Department of Revenue is authorized to establish
3036 audit procedures in accordance with the provisions of ss.
3037 212.12, 212.13, and 213.34 which relate to the sales tax
3038 exemption provisions of this section.

3039 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO INDUSTRY
3040 GROWTH; REPORT TO THE LEGISLATURE.—The department ~~Office of Film~~
3041 ~~and Entertainment~~ shall keep annual records from the information
3042 provided on taxpayer applications for tax exemption
3043 certificates. These records also must reflect a ratio of the
3044 annual amount of sales and use tax exemptions under this
3045 section, ~~plus the incentives awarded pursuant to s. 288.1254 to~~
3046 the estimated amount of funds expended by certified productions.
3047 In addition, the department ~~office~~ shall maintain data showing
3048 annual growth in Florida-based entertainment industry companies
3049 and entertainment industry employment and wages. ~~The employment~~
3050 ~~information must include an estimate of the full-time equivalent~~
3051 ~~positions created by each production that received tax credits~~
3052 ~~pursuant to s. 288.1254.~~ The department ~~Office of Film and~~
3053 ~~Entertainment~~ shall annually report ~~include~~ this information in
3054 the annual report required under s. 20.60 ~~for the entertainment~~

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3055 ~~industry financial incentive program required under s.~~
3056 ~~288.1254(10).~~

3057 Section 70. Section 288.7015, Florida Statutes, is amended
3058 to read:

3059 288.7015 Appointment of rules ombudsman; duties.—The
3060 Governor shall appoint a rules ombudsman, as defined in s.
3061 288.703, in the Executive Office of the Governor, for
3062 considering the impact of agency rules on the state's citizens
3063 and businesses. ~~In carrying out duties as provided by law, the~~
3064 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~
3065 ~~point the department may recommend to improve the regulatory~~
3066 ~~environment of this state.~~ The duties of the rules ombudsman are
3067 to:

3068 (1) Carry out the responsibility provided in s.
3069 120.54(3) (b), with respect to small businesses.

3070 (2) Review state agency rules that adversely or
3071 disproportionately impact businesses, particularly those
3072 relating to small and minority businesses.

3073 (3) Make recommendations on any existing or proposed rules
3074 to alleviate unnecessary or disproportionate adverse effects to
3075 businesses.

3076 (4) Each state agency shall cooperate fully with the rules
3077 ombudsman in identifying such rules. Further, each agency shall
3078 take the necessary steps to waive, modify, or otherwise minimize
3079 such adverse effects of any such rules. However, nothing in this

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3080 section authorizes any state agency to waive, modify, provide
3081 exceptions to, or otherwise alter any rule that is:

3082 (a) Expressly required to implement or enforce any
3083 statutory provision or the express legislative intent thereof;

3084 (b) Designed to protect persons against discrimination on
3085 the basis of race, color, national origin, religion, sex, age,
3086 handicap, or marital status; or

3087 (c) Likely to prevent a significant risk or danger to the
3088 public health, the public safety, or the environment of the
3089 state.

3090 (5) The modification or waiver of any such rule pursuant
3091 to this section must be accomplished in accordance with the
3092 provisions of chapter 120.

3093 Section 71. Subsection (11) of section 288.706, Florida
3094 Statutes, is amended to read:

3095 288.706 Florida Minority Business Loan Mobilization
3096 Program.—

3097 (11) The Department of Management Services shall
3098 collaborate with ~~Enterprise Florida, Inc.,~~ and the department to
3099 assist in the development and enhancement of black business
3100 enterprises.

3101 Section 72. Subsection (1) of section 288.773, Florida
3102 Statutes, is amended to read:

3103 288.773 Florida Export Finance Corporation.—The Florida
3104 Export Finance Corporation is hereby created as a corporation

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3105 not for profit, to be incorporated under the provisions of
3106 chapter 617 and approved by the Department of State. The
3107 corporation is organized on a nonstock basis. The purpose of the
3108 corporation is to expand employment and income opportunities for
3109 residents of this state through increased exports of goods and
3110 services, by providing businesses domiciled in this state
3111 information and technical assistance on export opportunities,
3112 exporting techniques, and financial assistance through
3113 guarantees and direct loan originations for sale in support of
3114 export transactions. The corporation shall have the power and
3115 authority to carry out the following functions:

3116 (1) To coordinate the efforts of the corporation with
3117 programs and goals of the United States Export-Import Bank, the
3118 International Trade Administration of the United States
3119 Department of Commerce, the Foreign Credit Insurance
3120 Association, the department ~~Enterprise Florida, Inc.~~, and other
3121 private and public programs and organizations, domestic and
3122 foreign, designed to provide export assistance and export-
3123 related financing.

3124 Section 73. Paragraph (a) of subsection (1) and paragraphs
3125 (a), (c), and (g) of subsection (3) of section 288.776, Florida
3126 Statutes, are amended to read:

3127 288.776 Board of directors; powers and duties.—

3128 (1)(a) The corporation shall have a board of directors
3129 consisting of 15 members representing all geographic areas of

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3130 the state. Minority and gender representation must be considered
3131 when making appointments to the board. The board membership must
3132 include:

3133 1. A representative of the following businesses, all of
3134 which must be registered to do business in this state: a foreign
3135 bank, a state bank, a federal bank, an insurance company
3136 involved in covering trade financing risks, and a small or
3137 medium-sized exporter.

3138 2. The following persons or their designee: the Secretary
3139 of Commerce ~~the President of Enterprise Florida, Inc.~~, the Chief
3140 Financial Officer, the Secretary of State, and a senior official
3141 of the United States Department of Commerce.

3142 (3) The board shall:

3143 (a) Prior to the expenditure of funds from the export
3144 finance account, adopt bylaws and policies which are necessary
3145 to carry out the responsibilities under this part, particularly
3146 with respect to the implementation of the corporation's programs
3147 to insure, coinsure, lend, provide loan guarantees, and make
3148 direct, guaranteed, or collateralized loans by the corporation
3149 to support export transactions. The corporation's bylaws and
3150 policies shall be reviewed and approved by the department
3151 ~~Enterprise Florida, Inc.~~, prior to final adoption by the board.

3152 (c) Issue an annual report to the department ~~Enterprise~~
3153 ~~Florida, Inc.~~, on the activities of the corporation, including
3154 an evaluation of activities and recommendations for change. The

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3155 evaluation shall include the corporation's impact on the
3156 following:

3157 1. Participation of private banks and other private
3158 organizations and individuals in the corporation's export
3159 financing programs.

3160 2. Access of small and medium-sized businesses in this
3161 state to federal export financing programs.

3162 3. Export volume of the small and medium-sized businesses
3163 in this state accessing the corporation's programs.

3164 4. Other economic and social benefits to international
3165 programs in this state.

3166 (g) Consult with the department ~~Enterprise Florida, Inc.~~,
3167 or any state or federal agency, to ensure that the respective
3168 loan guarantee or working capital loan origination programs are
3169 not duplicative and that each program makes full use of, to the
3170 extent practicable, the resources of the other.

3171 Section 74. Section 288.7771, Florida Statutes, is amended
3172 to read:

3173 288.7771 Annual report of Florida Export Finance
3174 Corporation.—The corporation shall annually prepare and submit
3175 to the department ~~Enterprise Florida, Inc.~~, for inclusion in its
3176 annual report required under s. 20.60 ~~s. 288.906~~, a complete and
3177 detailed report setting forth:

3178 (1) The report required in s. 288.776(3).

3179 (2) Its assets and liabilities at the end of its most

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3180 recent fiscal year.

3181 Section 75. Subsections (4) and (6) of section 288.816,
3182 Florida Statutes, are amended to read:

3183 288.816 Intergovernmental relations.—

3184 (4) The state protocol officer shall serve as a contact
3185 for the state with the Florida Washington Office, the Florida
3186 Congressional Delegation, and United States Government agencies
3187 with respect to laws or policies which may affect the interests
3188 of the state in the area of international relations. All
3189 inquiries received regarding international economic trade
3190 development or reverse investment opportunities shall be
3191 referred to the department ~~Enterprise Florida, Inc.~~ In addition,
3192 the state protocol officer shall serve as liaison with other
3193 states with respect to international programs of interest to
3194 Florida. The state protocol officer shall also investigate and
3195 make suggestions regarding possible areas of joint action or
3196 regional cooperation with these states.

3197 (6) The department ~~and Enterprise Florida, Inc.,~~ shall
3198 help to contribute an international perspective to the state's
3199 development efforts.

3200 Section 76. Section 288.826, Florida Statutes, is amended
3201 to read:

3202 288.826 Florida International Trade and Promotion Trust
3203 Fund.— There is hereby established in the State Treasury the
3204 Florida International Trade and Promotion Trust Fund. The moneys

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3205 deposited into this trust fund shall be administered by the
3206 department for the operation of the direct-support organization
3207 created pursuant to s. 288.012 Enterprise Florida, Inc., and for
3208 the operation of Florida international offices under s. 288.012.

3209 Section 77. Section 288.901, Florida Statutes, is
3210 repealed.

3211 Section 78. Section 288.9015, Florida Statutes, is
3212 repealed.

3213 Section 79. Section 288.903, Florida Statutes, is
3214 repealed.

3215 Section 80. Section 288.904, Florida Statutes, is
3216 repealed.

3217 Section 81. Section 288.905, Florida Statutes, is
3218 repealed.

3219 Section 82. Section 288.906, Florida Statutes, is
3220 repealed.

3221 Section 83. Section 288.907, Florida Statutes, is
3222 transferred, renumbered as section 288.0065, Florida Statutes,
3223 and amended to read:

3224 288.0065 ~~288.907~~ Annual incentives report.—By December 30
3225 of each year, ~~Enterprise Florida, Inc.~~, in conjunction with the
3226 department, shall provide the Governor, the President of the
3227 Senate, and the Speaker of the House of Representatives a
3228 detailed incentives report quantifying the economic benefits for
3229 all of the economic development incentive programs administered

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3230 by the department and its direct-support organizations and
3231 public-private partnersihps marketed by Enterprise Florida, Inc.

3232 The annual incentives report must include:

3233 (1) For each incentive program:

3234 (a) A brief description of the incentive program.

3235 (b) The amount of awards granted, by year, since inception
3236 and the annual amount actually transferred from the state
3237 treasury to businesses or for the benefit of businesses for each
3238 of the previous 3 years.

3239 ~~(c) The actual amount of private capital invested, actual~~
3240 ~~number of jobs created, and actual wages paid for incentive~~
3241 ~~agreements completed during the previous 3 years for each target~~
3242 ~~industry sector.~~

3243 (2) For projects completed during the previous state
3244 fiscal year:

3245 (a) The number of economic development incentive
3246 applications received.

3247 ~~(b) The number of recommendations made to the department~~
3248 ~~by Enterprise Florida, Inc., including the number recommended~~
3249 ~~for approval and the number recommended for denial.~~

3250 (b)-(e) The number of final decisions issued by the
3251 department for approval and for denial.

3252 (c)-(d) The projects for which a tax refund, tax credit, or
3253 cash grant agreement was executed, identifying for each project:

3254 1. The number of jobs committed to be created.

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- 3255 2. The amount of capital investments committed to be made.
- 3256 3. The annual average wage committed to be paid.
- 3257 4. The amount of state economic development incentives
- 3258 committed to the project from each incentive program under the
- 3259 project's terms of agreement with the Department of Commerce
- 3260 ~~Economic Opportunity~~.
- 3261 5. The amount and type of local matching funds committed
- 3262 to the project.
- 3263 ~~(e) Tax refunds paid or other payments made funded out of~~
- 3264 ~~the Economic Development Incentives Account for each project.~~
- 3265 (d)~~(f)~~ The types of projects supported.
- 3266 (3) For economic development projects that received tax
- 3267 refunds, tax credits, or cash grants under the terms of an
- 3268 agreement for incentives:
- 3269 (a) The number of jobs actually created.
- 3270 (b) The amount of capital investments actually made.
- 3271 (c) The annual average wage paid.
- 3272 (4) For a project receiving economic development
- 3273 incentives approved by the department and receiving federal or
- 3274 local incentives, a description of the federal or local
- 3275 incentives, if available.
- 3276 (5) The number of withdrawn or terminated projects that
- 3277 did not fulfill the terms of their agreements with the
- 3278 department and, consequently, are not receiving incentives.
- 3279 ~~(6) For any agreements signed after July 1, 2010, findings~~

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3280 ~~and recommendations on the efforts of the department to~~
3281 ~~ascertain the causes of any business's inability to complete its~~
3282 ~~agreement made under s. 288.106.~~

3283 ~~(6)-(7)~~ The amount of tax refunds, tax credits, or other
3284 payments made to projects locating or expanding in state
3285 enterprise zones, rural communities, brownfield areas, or
3286 distressed urban communities. The report must include a separate
3287 analysis of the impact of such tax refunds on state enterprise
3288 zones designated under s. 290.0065, rural communities,
3289 brownfield areas, and distressed urban communities.

3290 ~~(8)~~ ~~The name of and tax refund amount for each business~~
3291 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~
3292 ~~during the preceding fiscal year.~~

3293 ~~(7)-(9)~~ An identification of the ~~target industry businesses~~
3294 ~~and high-impact businesses.~~

3295 ~~(8)-(10)~~ A description of the trends relating to business
3296 interest in, and usage of, the various incentives, and the
3297 number of minority-owned or woman-owned businesses receiving
3298 incentives.

3299 ~~(9)-(11)~~ An identification of incentive programs not used
3300 and recommendations for program changes or program elimination.

3301 ~~(10)-(12)~~ Information related to the validation of
3302 contractor performance required under s. 288.061.

3303 ~~(13)~~ ~~Beginning in 2014, A summation of the activities~~
3304 ~~related to the Florida Space Business Incentives Act.~~

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3305 Section 84. Section 288.911, Florida Statutes, is
3306 repealed.

3307 Section 85. Section 288.912, Florida Statutes, is
3308 transferred, renumbered as section 288.007, Florida Statutes,
3309 and amended to read:

3310 288.007 ~~288.912~~ Inventory of communities seeking to
3311 recruit businesses.—By September 30 of each year, a county or
3312 municipality that has a population of at least 25,000 or its
3313 local economic development organization must submit to the
3314 department ~~Enterprise Florida, Inc.~~, a brief overview of the
3315 strengths, services, and economic development incentives that
3316 its community offers. The local government or its local economic
3317 development organization also must identify any industries that
3318 it is encouraging to locate or relocate to its area. A county or
3319 municipality having a population of 25,000 or fewer or its local
3320 economic development organization seeking to recruit businesses
3321 may submit information as required in this section and may
3322 participate in any activity or initiative resulting from the
3323 collection, analysis, and reporting of the information to the
3324 department ~~Enterprise Florida, Inc.~~, pursuant to this section.

3325 Section 86. Section 288.92, Florida Statutes, is repealed.

3326 Section 87. Section 288.923, Florida Statutes, is
3327 repealed.

3328 Section 88. Section 288.95155, Florida Statutes, is
3329 repealed.

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3330 Section 89. Section 288.9519, Florida Statutes, is
3331 repealed.

3332 Section 90. Section 288.9520, Florida Statutes, is amended
3333 to read:

3334 288.9520 Public records exemption.—Materials that relate
3335 to methods of manufacture or production, potential trade
3336 secrets, potentially patentable material, actual trade secrets,
3337 business transactions, financial and proprietary information,
3338 and agreements or proposals to receive funding that are
3339 received, generated, ascertained, or discovered by the
3340 department Enterprise Florida, Inc., including its affiliates or
3341 subsidiaries and partnership participants, such as private
3342 enterprises, educational institutions, and other organizations,
3343 are confidential and exempt from the provisions of s. 119.07(1)
3344 and s. 24(a), Art. I of the State Constitution, except that a
3345 recipient of department Enterprise Florida, Inc., research funds
3346 shall make available, upon request, the title and description of
3347 the research project, the name of the researcher, and the amount
3348 and source of funding provided for the project.

3349 Section 91. Section 288.955, Florida Statutes, is
3350 repealed.

3351 Section 92. Subsection (10) of section 288.9603, Florida
3352 Statutes, is amended to read:

3353 288.9603 Definitions.—

3354 (10) "Partnership" means the department Enterprise

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3355 ~~Florida, Inc.~~

3356 Section 93. Paragraph (v) of subsection (2) of section
3357 288.9605, Florida Statutes, is amended to read:

3358 288.9605 Corporation powers.—

3359 (2) The corporation is authorized and empowered to:

3360 (v) Enter into investment agreements with the department
3361 ~~Enterprise Florida, Inc.~~, concerning the issuance of bonds and
3362 other forms of indebtedness and capital.

3363 Section 94. Section 288.9614, Florida Statutes, is amended
3364 to read:

3365 288.9614 Authorized programs.—The department ~~Enterprise~~
3366 ~~Florida, Inc.~~, may take any action that it deems necessary to
3367 achieve the purposes of this act in partnership with private
3368 enterprises, public agencies, and other organizations,
3369 including, but not limited to, efforts to address the long-term
3370 debt needs of small-sized and medium-sized firms, to address the
3371 needs of microenterprises, to expand availability of venture
3372 capital, and to increase international trade and export finance
3373 opportunities for firms critical to achieving the purposes of
3374 this act.

3375 Section 95. Paragraphs (a) and (b) of subsection (1) of
3376 section 288.9624, Florida Statutes, are amended to read:

3377 288.9624 Florida Opportunity Fund; creation; duties.—

3378 (1) (a) ~~Enterprise Florida, Inc.~~, shall facilitate the
3379 ~~creation of~~ The Florida Opportunity Fund is, a private, not-for-

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3380 profit corporation organized and operated under chapter 617.
3381 ~~Enterprise Florida, Inc., shall be the fund's sole shareholder~~
3382 ~~or member.~~ The fund is not a public corporation or
3383 instrumentality of the state. The fund shall manage its business
3384 affairs and conduct business consistent with its organizational
3385 documents and the purposes set forth in this section and under
3386 contract with the department. Notwithstanding the powers granted
3387 under chapter 617, the corporation may not amend, modify, or
3388 repeal a bylaw or article of incorporation without the express
3389 written consent of the department ~~Enterprise Florida, Inc.~~

3390 (b) The board of directors of the Florida Opportunity Fund
3391 shall have five members, appointed by the Governor ~~vote of the~~
3392 ~~board of directors of Enterprise Florida, Inc.~~ Board members
3393 shall serve terms as provided in the fund's organizational
3394 documents. Within 90 days before an anticipated vacancy by
3395 expiration of the term of a board member, the board of directors
3396 of the fund shall submit a list of three eligible nominees,
3397 which may include the incumbent, to the Governor. The Governor
3398 ~~board of directors of Enterprise Florida, Inc.~~ ~~The board of~~
3399 ~~directors of Enterprise Florida, Inc.,~~ may appoint a board
3400 member from the nominee list or may request and appoint from a
3401 new list of three nominees not included on the previous list.

3402 Section 96. Paragraph (c) of subsection (4) of section
3403 288.96255, Florida Statutes, is amended to read:

3404 288.96255 Florida Technology Seed Capital Fund; creation;

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3405 duties.-

3406 (4) The private fund manager shall use a thorough and
3407 detailed process that is modeled after investment industry
3408 practices to evaluate a proposal. In order to approve a company
3409 for investment, the private fund manager, on behalf of the
3410 institute, must consider if:

3411 (c) The company is a target industry business as defined
3412 in s. 288.005(6) ~~s. 288.106(2)~~; and

3413 Section 97. Paragraph (b) of subsection (1) of section
3414 288.980, Florida Statutes, is amended to read:

3415 288.980 Military base retention; legislative intent;
3416 grants program.-

3417 (1)

3418 (b) The Florida Defense Alliance, an organization within
3419 the department ~~Enterprise Florida, Inc.~~, is designated as the
3420 organization to ensure that Florida, its resident military bases
3421 and missions, and its military host communities are in
3422 competitive positions as the United States continues its defense
3423 realignment and downsizing. The defense alliance shall serve as
3424 an overall advisory body for defense-related activity of the
3425 department ~~Enterprise Florida, Inc.~~. The Florida Defense Alliance
3426 may receive funding from appropriations made for that purpose
3427 administered by the department.

3428 Section 98. Subsection (7) of section 288.987, Florida
3429 Statutes, is amended to read:

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3430 288.987 Florida Defense Support Task Force.—

3431 (7) The department shall support the task force and
3432 contract with the task force for expenditure of appropriated
3433 funds, which may be used by the task force for economic and
3434 product research and development, joint planning with host
3435 communities to accommodate military missions and prevent base
3436 encroachment, advocacy on the state's behalf with federal
3437 civilian and military officials, assistance to school districts
3438 in providing a smooth transition for large numbers of additional
3439 military-related students, job training and placement for
3440 military spouses in communities with high proportions of active
3441 duty military personnel, and promotion of the state to military
3442 and related contractors and employers. The task force may
3443 annually spend up to \$250,000 of funds appropriated to the
3444 department for the task force for staffing and administrative
3445 expenses of the task force, including travel and per diem costs
3446 incurred by task force members who are not otherwise eligible
3447 for state reimbursement.

3448 Section 99. Section 288.991, Florida Statutes, is
3449 repealed.

3450 Section 100. Section 288.9912, Florida Statutes, is
3451 repealed.

3452 Section 101. Section 288.9913, Florida Statutes, is
3453 repealed.

3454 Section 102. Section 288.9914, Florida Statutes, is

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3455 repealed.
3456 Section 103. Section 288.9915, Florida Statutes, is
3457 repealed.
3458 Section 104. Section 288.9916, Florida Statutes, is
3459 repealed.
3460 Section 105. Section 288.9917, Florida Statutes, is
3461 repealed.
3462 Section 106. Section 288.9918, Florida Statutes, is
3463 repealed.
3464 Section 107. Section 288.9919, Florida Statutes, is
3465 repealed.
3466 Section 108. Section 288.9920, Florida Statutes, is
3467 repealed.
3468 Section 109. Section 288.9921, Florida Statutes, is
3469 repealed.
3470 Section 110. Section 288.9922, Florida Statutes, is
3471 repealed.
3472 Section 111. Section 288.993, Florida Statutes, is
3473 repealed.
3474 Section 112. Section 288.9931, Florida Statutes, is
3475 repealed.
3476 Section 113. Section 288.9932, Florida Statutes, is
3477 repealed.
3478 Section 114. Section 288.9933, Florida Statutes, is
3479 repealed.

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3480 Section 115. Section 288.9934, Florida Statutes, is
3481 repealed.

3482 Section 116. Section 288.9935, Florida Statutes, is
3483 repealed.

3484 Section 117. Section 288.9936, Florida Statutes, is
3485 repealed.

3486 Section 118. Section 288.9937, Florida Statutes, is
3487 repealed.

3488 Section 119. Subsection (3) of section 288.9961, Florida
3489 Statutes, is amended to read:

3490 288.9961 Promotion of broadband adoption; Florida Office
3491 of Broadband.—

3492 (3) STATE AGENCY.—The department is designated as the lead
3493 state agency to facilitate the expansion of broadband Internet
3494 service in this state. The department shall work collaboratively
3495 with private businesses and receive staffing support and other
3496 resources from ~~Enterprise Florida, Inc.~~, state agencies, local
3497 governments, and community organizations.

3498 Section 120. Paragraph (h) of subsection (8) of section
3499 290.0056, Florida Statutes, is amended to read:

3500 290.0056 Enterprise zone development agency.—

3501 (8) The enterprise zone development agency shall have the
3502 following powers and responsibilities:

3503 (h) To work with the department ~~and Enterprise Florida,~~
3504 ~~Inc.~~ to ensure that the enterprise zone coordinator receives

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3505 training on an annual basis.

3506 Section 121. Paragraph (b) of subsection (4) and
3507 subsection (7) of section 290.0065, Florida Statutes, are
3508 amended to read:

3509 290.0065 State designation of enterprise zones.—

3510 (4)

3511 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The
3512 department shall, based on the enterprise zone profile and the
3513 grounds for redesignation expressed in the resolution, determine
3514 whether the enterprise zone merits redesignation. The department
3515 may also examine and consider the following:

3516 1. Progress made, if any, in the enterprise zone's
3517 strategic plan.

3518 2. Use of enterprise zone incentives during the life of
3519 the enterprise zone.

3520

3521 If the department determines that the enterprise zone merits
3522 redesignation, the department shall notify the governing body in
3523 writing of its approval of redesignation.

3524 (7) Upon approval by the department of a resolution
3525 authorizing an area to be an enterprise zone pursuant to this
3526 section, the department shall assign a unique identifying number
3527 to that resolution. The department shall provide the Department
3528 of Revenue ~~and Enterprise Florida, Inc.,~~ with a copy of each
3529 resolution approved, together with its identifying number.

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3530 Section 122. Section 290.00677, Florida Statutes, is
3531 amended to read:

3532 290.00677 Rural enterprise zones; special qualifications.—

3533 (1) Notwithstanding the enterprise zone residency
3534 requirements set out in s. 212.096(1)(c), eligible businesses as
3535 defined in s. 212.096(1)(a) located in rural enterprise zones as
3536 defined in s. 290.004 may receive the basic minimum credit
3537 provided under s. 212.096 for creating a new job and hiring a
3538 person residing within the jurisdiction of a rural community ~~as~~
3539 ~~defined in s. 288.106(2)~~. All other provisions of s. 212.096,
3540 including, but not limited to, those relating to the award of
3541 enhanced credits, apply to such businesses.

3542 (2) Notwithstanding the enterprise zone residency
3543 requirements set out in s. 220.03(1)(q), businesses as defined
3544 in s. 220.03(1)(c) located in rural enterprise zones as defined
3545 in s. 290.004 may receive the basic minimum credit provided
3546 under s. 220.181 for creating a new job and hiring a person
3547 residing within the jurisdiction of a rural community ~~as defined~~
3548 ~~in s. 288.106(2)~~. All other provisions of s. 220.181, including,
3549 but not limited to, those relating to the award of enhanced
3550 credits, apply to such businesses.

3551 (3) As used in this section, the term "rural community"
3552 means:

3553 (a) A county having a population of 75,000 or fewer.

3554 (b) A county having a population of 125,000 or fewer that

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3555 is contiguous to a county having a population of 75,000 or
3556 fewer.

3557 (c) A municipality within a county described in paragraph
3558 (a) or paragraph (b).

3559

3560 For purposes of this subsection, population shall be determined
3561 in accordance with the most recent official estimate pursuant to
3562 s. 186.901.

3563 Section 123. Subsections (3) and (4) of section 290.053,
3564 Florida Statutes, are amended to read:

3565 290.053 Response to economic emergencies in small
3566 communities.—

3567 (3) A local government entity shall notify the Governor
3568 ~~and~~ the Department of Commerce ~~Economic Opportunity, and~~
3569 ~~Enterprise Florida, Inc.,~~ when one or more of the conditions
3570 specified in subsection (2) have occurred or will occur if
3571 action is not taken to assist the local governmental entity or
3572 the affected community.

3573 (4) Upon notification that one or more of the conditions
3574 described in subsection (2) exist, the Governor or his or her
3575 designee shall contact the local governmental entity to
3576 determine what actions have been taken by the local governmental
3577 entity or the affected community to resolve the economic
3578 emergency. The Governor may waive the eligibility criteria of
3579 any program or activity administered by the Department of

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3580 ~~Commerce Economic Opportunity or Enterprise Florida, Inc.,~~ to
3581 provide economic relief to the affected community by granting
3582 participation in such programs or activities. The Governor shall
3583 consult with the President of the Senate and the Speaker of the
3584 House of Representatives and shall take other action, as
3585 necessary, to resolve the economic emergency in the most
3586 expedient manner possible. All actions taken pursuant to this
3587 section shall be within current appropriations and shall have no
3588 annualized impact beyond normal growth.

3589 Section 124. Paragraph (d) of subsection (3) and
3590 subsection (4) of section 295.22, Florida Statutes, are amended
3591 to read:

3592 295.22 Veterans Employment and Training Services Program.—

3593 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall
3594 administer the Veterans Employment and Training Services Program
3595 and perform all of the following functions:

3596 (d) Create a grant program to provide funding to assist
3597 veterans in meeting the workforce-skill needs of businesses
3598 seeking to hire, promote, or generally improve specialized
3599 skills of veterans, establish criteria for approval of requests
3600 for funding, and maximize the use of funding for this program.
3601 Grant funds may be used only in the absence of available
3602 veteran-specific federally funded programs. Grants may fund
3603 specialized training specific to a particular business.

3604 1. If grant funds are used to provide a technical

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3605 certificate, a licensure, or a degree, funds may be allocated
3606 only upon a review that includes, but is not limited to,
3607 documentation of accreditation and licensure. Instruction funded
3608 through the program terminates when participants demonstrate
3609 competence at the level specified in the request but may not
3610 exceed 12 months. Preference shall be given to ~~target industry~~
3611 ~~businesses, as defined in s. 288.106,~~ and to businesses in the
3612 defense supply, cloud virtualization, or commercial aviation
3613 manufacturing industries.

3614 2. Costs and expenditures shall be limited to \$8,000 per
3615 veteran trainee. Qualified businesses must cover the entire cost
3616 for all of the training provided before receiving reimbursement
3617 from the corporation equal to 50 percent of the cost to train a
3618 veteran who is a permanent, full-time employee. Eligible costs
3619 and expenditures include:

- 3620 a. Tuition and fees.
- 3621 b. Books and classroom materials.
- 3622 c. Rental fees for facilities.

3623 3. Before funds are allocated for a request pursuant to
3624 this section, the corporation shall prepare a grant agreement
3625 between the business requesting funds and the corporation. Such
3626 agreement must include, but need not be limited to:

- 3627 a. Identification of the personnel necessary to conduct
3628 the instructional program, instructional program description,
3629 and any vendors used to conduct the instructional program.

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- 3630 b. Identification of the estimated duration of the
3631 instructional program.
- 3632 c. Identification of all direct, training-related costs.
- 3633 d. Identification of special program requirements that are
3634 not otherwise addressed in the agreement.
- 3635 e. Permission to access aggregate information specific to
3636 the wages and performance of participants upon the completion of
3637 instruction for evaluation purposes. The agreement must specify
3638 that any evaluation published subsequent to the instruction may
3639 not identify the employer or any individual participant.
- 3640 4. A business may receive a grant under the Quick-Response
3641 Training Program created under s. 288.047 and a grant under this
3642 section for the same veteran trainee. If a business receives
3643 funds under both programs, one grant agreement may be entered
3644 into with CareerSource Florida, Inc., as the grant
3645 administrator.
- 3646 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC.—Enterprise Florida,~~
3647 ~~Inc., shall provide information about the corporation and its~~
3648 ~~services to prospective, new, expanding, and relocating~~
3649 ~~businesses seeking to conduct business in this state. Enterprise~~
3650 ~~Florida, Inc., shall, to the greatest extent possible,~~
3651 ~~collaborate with the corporation to meet the employment needs,~~
3652 ~~including meeting the job-creation requirements, of any business~~
3653 ~~receiving assistance or services from Enterprise Florida, Inc.~~
- 3654 Section 125. Paragraph (a) of subsection (6), paragraph

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3655 (b) of subsection (9), paragraph (a) of subsection (34),
3656 subsection (57), and paragraph (b) of subsection (61) of section
3657 320.08058, Florida Statutes, are amended to read:

3658 320.08058 Specialty license plates.—

3659 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
3660 PLATES.—

3661 (a) Because the United States Olympic Committee has
3662 selected this state to participate in a combined fundraising
3663 program that provides for one-half of all money raised through
3664 volunteer giving to stay in this state and be administered by
3665 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, to
3666 support amateur sports, and because the United States Olympic
3667 Committee and the Florida Sports Foundation ~~Enterprise Florida,~~
3668 ~~Inc.~~ are nonprofit organizations dedicated to providing
3669 athletes with support and training and preparing athletes of all
3670 ages and skill levels for sports competition, and because the
3671 Florida Sports Foundation ~~Enterprise Florida, Inc.~~, assists in
3672 the bidding for sports competitions that provide significant
3673 impact to the economy of this state, and the Legislature
3674 supports the efforts of the United States Olympic Committee and
3675 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, the
3676 Legislature establishes a Florida United States Olympic
3677 Committee license plate for the purpose of providing a
3678 continuous funding source to support this worthwhile effort.
3679 Florida United States Olympic Committee license plates must

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3680 contain the official United States Olympic Committee logo and
3681 must bear a design and colors that are approved by the
3682 department. The word "Florida" must be centered at the top of
3683 the plate.

3684 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

3685 (b) The license plate annual use fees are to be annually
3686 distributed as follows:

3687 1. Fifty-five percent of the proceeds from the Florida
3688 Professional Sports Team plate must be deposited into the
3689 Professional Sports Development Trust Fund within the Department
3690 of Commerce ~~Economic Opportunity~~. These funds must be used
3691 solely to attract and support major sports events in this state.
3692 As used in this subparagraph, the term "major sports events"
3693 means, but is not limited to, championship or all-star contests
3694 of Major League Baseball, the National Basketball Association,
3695 the National Football League, the National Hockey League, Major
3696 League Soccer, the men's and women's National Collegiate
3697 Athletic Association Final Four basketball championship, or a
3698 horseracing or dogracing Breeders' Cup. All funds must be used
3699 to support and promote major sporting events, and the uses must
3700 be approved by the Department of Commerce ~~Economic Opportunity~~.

3701 2. The remaining proceeds of the Florida Professional
3702 Sports Team license plate must be allocated to the Florida
3703 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be
3704 deposited into the Professional Sports Development Trust Fund

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3705 within the Department of Economic Opportunity. These funds must
3706 be used by the Florida Sports Foundation ~~Enterprise Florida,~~
3707 ~~Inc.,~~ to promote the economic development of the sports
3708 industry; to distribute licensing and royalty fees to
3709 participating professional sports teams; to promote education
3710 programs in Florida schools that provide an awareness of the
3711 benefits of physical activity and nutrition standards; to
3712 partner with the Department of Education and the Department of
3713 Health to develop a program that recognizes schools whose
3714 students demonstrate excellent physical fitness or fitness
3715 improvement; to institute a grant program for communities
3716 bidding on minor sporting events that create an economic impact
3717 for the state; to distribute funds to Florida-based charities
3718 designated by the Florida Sports Foundation ~~Enterprise Florida,~~
3719 ~~Inc.,~~ and the participating professional sports teams; and to
3720 fulfill the sports promotion responsibilities of the Department
3721 of Economic Opportunity.

3722 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~
3723 shall provide an annual financial audit in accordance with s.
3724 215.981 of its financial accounts and records by an independent
3725 certified public accountant pursuant to the contract established
3726 by the Department of Economic Opportunity. The auditor shall
3727 submit the audit report to the Department of Commerce ~~Economic~~
3728 ~~Opportunity~~ for review and approval. If the audit report is
3729 approved, the Department of Commerce ~~Economic Opportunity~~ shall

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3730 certify the audit report to the Auditor General for review.

3731 4. Notwithstanding the provisions of subparagraphs 1. and
3732 2., proceeds from the Professional Sports Development Trust Fund
3733 may also be used for operational expenses of the Florida Sports
3734 Foundation ~~Enterprise Florida, Inc.~~, and financial support of
3735 the Sunshine State Games.

3736 (34) FLORIDA GOLF LICENSE PLATES.—

3737 (a) The Department of Highway Safety and Motor Vehicles
3738 shall develop a Florida Golf license plate as provided in this
3739 section. The word "Florida" must appear at the bottom of the
3740 plate. The Dade Amateur Golf Association, following consultation
3741 with the Florida Sports Foundation and the PGA TOUR, ~~Enterprise~~
3742 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a
3743 revised sample plate for consideration by the department.

3744 (57) FLORIDA NASCAR LICENSE PLATES.—

3745 (a) The department shall develop a Florida NASCAR license
3746 plate as provided in this section. Florida NASCAR license plates
3747 must bear the colors and design approved by the department. The
3748 word "Florida" must appear at the top of the plate, and the term
3749 "NASCAR" must appear at the bottom of the plate. The National
3750 Association for Stock Car Auto Racing, following consultation
3751 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
3752 submit a sample plate for consideration by the department.

3753 (b) The license plate annual use fees shall be distributed
3754 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The

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3755 license plate annual use fees shall be annually allocated as
3756 follows:

3757 1. Up to 5 percent of the proceeds from the annual use
3758 fees may be used by the Florida Sports Foundation ~~Enterprise~~
3759 ~~Florida, Inc.,~~ for the administration of the NASCAR license
3760 plate program.

3761 2. The National Association for Stock Car Auto Racing
3762 shall receive up to \$60,000 in proceeds from the annual use fees
3763 to be used to pay startup costs, including costs incurred in
3764 developing and issuing the plates. Thereafter, 10 percent of the
3765 proceeds from the annual use fees shall be provided to the
3766 association for the royalty rights for the use of its marks.

3767 3. The remaining proceeds from the annual use fees shall
3768 be distributed to the Florida Sports Foundation ~~Enterprise~~
3769 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~
3770 ~~Inc.,~~ will retain 15 percent to support its regional grant
3771 program, attracting sporting events to Florida; 20 percent to
3772 support the marketing of motorsports-related tourism in the
3773 state; and 50 percent to be paid to the NASCAR Foundation, a s.
3774 501(c)(3) charitable organization, to support Florida-based
3775 charitable organizations.

3776 (c) The Florida Sports Foundation ~~Enterprise Florida,~~
3777 ~~Inc.,~~ shall provide an annual financial audit in accordance with
3778 s. 215.981 of its financial accounts and records by an
3779 independent certified public accountant pursuant to the contract

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3780 established by the Department of Commerce as specified in s.
3781 288.1229(5) ~~Economic Opportunity~~. The auditor shall submit the
3782 audit report to the Department of Commerce ~~Economic Opportunity~~
3783 for review and approval. If the audit report is approved, the
3784 Department of Commerce ~~Economic Opportunity~~ shall certify the
3785 audit report to the Auditor General for review.

3786 (61) FLORIDA TENNIS LICENSE PLATES.—

3787 (b) The department shall distribute the annual use fees to
3788 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
3789 license plate annual use fees shall be annually allocated as
3790 follows:

3791 1. Up to 5 percent of the proceeds from the annual use
3792 fees may be used by the Florida Sports Foundation ~~Enterprise~~
3793 ~~Florida, Inc.~~, to administer the license plate program.

3794 2. The United States Tennis Association Florida Section
3795 Foundation shall receive the first \$60,000 in proceeds from the
3796 annual use fees to reimburse it for startup costs,
3797 administrative costs, and other costs it incurs in the
3798 development and approval process.

3799 3. Up to 5 percent of the proceeds from the annual use
3800 fees may be used for promoting and marketing the license plates.
3801 The remaining proceeds shall be available for grants by the
3802 United States Tennis Association Florida Section Foundation to
3803 nonprofit organizations to operate youth tennis programs and
3804 adaptive tennis programs for special populations of all ages,

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3805 and for building, renovating, and maintaining public tennis
3806 courts.

3807 Section 126. Subsections (2), (3), and (6) of section
3808 331.3051, Florida Statutes, are amended to read:

3809 331.3051 Duties of Space Florida.—Space Florida shall:

3810 (2) Enter into agreement with the Department of Education,
3811 the Department of Transportation, the Department of Commerce
3812 ~~Enterprise Florida, Inc.~~, and CareerSource Florida, Inc., for
3813 the purpose of implementing this act.

3814 (3) In cooperation with the Department of Commerce
3815 ~~Enterprise Florida, Inc.~~, develop a plan to retain, expand,
3816 attract, and create aerospace industry entities, public or
3817 private, which results in the creation of high-value-added
3818 businesses and jobs in this state.

3819 (6) Develop, in cooperation with the Department of
3820 Commerce ~~Enterprise Florida, Inc.~~, a plan to provide financing
3821 assistance to aerospace businesses. The plan may include the
3822 following activities:

3823 (a) Assembling, publishing, and disseminating information
3824 concerning financing opportunities and techniques for aerospace
3825 projects, programs, and activities; sources of public and
3826 private aerospace financing assistance; and sources of
3827 aerospace-related financing.

3828 (b) Organizing, hosting, and participating in seminars and
3829 other forums designed to disseminate information and technical

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3830 assistance regarding aerospace-related financing.

3831 (c) Coordinating with programs and goals of the Department
3832 of Defense, the National Aeronautics and Space Administration,
3833 the Export-Import Bank of the United States, the International
3834 Trade Administration of the United States Department of
3835 Commerce, the Foreign Credit Insurance Association, and other
3836 private and public programs and organizations, domestic and
3837 foreign.

3838 (d) Establishing a network of contacts among those
3839 domestic and foreign public and private organizations that
3840 provide information, technical assistance, and financial support
3841 to the aerospace industry.

3842 (e) Financing aerospace business development projects or
3843 initiatives using funds provided by the Legislature.

3844 Section 127. Section 331.3081, Florida Statutes, is
3845 amended to read:

3846 331.3081 Board of directors.—

3847 (1) Space Florida shall be governed by an ~~a 13-member~~
3848 independent board of directors that consists of the Governor,
3849 who shall serve ex officio, or who may appoint a designee to
3850 serve, as the chair and a voting member of the board, and the
3851 following appointed members:

3852 (a) The Secretary of Transportation or his or her
3853 designee.

3854 (b) Five members appointed by the Governor who must each

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3855 reflect the state's interests in the aerospace sector and
3856 represent the intent, duties, and purpose of Space Florida, or
3857 have at least 5 years of experience in at least one of the
3858 following areas:

3859 1. The aerospace industry. Such member may not be
3860 currently employed by an entity that is under contract with
3861 Space Florida.

3862 2. Bond financing.

3863 3. Academic experience in aerospace, aviation, or a
3864 relevant science.

3865 4. An aircraft facilities manager, a fixed-based operator,
3866 or a commercial airport operator.

3867 (c) One member appointed by the President of the Senate,
3868 who has at least 5 years of experience as provided in paragraph
3869 (b).

3870 (d) One member appointed by the Speaker of the House of
3871 Representatives, who has at least 5 years of experience as
3872 provided in paragraph (b).

3873 (e) A representative of each of the following entities,
3874 who shall serve as an ex officio, nonvoting member of the board,
3875 appointed by the Governor:

3876 1. The Jacksonville Aviation Authority.

3877 2. The Titusville-Cocoa Airport Authority.

3878 3. An employee or official of a port district or port
3879 authority as defined in s. 315.02(2).

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3880 (2) (a) Appointed members shall serve 4-year terms, except
3881 that initially, to provide for staggered terms, the Governor
3882 shall appoint two members to serve 2-year terms and two members
3883 to serve 3-year terms. All subsequent appointments shall be for
3884 4-year terms.

3885 (b) Initial appointments must be made by October 1, 2023.
3886 Terms end on September 30.

3887 (c) Any member is eligible for reappointment, except that
3888 a member may not serve more than two 4-year terms.

3889 (d) A vacancy on the board of directors shall be filled
3890 for the remainder of the unexpired term in the same manner as
3891 the original appointment.

3892 (e) Appointed members may be removed by the appointing
3893 official for cause. Absence from three consecutive meetings is
3894 cause for removal.

3895 (3) Board members shall serve without compensation, but
3896 are entitled to receive reimbursement for per diem and travel
3897 expenses pursuant to s. 112.061. Such expenses must be paid out
3898 of funds of Space Florida.

3899 (4) (a) The board of directors shall meet at least
3900 quarterly, upon the call of the chairperson, or at the request
3901 of a majority of the membership.

3902 (b) A majority of the total number of current voting
3903 members shall constitute a quorum. The board of directors may
3904 take official action by a majority vote of the members present

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3905 at any meeting at which a quorum is present.

3906 (c) Meetings may be held via teleconference or other
3907 electronic means.

3908 (5) The board shall conduct education for newly appointed
3909 board members as provided by the Department of Economic
3910 Opportunity in accordance with s. 189.063.

3911 (6) Space Florida may not endorse any candidate for
3912 elected public office or contribute moneys to the campaign of
3913 any such candidate ~~the members appointed to the board of~~
3914 ~~directors of Enterprise Florida, Inc., by the Governor, the~~
3915 ~~President of the Senate, and the Speaker of the House of~~
3916 ~~Representatives pursuant to s. 288.901(5)(a)8. and the Governor,~~
3917 ~~who shall serve ex officio, or who may appoint a designee to~~
3918 ~~serve, as the chair and a voting member of the board.~~

3919 Section 128. Paragraph (f) of subsection (1) of section
3920 339.08, Florida Statutes, is amended to read:

3921 339.08 Use of moneys in State Transportation Trust Fund.—

3922 (1) The department shall expend moneys in the State
3923 Transportation Trust Fund accruing to the department, in
3924 accordance with its annual budget. The use of such moneys shall
3925 be restricted to the following purposes:

3926 ~~(f) To pay the cost of economic development transportation~~
3927 ~~projects in accordance with s. 339.2821.~~

3928 Section 129. Section 339.2821, Florida Statutes, is
3929 repealed.

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3930 Section 130. Paragraph (h) of subsection (2) of section
3931 377.703, Florida Statutes, is amended to read:

3932 377.703 Additional functions of the Department of
3933 Agriculture and Consumer Services.—

3934 (2) DUTIES.—The department shall perform the following
3935 functions, unless as otherwise provided, consistent with the
3936 development of a state energy policy:

3937 (h) The department shall promote the development and use
3938 of renewable energy resources, in conformance with chapter 187
3939 and s. 377.601, by:

3940 1. Establishing goals and strategies for increasing the
3941 use of renewable energy in this state.

3942 2. Aiding and promoting the commercialization of renewable
3943 energy resources, in cooperation with the Florida Energy Systems
3944 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~
3945 ~~Inc.~~, and any other federal, state, or local governmental agency
3946 that may seek to promote research, development, and the
3947 demonstration of renewable energy equipment and technology.

3948 3. Identifying barriers to greater use of renewable energy
3949 resources in this state, and developing specific recommendations
3950 for overcoming identified barriers, with findings and
3951 recommendations to be submitted annually in the report to the
3952 Governor and Legislature required under paragraph (f).

3953 4. In cooperation with the Department of Environmental
3954 Protection, the Department of Transportation, the Department of

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3955 ~~Commerce Economic Opportunity, Enterprise Florida, Inc.,~~ the
3956 Florida Energy Systems Consortium, the Florida Solar Energy
3957 Center, and the Florida Solar Energy Industries Association,
3958 investigating opportunities, pursuant to the national Energy
3959 Policy Act of 1992, the Housing and Community Development Act of
3960 1992, and any subsequent federal legislation, for renewable
3961 energy resources, electric vehicles, and other renewable energy
3962 manufacturing, distribution, installation, and financing efforts
3963 that enhance this state's position as the leader in renewable
3964 energy research, development, and use.

3965 5. Undertaking other initiatives to advance the
3966 development and use of renewable energy resources in this state.

3967
3968 In the exercise of its responsibilities under this paragraph,
3969 the department shall seek the assistance of the renewable energy
3970 industry in this state and other interested parties and may
3971 enter into contracts, retain professional consulting services,
3972 and expend funds appropriated by the Legislature for such
3973 purposes.

3974 Section 131. Subsection (5) of section 377.804, Florida
3975 Statutes, is amended to read:

3976 377.804 Renewable Energy and Energy-Efficient Technologies
3977 Grants Program.—

3978 (5) The department shall solicit the expertise of state
3979 agencies, ~~Enterprise Florida, Inc.,~~ and state universities, and

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3980 may solicit the expertise of other public and private entities
3981 it deems appropriate, in evaluating project proposals. State
3982 agencies shall cooperate with the department and provide such
3983 assistance as requested.

3984 Section 132. Paragraph (a) of subsection (4) of section
3985 377.809, Florida Statutes, is amended to read:

3986 377.809 Energy Economic Zone Pilot Program.—

3987 (4)(a) Beginning July 1, 2012, all the incentives and
3988 benefits provided for enterprise zones pursuant to state law
3989 shall be available to the energy economic zones designated
3990 pursuant to this section on or before July 1, 2010. In order to
3991 provide incentives, by March 1, 2012, each local governing body
3992 that has jurisdiction over an energy economic zone must, by
3993 local ordinance, establish the boundary of the energy economic
3994 zone, specify applicable energy-efficiency standards, and
3995 determine eligibility criteria for the application of state and
3996 local incentives and benefits in the energy economic zone.
3997 ~~However, in order to receive benefits provided under s. 288.106,~~
3998 ~~a business must be a qualified target industry business under s.~~
3999 ~~288.106 for state purposes.~~ An energy economic zone's boundary
4000 may be revised by local ordinance. Such incentives and benefits
4001 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,
4002 ~~288.106,~~ and 624.5105 and the public utility discounts provided
4003 in s. 290.007(8). ~~The exemption provided in s. 212.08(5)(c)~~
4004 ~~shall be for renewable energy as defined in s. 377.803.~~ For

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4005 purposes of this section, any applicable requirements for
4006 employee residency for higher refund or credit thresholds must
4007 be based on employee residency in the energy economic zone or an
4008 enterprise zone. A business in an energy economic zone may also
4009 be eligible for funding under ss. 288.047 and 445.003, ~~and a~~
4010 ~~transportation project in an energy economic zone shall be~~
4011 ~~provided priority in funding under s. 339.2821.~~ Other projects
4012 shall be given priority ranking to the extent practicable for
4013 grants administered under state energy programs.

4014 Section 133. Subsections (1) and (5) of section 380.0657,
4015 Florida Statutes, are amended to read:

4016 380.0657 Expedited permitting process for economic
4017 development projects.—

4018 (1) The Department of Environmental Protection and, as
4019 appropriate, the water management districts created under
4020 chapter 373 shall adopt programs to expedite the processing of
4021 wetland resource and environmental resource permits for ~~economic~~
4022 ~~development projects that have been identified by a municipality~~
4023 ~~or county as meeting the definition of target industry~~
4024 ~~businesses under s. 288.106, or any intermodal logistics center~~
4025 receiving or sending cargo to or from Florida ports, with the
4026 exception of those projects requiring approval by the Board of
4027 Trustees of the Internal Improvement Trust Fund.

4028 (5) Notwithstanding the provisions of this section, permit
4029 applications for projects to be located in a charter county that

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4030 has a population of 1.2 million or more and has entered into a
4031 delegation agreement with the Department of Environmental
4032 Protection or the applicable water management district to
4033 process environmental resource permits, wetland resource
4034 management permits, or surface water management permits pursuant
4035 to chapter 373 are eligible for expedited permitting under this
4036 section only upon designation by resolution of the charter
4037 county's governing board. ~~Before the governing board decides~~
4038 ~~that a project is eligible for expedited permitting, it may~~
4039 ~~require the county's economic development agency, or such other~~
4040 ~~agency that provides advice to the governing board on economic~~
4041 ~~matters, to review and recommend whether the project meets the~~
4042 ~~definition of a target industry business as defined in s.~~
4043 ~~288.106 and to identify the tangible benefits and impacts of the~~
4044 ~~project.~~ The governing board's decision shall be made without
4045 consideration of the project's geographic location within the
4046 charter county. ~~If the governing board designates the project as~~
4047 ~~a target industry business, the permit application for the~~
4048 ~~project shall be approved or denied within the timeframe~~
4049 ~~provided in subsection (4).~~

4050 Section 134. Subsection (1) of section 401.23, Florida
4051 Statutes, is amended to read:

4052 401.23 Definitions.—As used in this part, the term:

4053 (1) "Acute and postacute hospital care at home" means
4054 acute and postacute health care services provided in a

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4055 clinically qualified patient's permanent residence, as defined
4056 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by
4057 the Centers for Medicare and Medicaid Services and the Agency
4058 for Health Care Administration.

4059 Section 135. Subsection (5) of section 403.7032, Florida
4060 Statutes, is amended to read:

4061 403.7032 Recycling.—

4062 (5) The Department of Environmental Protection shall
4063 create the Recycling Business Assistance Center by December 1,
4064 2010. In carrying out its duties under this subsection, the
4065 department shall consult with state agency personnel appointed
4066 to serve as economic development liaisons under s. 288.021 ~~and~~
4067 ~~seek technical assistance from Enterprise Florida, Inc.,~~ to
4068 ensure the Recycling Business Assistance Center is positioned to
4069 succeed. The purpose of the center shall be to serve as the
4070 mechanism for coordination among state agencies and the private
4071 sector in order to coordinate policy and overall strategic
4072 planning for developing new markets and expanding and enhancing
4073 existing markets for recyclable materials in this state, other
4074 states, and foreign countries. The duties of the center must
4075 include, at a minimum:

4076 (a) Identifying and developing new markets and expanding
4077 and enhancing existing markets for recyclable materials.

4078 (b) Pursuing expanded end uses for recycled materials.

4079 (c) Targeting materials for concentrated market

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4080 development efforts.

4081 (d) Developing proposals for new incentives for market
4082 development, particularly focusing on targeted materials.

4083 (e) Providing guidance on issues such as permitting,
4084 finance options for recycling market development, site location,
4085 research and development, grant program criteria for recycled
4086 materials markets, recycling markets education and information,
4087 and minimum content.

4088 (f) Coordinating the efforts of various governmental
4089 entities having market development responsibilities in order to
4090 optimize supply and demand for recyclable materials.

4091 (g) Evaluating source-reduced products as they relate to
4092 state procurement policy. The evaluation shall include, but is
4093 not limited to, the environmental and economic impact of source-
4094 reduced product purchases to the state. For the purposes of this
4095 paragraph, the term "source-reduced" means any method, process,
4096 product, or technology that significantly or substantially
4097 reduces the volume or weight of a product while providing, at a
4098 minimum, equivalent or generally similar performance and service
4099 to and for the users of such materials.

4100 (h) Providing evaluation of solid waste management grants,
4101 pursuant to s. 403.7095, to reduce the flow of solid waste to
4102 disposal facilities and encourage the sustainable recovery of
4103 materials from Florida's waste stream.

4104 (i) Providing below-market financing for companies that

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4105 manufacture products from recycled materials or convert
4106 recyclable materials into raw materials for use in manufacturing
4107 pursuant to the Florida Recycling Loan Program as administered
4108 by the Florida First Capital Finance Corporation.

4109 (j) Maintaining a continuously updated online directory
4110 listing the public and private entities that collect, transport,
4111 broker, process, or remanufacture recyclable materials in the
4112 state.

4113 (k) Providing information on the availability and benefits
4114 of using recycled materials to private entities and industries
4115 in the state.

4116 (l) Distributing any materials prepared in implementing
4117 this subsection to the public, private entities, industries,
4118 governmental entities, or other organizations upon request.

4119 (m) Coordinating with the Department of Economic
4120 Opportunity and its partners to provide job placement and job
4121 training services to job seekers through the state's workforce
4122 services programs.

4123 Section 136. Paragraphs (f) through (h) of subsection (3)
4124 of section 403.973, Florida Statutes, are redesignated as
4125 paragraphs (e) through (g), respectively, subsections (16)
4126 through (19) are renumbered as subsections (15) through (18),
4127 respectively, and present paragraph (e) of subsection (3),
4128 paragraph (b) of subsection (14), and present subsections (15)
4129 and (17) of that section are amended, to read:

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4130 403.973 Expedited permitting; amendments to comprehensive
4131 plans.-

4132 (3)

4133 ~~(c) Projects that are part of the state-of-the-art~~
4134 ~~biomedical research institution and campus to be established in~~
4135 ~~this state by the grantee under s. 288.955 are eligible for the~~
4136 ~~expedited permitting process, if the projects are designated as~~
4137 ~~part of the institution or campus by the board of county~~
4138 ~~commissioners of the county in which the institution and campus~~
4139 ~~are established.~~

4140 (14)

4141 (b) Projects identified in paragraphs (3) (e)-(g) ~~(3) (f)-~~
4142 ~~(h) or challenges to state agency action in the expedited~~
4143 ~~permitting process for establishment of a state-of-the-art~~
4144 ~~biomedical research institution and campus in this state by the~~
4145 ~~grantee under s. 288.955 are subject to the same requirements as~~
4146 ~~challenges brought under paragraph (a), except that,~~
4147 ~~notwithstanding s. 120.574, summary proceedings must be~~
4148 ~~conducted within 30 days after a party files the motion for~~
4149 ~~summary hearing, regardless of whether the parties agree to the~~
4150 ~~summary proceeding.~~

4151 ~~(15) The Department of Economic Opportunity, working with~~
4152 ~~the agencies providing cooperative assistance and input~~
4153 ~~regarding the memoranda of agreement, shall review sites~~
4154 ~~proposed for the location of facilities that the Department of~~

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4155 ~~Economic Opportunity has certified to be eligible for the~~
4156 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~
4157 ~~after the request for the review by the Department of Economic~~
4158 ~~Opportunity, the agencies shall provide to the Department of~~
4159 ~~Economic Opportunity a statement as to each site's necessary~~
4160 ~~permits under local, state, and federal law and an~~
4161 ~~identification of significant permitting issues, which if~~
4162 ~~unresolved, may result in the denial of an agency permit or~~
4163 ~~approval or any significant delay caused by the permitting~~
4164 ~~process.~~

4165 ~~(16)-(17)~~ The Department of Commerce ~~Economic Opportunity~~
4166 shall be responsible for certifying a business as eligible for
4167 undergoing expedited review under this section. ~~Enterprise~~
4168 ~~Florida, Inc.~~ A county or municipal government, or the Rural
4169 Economic Development Initiative may recommend to the Department
4170 of Commerce Economic Opportunity that a project meeting the
4171 minimum job creation threshold undergo expedited review.

4172 Section 137. Paragraph (c) of subsection (1) of section
4173 443.091, Florida Statutes, is amended to read:

4174 443.091 Benefit eligibility conditions.—

4175 (1) An unemployed individual is eligible to receive
4176 benefits for any week only if the Department of Commerce
4177 ~~Economic Opportunity~~ finds that:

4178 (c) To make continued claims for benefits, she or he is
4179 reporting to the department in accordance with this paragraph

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4180 and department rules. Department rules may not conflict with s.
4181 443.111(1)(b), which requires that each claimant continue to
4182 report regardless of any pending appeal relating to her or his
4183 eligibility or disqualification for benefits.

4184 1. For each week of unemployment claimed, each report
4185 must, at a minimum, include the name and address of each
4186 prospective employer contacted, or the date the claimant
4187 reported to a one-stop career center, pursuant to paragraph (d).
4188 For the purposes of this subparagraph, the term "address" means
4189 a website address, a physical address, or an e-mail address.

4190 2. The department shall offer an online assessment aimed
4191 at identifying an individual's skills, abilities, and career
4192 aptitude. The skills assessment must be voluntary, and the
4193 department shall allow a claimant to choose whether to take the
4194 skills assessment. The online assessment shall be made available
4195 to any person seeking services from a local workforce
4196 development board or a one-stop career center.

4197 a. If the claimant chooses to take the online assessment,
4198 the outcome of the assessment shall be made available to the
4199 claimant, local workforce development board, and one-stop career
4200 center. The department, local workforce development board, or
4201 one-stop career center shall use the assessment to develop a
4202 plan for referring individuals to training and employment
4203 opportunities. Aggregate data on assessment outcomes may be made
4204 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~

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4205 ~~Inc.~~ for use in the development of policies related to
4206 education and training programs that will ensure that businesses
4207 in this state have access to a skilled and competent workforce.

4208 b. Individuals shall be informed of and offered services
4209 through the one-stop delivery system, including career
4210 counseling, the provision of skill match and job market
4211 information, and skills upgrade and other training
4212 opportunities, and shall be encouraged to participate in such
4213 services at no cost to the individuals. The department shall
4214 coordinate with CareerSource Florida, Inc., the local workforce
4215 development boards, and the one-stop career centers to identify,
4216 develop, and use best practices for improving the skills of
4217 individuals who choose to participate in skills upgrade and
4218 other training opportunities. The department may contract with
4219 an entity to create the online assessment in accordance with the
4220 competitive bidding requirements in s. 287.057. The online
4221 assessment must work seamlessly with the Reemployment Assistance
4222 Claims and Benefits Information System.

4223 Section 138. Paragraph (d) of subsection (3), paragraph
4224 (b) subsection (5), and paragraph (a) of subsection (6) of
4225 section 445.004, Florida Statutes, are amended, to read:

4226 445.004 CareerSource Florida, Inc., and the state board;
4227 creation; purpose; membership; duties and powers.—

4228 (3)

4229 (d) The state board must include the Secretary of Economic

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4230 Opportunity or his or her designee, ~~the vice chairperson of the~~
4231 ~~board of directors of Enterprise Florida, Inc., and~~ one member
4232 representing each of the Workforce Innovation and Opportunity
4233 Act partners, including the Division of Career and Adult
4234 Education, the Division of Vocational Rehabilitation, the
4235 Division of Blind Services, the Department of Children and
4236 Families, and other entities representing programs identified in
4237 the Workforce Innovation and Opportunity Act, as determined
4238 necessary.

4239 (5) The state board has all the powers and authority not
4240 explicitly prohibited by statute which are necessary or
4241 convenient to carry out and effectuate its purposes as
4242 determined by statute, Pub. L. No. 113-128, and the Governor, as
4243 well as its functions, duties, and responsibilities, including,
4244 but not limited to, the following:

4245 (b) Providing policy direction to ensure that the
4246 following programs are administered by the department consistent
4247 with approved plans:

4248 1. Programs authorized under Title I of the Workforce
4249 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
4250 exception of programs funded directly by the United States
4251 Department of Labor under Title I, s. 167.

4252 2. Programs authorized under the Wagner-Peyser Act of
4253 1933, as amended, 29 U.S.C. ss. 49 et seq.

4254 3. Activities authorized under Title II of the Trade Act

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4255 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
4256 Adjustment Assistance Program.

4257 4. Activities authorized under 38 U.S.C. chapter 41,
4258 including job counseling, training, and placement for veterans.

4259 5. Employment and training activities carried out under
4260 funds awarded to this state by the United States Department of
4261 Housing and Urban Development.

4262 6. Welfare transition services funded by the Temporary
4263 Assistance for Needy Families Program, created under the
4264 Personal Responsibility and Work Opportunity Reconciliation Act
4265 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
4266 of the Social Security Act, as amended.

4267 7. The Florida Bonding Program, provided under Pub. L. No.
4268 97-300, s. 164(a)(1).

4269 8. The Food Assistance Employment and Training Program,
4270 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
4271 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
4272 the Hunger Prevention Act, Pub. L. No. 100-435; and the
4273 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

4274 9. The Quick-Response Training Program, provided under ss.
4275 288.046-288.047. ~~Matching funds and in-kind contributions that~~
4276 ~~are provided by clients of the Quick-Response Training Program~~
4277 ~~count toward the requirements of s. 288.904, pertaining to the~~
4278 ~~return on investment from activities of Enterprise Florida, Inc.~~

4279 10. The Work Opportunity Tax Credit, provided under the

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4280 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,
4281 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

4282 11. Offender placement services, provided under ss.
4283 944.707-944.708.

4284 (6) The state board shall achieve the purposes of this
4285 section by:

4286 (a) Creating a state employment, education, and training
4287 policy that ensures workforce related programs are responsive to
4288 present and future business and industry needs ~~and complement~~
4289 ~~the initiatives of Enterprise Florida, Inc.~~

4290 Section 139. Subsection (5) of section 445.045, Florida
4291 Statutes, is amended to read:

4292 445.045 Development of an Internet-based system for
4293 information technology industry promotion and workforce
4294 recruitment.-

4295 (5) In furtherance of the requirements of this section
4296 that the website promote and market the information technology
4297 industry by communicating information on the scope of the
4298 industry in this state, CareerSource Florida, Inc., shall
4299 ~~coordinate its efforts with the high-technology industry~~
4300 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~
4301 ~~Through links or actual content, the website developed under~~
4302 ~~this section shall serve as a forum for distributing the~~
4303 ~~marketing campaign developed by Enterprise Florida, Inc., under~~
4304 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~

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4305 solicit input from the not-for-profit corporation created to
4306 advocate on behalf of the information technology industry as an
4307 outgrowth of the Information Service Technology Development Task
4308 Force created under chapter 99-354, Laws of Florida.

4309 Section 140. Subsections (2) and (5) of section 446.44,
4310 Florida Statutes, are amended to read:

4311 446.44 Duties of Rural Workforce Services Program.—It
4312 shall be the direct responsibility of the Rural Workforce
4313 Services Program to promote and deliver employment and workforce
4314 services and resources to the rural undeveloped and
4315 underdeveloped counties of the state in an effort to:

4316 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~
4317 ~~pollution-free industry to the rural counties.~~

4318 ~~(4)(5)~~ Develop rural workforce programs that will be
4319 evaluated, planned, and implemented through communications and
4320 planning with appropriate:

4321 (a) Departments of state and federal governments.

4322 ~~(b) Units of Enterprise Florida, Inc.~~

4323 ~~(b)(c)~~ Agencies and organizations of the public and
4324 private sectors at the state, regional, and local levels.

4325 Section 141. Subsection (1) of section 465.003, Florida
4326 Statutes, is amended to read:

4327 465.003 Definitions.—As used in this chapter, the term:

4328 (1) "Acute and postacute hospital care at home" means
4329 acute and postacute health care services provided in a

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4330 clinically qualified patient's permanent residence, as defined
4331 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by
4332 the Centers for Medicare and Medicaid Services and the Agency
4333 for Health Care Administration.

4334 Section 142. Subsection (5) of section 477.0135, Florida
4335 Statutes, is amended to read:

4336 477.0135 Exemptions.—

4337 (5) A license is not required of any individual providing
4338 makeup, special effects, or cosmetology services to an actor,
4339 stunt person, musician, extra, or other talent during a
4340 theatrical, film, or other entertainment production ~~recognized~~
4341 ~~by the Office of Film and Entertainment as a qualified~~
4342 ~~production as defined in s. 288.1254(1)~~. Such services are not
4343 required to be performed in a licensed salon. Individuals exempt
4344 under this subsection may not provide such services to the
4345 general public.

4346 Section 143. Subsection (1) of section 570.81, Florida
4347 Statutes, is amended to read:

4348 570.81 Agricultural Economic Development Project Review
4349 Committee; powers and duties.—

4350 (1) There is created an Agricultural Economic Development
4351 Project Review Committee consisting of five members appointed by
4352 the commissioner. The members shall be appointed based upon the
4353 recommendations submitted by each entity represented on the
4354 committee and shall include:

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- 4355 (a) The commissioner or the commissioner's designee.
4356 (b) One representative from the Farm Credit Service.
4357 (c) One representative from the Department of Commerce
4358 ~~Enterprise Florida, Inc.~~
4359 (d) One representative from the Florida Farm Bureau
4360 Federation.
4361 (e) One agricultural economist from the Institute of Food
4362 and Agricultural Sciences or from Florida Agricultural and
4363 Mechanical University.

4364 Section 144. Subsection (2) of section 570.85, Florida
4365 Statutes, is amended to read:

4366 570.85 Agritourism.—

4367 (2) The Department of Agriculture and Consumer Services
4368 may provide marketing advice, technical expertise, promotional
4369 support, and product development related to agritourism to
4370 assist the following in their agritourism initiatives:

4371 ~~Enterprise Florida, Inc.;~~ convention and visitor bureaus, ~~+~~
4372 tourist development councils, ~~+~~ economic development
4373 organizations, ~~+~~ and local governments. In carrying out this
4374 responsibility, the department shall focus its agritourism
4375 efforts on rural and urban communities.

4376 Section 145. Section 625.3255, Florida Statutes, is
4377 repealed.

4378 Section 146. Subsection (4) of section 657.042, Florida
4379 Statutes, is amended to read:

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4380 657.042 Investment powers and limitations.—A credit union
4381 may invest its funds subject to the following definitions,
4382 restrictions, and limitations:

4383 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF
4384 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of
4385 the credit union may be invested in ~~any of the following:~~

4386 ~~(a) corporate obligations of any one corporation which is~~
4387 ~~an affiliate or subsidiary of the credit union or a service~~
4388 ~~corporation, except that the total investment in all such~~
4389 ~~corporate obligations shall not exceed 10 percent of the capital~~
4390 ~~of the credit union.~~

4391 ~~(b) Any capital participation instrument or evidence of~~
4392 ~~indebtedness issued by Enterprise Florida, Inc., pursuant to the~~
4393 ~~Florida Small and Minority Business Assistance Act.~~

4394 Section 147. Paragraph (f) of subsection (4) of section
4395 658.67, Florida Statutes, is amended to read:

4396 658.67 Investment powers and limitations.—A bank may
4397 invest its funds, and a trust company may invest its corporate
4398 funds, subject to the following definitions, restrictions, and
4399 limitations:

4400 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR
4401 LESS OF CAPITAL ACCOUNTS.—

4402 ~~(f) Up to 10 percent of the capital accounts of a bank or~~
4403 ~~trust company may be invested in any capital participation~~
4404 ~~instrument or evidence of indebtedness issued by Enterprise~~

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4405 ~~Florida, Inc., pursuant to the Florida Small and Minority~~
4406 ~~Business Assistance Act.~~

4407 Section 148. Paragraphs (f) through (l) of subsection (2)
4408 of section 1004.015, Florida Statutes, are redesignated as
4409 paragraphs (e) through (k), respectively, and present paragraph
4410 (e) of subsection (2) of that section is amended, to read:

4411 1004.015 Florida Talent Development Council.—

4412 (2) Members of the council shall include:

4413 ~~(c) The president of Enterprise Florida, Inc.~~

4414 Section 149. Paragraph (d) of subsection (5) of section
4415 1004.65, Florida Statutes, is amended to read:

4416 1004.65 Florida College System institutions; governance,
4417 mission, and responsibilities.—

4418 (5) The primary mission and responsibility of Florida
4419 College System institutions is responding to community needs for
4420 postsecondary academic education and career degree education.
4421 This mission and responsibility includes being responsible for:

4422 (d) Promoting economic development for the state within
4423 each Florida College System institution district through the
4424 provision of special programs, including, but not limited to,
4425 the:

4426 ~~1. Enterprise Florida-related programs.~~

4427 ~~1.2.~~ Technology transfer centers.

4428 ~~2.3.~~ Economic development centers.

4429 ~~3.4.~~ Workforce literacy programs.

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4430 Section 150. Paragraph (b) of subsection (10) of section
4431 1004.78, Florida Statutes, is amended to read:

4432 1004.78 Technology transfer centers at Florida College
4433 System institutions.—

4434 (10) The State Board of Education may award grants to
4435 Florida College System institutions, or consortia of public and
4436 private colleges and universities and other public and private
4437 entities, for the purpose of supporting the objectives of this
4438 section. Grants awarded pursuant to this subsection shall be in
4439 accordance with rules of the State Board of Education. Such
4440 rules shall include the following provisions:

4441 (b) Grants to centers funded with state revenues
4442 appropriated specifically for technology transfer activities
4443 shall be reviewed and approved by the State Board of Education
4444 using proposal solicitation, evaluation, and selection
4445 procedures established by the state board in consultation with
4446 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~
4447 Such procedures may include designation of specific areas or
4448 applications of technology as priorities for the receipt of
4449 funding.

4450 Section 151. Subsection (4) of section 1011.76, Florida
4451 Statutes, is amended to read:

4452 1011.76 Small School District Stabilization Program.—

4453 (4) The Department of Education may award the school
4454 district a stabilization grant intended to protect the district

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4455 from continued financial reductions. The amount of the grant
4456 will be determined by the Department of Education and may be
4457 equivalent to the amount of the decline in revenues projected
4458 for the next fiscal year. In addition, the Department of
4459 Commerce Economic Opportunity may implement a rural economic
4460 development initiative to identify the economic factors that are
4461 negatively impacting the community ~~and may consult with~~
4462 ~~Enterprise Florida, Inc., in developing a plan to assist the~~
4463 ~~county with its economic transition.~~ The grant will be available
4464 to the school district for a period of up to 5 years to the
4465 extent that funding is provided for such purpose in the General
4466 Appropriations Act.

4467 Section 152. For the 2023-2024 fiscal year, 20 full-time
4468 equivalent positions with associated salary rate of 1,406,860
4469 are authorized and the sum of \$5,000,000 in recurring funds from
4470 the State Economic Enhancement and Development Trust Fund is
4471 appropriated to the Department of Economic Opportunity to be
4472 used to carry out the provisions of this act.

4473
4474 For the 2023-2024 fiscal year, the sum of \$5,000,000 in
4475 recurring funds from the International Trade and Promotion Trust
4476 Fund is appropriated to the direct support organization created
4477 under s. 288.012, Florida Statutes.

4478 Section 153. The Division of Law Revision is directed to
4479 prepare a reviser's bill for the 2024 Regular Session of the

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4480 Legislature to change the terms "Department of Economic
4481 Opportunity" and "Secretary of Economic Opportunity" to
4482 "Department of Commerce" and "Secretary of Commerce",
4483 respectively, wherever the terms appear in the Florida Statutes
4484 and to make such further changes as are necessary to conform the
4485 Florida Statutes to the organizational changes effected by this
4486 act.

4487 Section 154. This act shall take effect July 1, 2023.